HUSCH BLACKWELL



Andrew J. Weissler

PARTNER

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OVERVIEW

Concentrating his practice in the area of labor and employment law, A.J. helps clients resolve the many workplace issues that confront private and public employers, either by counselling clients through difficult personnel decisions or defending against administrative complaints and lawsuits.

A.J. has significant experience in defending against complex wage-and-hour class/collective actions, as well as representing clients in discrimination cases before state and federal agencies and in state and federal court. A.J. has also obtained favorable results before the National Labor Relations Board (NLRB) and the Occupational Safety and Health Administration (OSHA). Before joining the firm, A.J. was a law clerk to the Honorable Duane Benton of the U.S. Court of Appeals for the Eighth Circuit, and before law school, he taught high school English and chemistry in McAllen, Texas.

Industry

Financial Services & Capital Markets

Services

Animal Health & Production

Companion Animal Health

Labor & Employment

Non-Competes & Restrictive Covenants

Staffing, Recruiting, and Workforce Solutions

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Case Study

Conagra Brands

Our team clarified important points of law regarding CBAs in this class action suit.

Experience

WAGE AND HOUR

- Briefed summary judgment and appeal for Conagra in *Lyons v. ConAgra Foods*, a collective action filed by employees seeking compensation for time spent changing clothes and dressing before work. In a novel decision, Conagra prevailed, with the Eighth Circuit Court of Appeals upheld the ruling that Conagra did not violate the FLSA.
- Defended multiple large employers in wage and hour investigations by the Department of Labor Wage and Hour Division.
- Briefed summary judgment and successfully argued appeal in *Garrison v. ConAgra Foods*. ConAgra had been sued in a class and collective action filed by supervisors who sought overtime compensation because they allegedly were misclassified as "exempt" under state and federal wage and hour laws. The Eighth Circuit Court of Appeals affirmed summary judgment for ConAgra and found that the supervisors satisfied all tests for the "executive" exemption under the Fair Labor Standards Act (FLSA) and state law.

WRONGFUL DISCHARGE

- Obtained summary judgment for a global ammunition manufacturer against claims of workers' compensation retaliation and wrongful discharge.

CRISIS MANAGEMENT

- Assisted international packaging company in establishing employee charitable assistance program during COVID-19 pandemic.

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Experience

- During quickly changing coronavirus shutdown statutes, provided U.S.-based packing designer and distributor with designated essential business and supplier letters, and counseled on employee travel related to same.

HEALTHCARE – DISABILITY DISCRIMINATION

- Successfully defended senior care facility against claims of failing to properly accommodate patient's deafness. Judge dismissed four of the plaintiff's claims on a successful motion for summary judgment; federal jury returned a unanimous defense verdict on the remaining six claims.

Education

- J.D., Notre Dame Law School
  - *magna cum laude*
  - Dean's List
  - *Notre Dame Law Review*, Editor-in-Chief, 2010-2011; staff member, 2009-2010
- B.A., Yale University
  - English

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Admissions

- California
- Illinois
- Michigan
- Missouri
- U.S. District Court, Southern District of Illinois
- U.S. District Court, Eastern District of Missouri
- U.S. Court of Appeals, Eighth Circuit

Clerkship

The Hon. Duane Benton, U.S. Court of Appeals, Eighth Circuit, 2011-2012

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