HUSCH BLACKWELL



Rufino Gaytán III

SENIOR COUNSEL

HOUSTON, TX
PHONE: 713.525.6229
EMAIL: RUFINO.GAYTAN@HUSCHBLACKWELL.COM

OVERVIEW

Rufino has substantial experience representing clients in labor matters, including collective bargaining, labor arbitrations, unfair labor practice claims, and union election petitions, and has represented numerous clients before the National Labor Relations Board (NLRB).

Rufino has handled health and safety matters before the Occupational Safety and Health Administration (OSHA) and discrimination claims before the Equal Employment Opportunity Commission (EEOC). He also advises public employers, including universities and local governments, on a broad range of employment matters, such as high-profile investigations into alleged misconduct. Clients and colleagues value his hands-on perspective, practical counsel, and discretion in handling sensitive labor and employment matters.

Before entering private practice, Rufino served in the U.S. Army Reserve, including a yearlong deployment to Iraq with Bravo Company, 980th Engineer Combat Battalion. He received the Army Commendation Medal and Combat Action Badge for his service. He now serves as co-chair of HB Vets, the firm's Employee Resource Group for military veterans.

Industries

Education
Healthcare
Life Sciences

Services

Employment Litigation Defense
Labor & Employment
Traditional Labor Relations

© 2026 HUSCH BLACKWELL LLP. ALL RIGHTS RESERVED

Experience

UNION & LABOR RELATIONS

- Represented and counseled craft coffee roasting company regarding union election petition, resulting in vote against unionization.
- Negotiated dismissal of National Labor Relations Board (NLRB) unfair labor practice charge implicating joint employer issues for specialty tea and coffee manufacturer/distributor.
- Represented defense contractor and shipbuilder in multiple proceedings before NLRB, including unfair labor practice charges claiming retaliation and failure to respond to information requests by union.
- Obtained injunctive relief against union and union representatives in an unfair labor practice charge against union representatives for making threats against senior management employees.
- First-chair representation of hospital system in arbitration related to emergency medical technician (EMT) and ambulance driver scheduling.

EMPLOYMENT LITIGATION

- Obtained dismissals for Indian tribe and related development corporation in numerous employment disputes and all related actions before Equal Employment Opportunity Commission (EEOC), in federal district court and before U.S. Court of Appeals, Seventh Circuit, including claims under Title VII, the Americans with Disabilities Act (ADA) and Age Discrimination in Employment Act (ADEA).
- Represented manufacturer in donning/doffing class/collective action lawsuit filed by Department of Labor (DOL), negotiating settlement representing nearly 60 percent reduction to initial DOL demand.
- Secured summary judgment against former owner/employee for violating confidentiality obligations to client and misappropriating confidential information and trade secrets.

© 2026 HUSCH BLACKWELL LLP. ALL RIGHTS RESERVED

Experience

HEALTH & SAFETY

- Negotiated elimination of all Occupational Safety and Health Administration (OSHA) citation items and penalties, including alleged fall hazard allegations, for biomedical device manufacturer.
- Negotiated significant reductions to OSHA penalties and elimination of citation items related to employee fatality (electrocution) for equipment provider.
- Negotiated significant reductions in proposed penalties and elimination of majority of alleged willful violations of lockout/tagout, confined space entry and fall hazard regulations for chemical and colorant manufacturer/distributor.
- Negotiated elimination of all serious citation items and significant reduction in penalties for alleged violations of lockout/tagout standard based on employee injury.
- Negotiated significant reductions of penalties for alleged violations of training and personal protective equipment (PPE) standards based on employee injury.
- Advised numerous clients with development of Employee Health and Safety (EHS) Committees and safety manuals, including development of fall hazard programs, lockout/tagout procedures and PPE requirements.

Recognition

- *Best Lawyers: Ones to Watch® in America*
    - Labor and Employment Law - Management, 2022-2025
- Thomson Reuters' *Texas Super Lawyers*
    - Rising Star, Employment & Labor: Employer, 2020
- Super Lawyers, Wisconsin Rising Star, Employment & Labor: Employer, 2019
- Top Latino Lawyer, Latino Leaders, 2018

© 2026 HUSCH BLACKWELL LLP. ALL RIGHTS RESERVED

Education

- J.D., University of Wisconsin Law School
  - *Wisconsin Journal of Law*, Gender & Society Member
- B.A., University of Texas at Austin
  - Government

Admissions

- Texas
- Wisconsin
- U.S. District Court, Southern District of Texas
- U.S. District Court, Western District of Texas
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Appeals, Seventh Circuit

Community Leadership

- Milwaukee County Personnel Review Board, Vice President, 2016-2019
- Casa Romero Renewal Center, Board Chairman, 2017-2019
- Easterseals Southwest Wisconsin, 2016-2019

© 2026 HUSCH BLACKWELL LLP. ALL RIGHTS RESERVED