HUSCH BLACKWELL



Erik K. Eisenmann

PARTNER

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OVERVIEW

Erik helps businesses manage their most valuable assets – their employees.

Clients trust Erik's ability to offer practical, effective advice on the many labor and employment issues that arise in the workplace. He counsels employers of all sizes, from small businesses to Fortune 100 companies, often helping them draft and enforce employment contracts, restrictive covenants and other workplace agreements. He assists clients in the financial services, manufacturing and healthcare industries, among others.

While Erik's goal is to help his clients stay out of court, his substantial experience before state and federal courts and administrative agencies across the country has prepared him to vigorously defend their interests when litigation is necessary.

"I have worked with Erik extensively over the last few years, always with successful outcomes. I appreciate his practical and proactive approach to contentious employment matters, as well as his in-depth understanding of our unique industry. His guidance has not only resolved some complex issues, but also has helped us avoid issues that we otherwise might not have seen coming."

— Chief Human Capital Officer, Healthcare and Human Services Organization

Industries

Manufacturing

Technology

Transportation

Services

Credit Unions

Employment Litigation Defense

ESG Strategy & Compliance

Labor & Employment

Litigation & Alternative Dispute Resolution

Non-Competes & Restrictive Covenants

Pay Equity

Workplace Diversity, Equity, & Inclusion

Workplace Safety & Health

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Whether it is a workplace safety matter before OSHA, a traditional labor matter resulting in a grievance or unfair labor practice charge, or a sensitive internal investigation involving allegations of fraud or harassment, clients rely on Erik's proven ability to guide them to positive resolutions.

Erik previously led Husch Blackwell's Labor & Employment practice group, and now serves as Chair of the firm's Practice Group Leadership.

Featured Experience

Dismissal of OSHA Action Saves Company Millions

Erik's team successfully persuaded the Occupational Safety and Health Administration (OSHA) to completely dismiss an enforcement action against one of the nation's largest producers of animal feed and veterinary pharmaceuticals. OSHA initially assessed six-figure penalties, as well as abatement steps that would have required comprehensive retrofitting at virtually all of the client's facilities.

Erik identified the world's preeminent expert in the industry, and his team successfully persuaded OSHA that the company's facilities were safe and compliant as designed. By convincing OSHA to dismiss the case, Erik's team saved the client more than $10 million.

Experience

ADVICE AND COUNSELING

- Advised clients in multiple states regarding operational drug testing and off-duty use policies regarding cannabis, ensuring compliance with applicable state and federal laws, including disability discrimination protections for medical marijuana users.
- Acted as regional employment counsel for national hair salon, handling litigation and regulatory matters in state and federal courts and administrative agencies.
- Provided day-to-day counseling for employees located across the United States for international manufacturer of commercial laundry systems, and coordinated network of international legal providers for operations worldwide.

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Experience

- Analyzed 2000+ state and federal statutes to provide regional bank client with comprehensive retention schedule and policy for organizing or destroying records. The comprehensive guide saves client significant litigation eDiscovery costs and employee time, as well as reducing exposure due to filing errors.

EMPLOYMENT LITIGATION

- Represented world's largest company before Seventh Circuit Court of Appeals on claims involving Family and Medical Leave Act (FMLA) discrimination/retaliation, gender discrimination and disparate pay.
- Secured victory in federal court for national produce wholesaler in case involving breach of contract claims by former executive.
- Defended regional social service organization against claims of discrimination in federal District Court, Seventh Circuit Court of Appeals and U.S. Supreme Court.
- Successfully prosecuted claims of breach of contract, tortious interference, and trade secret misappropriation for supply chain management company after defendants implemented a multi-year conspiracy to solicit employees and misappropriate trade secrets.
- Represented Native American tribal council in a series of claims and cases and developed a novel argument regarding tribal sovereign immunity.
- Represented university in a novel employment discrimination matter pending before the Wisconsin Equal Rights Division. Following intensive discovery and a multi-day evidentiary hearing, the Husch Blackwell team prevailed with a full dismissal for the client.
- Won summary judgment for construction executive in restrictive covenant dispute in federal court.

WORKPLACE SAFETY

- Represented national construction contractor in multistate dispute with the Mine Safety and Health Administration (MSHA).

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Experience

- Managed OSHA investigation involving employee fatality for multinational manufacturer of automotive components, including negotiation of favorable settlement to avoid repeat/willful citations.

CRISIS MANAGEMENT

- As key member of the firm's CARES Act resource team, advised clients on accessing COVID-19-driven financial assistance, including Paycheck Protection Program (PPP), Economic Injury Disaster Loans (EIDL) and Main Street Lending Program.

CORPORATE TRANSACTIONS

- Served as seller's counsel to SÜDPACK, a global leader in high-performance films and innovative packaging solutions, in the disposition of its U.S. operations to PPC Flex.
- Handled all labor and employment components of complex corporate purchase and sale transaction for one of the nation's largest distributors of car wash systems and supplies, from due diligence to closing.
- Represented family-owned regional bakery in sale of assets to publicly traded company.
- Represented Hixwood Metal, Inc. (Eau Claire, WI) as seller of its steel products and commercial-residential building materials business in asset sale to private equity group.

AUDITS AND INVESTIGATIONS

- Represented manufacturing company in connection with a multi-year audit of compensation practices by the U.S. Department of Labor, alleging exposure for unpaid time in the range of several million dollars. The Husch Blackwell team successfully persuaded the DoL to conclude its investigation without any finding or assessment of penalty.

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Recognition

- *The Best Lawyers in America®*
  - Employment Law - Management, 2024-2027
  - Litigation - Labor and Employment, 2024-2027
  - Labor Law - Management, 2027
- *Benchmark Litigation*
  - Future Star, 2021-2026
  - Labor & Employment Star - Midwest, 2018-2024
- *The Legal 500 United States*, Labor and employment: Workplace and employment counseling, Recommended lawyer, 2025
- Wisconsin Law Foundation, Fellow, 2025
- *Wisconsin Law Journal*
  - Power 30 Employment Lawyers, 2024
  - Up and Coming Lawyer, 2018
- *Wisconsin Super Lawyers*, Rising Star, 2012-2017
- American Bar Association/Bureau of National Affairs Award for Excellence in Labor & Employment Law

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Education

- J.D., The George Washington University Law School
  - with high honors
  - Order of the Coif
  - *The George Washington Law Review*
- B.A., University of Wisconsin-Madison
  - with honors
  - Phi Beta Kappa

Admissions

- Illinois
- Wisconsin
- Oneida Nation

Community Leadership

He played in MYSO's Chamber Orchestra, Philharmonia and Senior Symphony Orchestra from 1994 to 1999.

Erik has developed strong relationships in Scandinavia by virtue of his membership in the Brittingham Viking Organization (BVO), an international scholarship group with ties to the University of Wisconsin-Madison, where he is also a Labor & Employment Lecturer at the School of Engineering. He has served on the board of directors of the BVO's U.S. affiliate since 2017 and also serves as its outside counsel, providing advice on corporate and compliance issues.

eCornell

Proud to be certified through Cornell's Diversity, Equity, and Inclusion program.

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