



Brian Mumaugh

Partner

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Employers in a variety of industries engage Brian Mumaugh to represent them when embroiled in disputes with employees.

With more than 25 years of experience, clients trust him to find practical, favorable solutions to their labor and employment issues.

Brian represents employers in a broad range of employment and labor matters including Title VII, age discrimination, FLSA wrongful discharge, breach of contract, public policy discharge, covenants not to compete, and related employee disputes in federal and state courts in multiple states across the country.

Brian also represents employers before Federal and State Administrative agencies including the EEOC, the NLRB, the NMB U.S. Department of Labor, the Colorado Civil Rights Commission, the Colorado Department of Labor, and state and federal agencies in his nationwide practice. He has comprehensive experience representing management in labor matters including representation elections and disputes, unfair labor practice proceedings, unit determinations, collective bargaining, and labor arbitration.

In addition to his work as an employment lawyer, Brian has developed a nationwide practice in traditional labor law representing management in a variety of industries, including manufacturing, transportation, airlines, railroads, mining, construction, warehousing, medical, grocery, and security and government contracting. His experience includes labor negotiations, significant labor arbitrations, labor litigation, pension and benefit issues and contract interpretation under the National Labor Relations Act and the Railway Labor Act.

Brian is the past chair of the labor and employment practice group.

Prior to joining Holland & Hart in 1989, Brian gained experience as in-house labor attorney representing a major airline in labor matters, arbitrations, collective bargaining and providing advice to management on a wide variety of labor and employment issues.

PUBLICATIONS

"Service Advisors Exempt From Overtime, Says Supreme Court," *Holland & Hart News Update*, 04/02/2018

"Judge Declares Persuader Rule Unlawful With Permanent Nationwide

PRACTICES

Labor and Employment
 Labor and Management Relations
 Employment Litigation and Class Actions
 Discrimination, Harassment, Retaliation, and Litigation
 HR Counseling, Compliance, and Risk Management

EDUCATION

Creighton University, J.D., 1982

University of Nebraska, 1979

BAR ADMISSIONS

Colorado
 Nebraska

Injunction," *Holland & Hart News Update*, 11/16/2016

"Employer Violates NLRA By Barring Employees From Bringing Class or Collective Actions, Says Ninth Circuit," *Holland & Hart News Update*, 08/23/2016

"Supreme Court Avoids Deciding Whether Car Dealership Service Advisors Are Exempt From Overtime Pay," *Holland & Hart News Update*, 6/21/2016

"DOL Issues Final Persuader Rule; Court Challenges Likely To Follow," 03/25/2016

"Anticipating Revisions To The 'Persuader Rules' – What You Need To Know," *Employers' Lawyers Blog*, January 12, 2016

"NLRB Throws Out Years of Joint-Employer Precedent – Adopts Two-Part Test For Joint-Employer Status," *Holland & Hart News Update*, 8/31/2015

"Drafting Employee Handbook Policies That Pass NLRB Muster," *Holland & Hart News Update*, March 2015

RECOGNITION

- *Chambers USA: America's Leading Lawyers for Business*, Labor & Employment, 2005-2019
- *The Best Lawyers in America*© Employment Law- Management, Labor Law-Management, 2011-2020
- Colorado Super Lawyers®, Employment & Labor, 2011-2019

PROFESSIONAL AND CIVIC AFFILIATIONS

- The Wildlife Experience, Board Member, Chair of the Finance Committee, and Member of the Executive Committee, 2007-present
- Colorado Junior Hockey Foundation, Board Member and Executive Committee Member
- Rocky Mountain Children's Cancer Foundation, Former Member, Board of Directors
- Children's Museum of Denver, Former Member, Board of Directors and Executive Committee
- Colorado, Nebraska, and American Bar Associations, Member
- Colorado Defense Lawyers Association, Member
- American Bar Association, Labor and Employment Section, Member