



JOSHUA D. BRITTINGHAM

(206) 607-4173
brittingham@carneylaw.com

Education

JD, UCLA School of Law, 2008
BA, Business Management,
Vanderbilt University, 2000
(*Summa Cum Laude*)

Bar and Court Admissions

State of Washington
State of California
State of Oregon
U.S. District Court, Western
District of Washington
U.S. Courts, Ninth Circuit

Professional Associations

Washington State Bar
Association

Joshua Brittingham is a seasoned labor and employment attorney who is conscientious, compelling, and compassionate. He represents and counsels management clients in connection with all types of labor and employment matters arising under federal and state law. He helps private and public employers reduce their legal exposure by implementing effective personnel policies and practices. He also represents high-level executives in employment matters.

His wide-ranging practice includes drafting and enforcing employment, confidentiality, and non-competition agreements, and defending claims regarding wrongful discharge, discrimination, sexual harassment, and wage-and-hour issues in state and federal courts and administrative agencies. Mr. Brittingham also provides representation on labor relations matters, such as collective bargaining, arbitrations, union organizational campaigns, and National Labor Relations Board proceedings.

Mr. Brittingham is a gifted speaker and frequent keynote speaker. He provides training to employer clients on a wide range of employment law topics including management do's and don'ts and responding with union organizing campaigns.

Mr. Brittingham has extensive litigation experience. Before joining Carney Badley Spellman, he spent nearly a decade litigating commercial matters (including contract breaches, tortious interference claims, and business owner disputes), real estate matters (such as lease, easement, and boundary disputes), and employment matters. In the past, he also formed companies, advised clients on real estate transactions, and drafted purchase and sale agreements, leases, easements, and other contracts.

Mr. Brittingham comes from a business background. Both of his parents are small business owners, and, before practicing law, he worked as a project manager and business analyst in the financial services industry. This businesses background gives Mr. Brittingham a unique perspective which he harnesses to help employers obtain satisfactory results. Mr. Brittingham takes pride in tackling labor and employment law problems so his clients can thrive.

Representatives Matters

- Counsel to employer in a lawsuit against a union for fraud and property damage. In part, the employer's state court tort action alleged that the union intentionally timed a strike so that it would result in destroying the employer's property. A key issue in the case is whether the National Labor Relations Act impliedly preempts such a state tort claim under *San Diego Bldg. Trades Council v. Garmon*, 359 U.S. 236 (1959), and its progeny. The case is presently pending before the Supreme Court of the United States. *Glacier Nw., Inc. v. Int'l Bhd. of Teamsters Loc. Union No. 174.*, 143 S. Ct. 82 (2022).
- Lead counsel to Oregon employer defending against worker's compensation retaliation claims. Case was settled favorably.
- Lead counsel to employer defending against a claim a alleged non-payment of wages per Washington's High hazard facilities—Workforce Statute (Ch. 49.80 RCW). Successfully obtained an administrative dismissal of the claim before the Washington State Department of Labor & Industries.
- Lead counsel to various employers defending against wage-and-hour class actions alleging claims for meal break, rest break, overtime payment alleged violations.

Speaking Engagements

- Keynote speaker for LWHRA, a "Super-Mega Chapter" of the Society for Human Resource Management (SHRM), on the topic of Covid Rules, Wage Liens, NDA Limitations, and New Salary Range Disclosure Requirements—What Washington Employers Need To Know Going Into 2023 (November 8, 2022).
- LWHRA Presentation on Covid Rules, Wage Liens, NDA Limitations, and New Pay Range Posting Requirements—What Washington Employers Need To Know In 2022 (July 28, 2022).
- LWHRA Presentation on Vaccines, Paycheck Protection, and Hidden Gotchas—What Employers Need to Know to Navigate The Covid-19 Pandemic in 2021 (January 27, 2021).
- LWHRA Presentation on Paid Family & Medical Leave (September 25, 2019).
- LWHRA Presentation on Job-Protected Leave Entitlement under the Family and Medical Leave Act (FMLA) and Americans With Disabilities Act (ADA): Must they stay or can they go? (May 22, 2019).

Publications

- Time to Update Your Severance Agreements: New Washington State Law and National Labor Relations Board Decision Place Additional Requirements, *Carney E-News and Employment Blog*, March 2023
- "Profile" article, *Benders California Labor and Employment Law Bulletin*, August 2007.