

John L. Litchfield

Partner

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Chicago

312.832.4538



John Litchfield's primary practice includes counseling clients on complex labor and employment-related matters, including disability accommodations under Titles I and III of the Americans with Disabilities Act and the Rehabilitation Act, sexual harassment and safe workplace compliance, leave management, restrictive covenants, executive employee terminations, reductions in force, wage and hour compliance, and other state and federal employment laws.

John is a member of the firm's Labor & Employment, Business Litigation & Dispute Resolution, and Family Office Practices, and the firm's ADA & FMLA Compliance Team. He is also a member of the Environmental, Social, and Corporate Governance (ESG) Team. John is a leader in the firm's Artificial Intelligence (AI) Task Force and for years has been counseling clients on AI risks and opportunities in employee recruitment, retention, and management.

John regularly represents employers in federal and state litigation matters relating to disability discrimination, the Family and Medical Leave Act, and harassment and discrimination. John regularly conducts on-site trainings for clients and their employees covering workplace conduct, sexual harassment prevention, diversity and inclusion, and many other topics.

He also has experience in counseling clients on state and local campaign finance regulations, and has successfully represented clients with disputes before the City of Chicago Department of Procurement Services.

John is the chair of Foley's LGBTQIA+ Affinity Group and serves on the firm's Recruiting Committee.

Awards and Recognition

- Crain's Chicago Business 2023 Notable Leader in Employment & Labor Law
- Crain's Chicago Business 2020 Notable LGBTQ Executive

- Recipient of the 2014 Lynford Lardner Community Service Award in recognition of his volunteer work and civic involvement
- Awarded the Advocate for Diversity Award by the Diversity Scholarship Foundation in 2014 in Chicago
- Selected for inclusion in *Illinois Super Lawyers – Rising Stars®* (2013-2022)
- Awarded the 2011 National LGBT Bar Association's Best LGBT Lawyer Under 40 Award*

Affiliations

- Currently serves on the Board of Directors for the Miami University Alumni Association
- Currently serves as a board member of Personal PAC Illinois
- Previously served as president for the Lesbian and Gay Bar Association of Chicago (2010-2014)
- Previously served as chairperson of the Equality Illinois Political Action Committee (2014-2020)
- Previously served as vice chair of the Equality Illinois Education Fund (2018-2020)

Pro Bono

- Pro bono work makes up an important part of John's practice, including work with victims of persecution and torture seeking asylum in the U.S.
- John received the National Immigrant Justice Center 2013 Rising Star Award for junior-level attorneys. He is also a recipient of Foley's Lynford Lardner Community Service Award.

Presentations and Publications

- Co-author, "Labor and Employment FAQs In Light of Uncertain Financial Times," *Labor & Employment Law Perspectives* (March 13, 2023)
- Co-author, "Not Enough Money to Make the Next Payroll? Know the Law Before You Act," *Labor & Employment Law Perspectives* (March 13, 2023)
- Author, "Intelligent Hiring: AI Recruiting Tools Get EEOC Scrutiny," *Labor & Employment Law Perspectives* (March 6, 2023)
- Co-author, "Strictly Confidential? Labor Board Flip-Flops Again on Severance Agreement Confidentiality and Non-Disparagement Terms," *Labor & Employment Law Perspectives* (February 27, 2023)
- Co-author, "BIPA Alert: Potential Billion Dollar Exposure for Companies Operating in Illinois under New Illinois Biometric Data Rulings," *Labor & Employment Law Perspectives* (February 20, 2023)
- Co-author, "FTC Proposes Sweeping Federal Ban on Employee Noncompetes," *Manufacturing Industry Advisor* (January 6, 2023)
- Author, "Addiction and Substance Abuse in a Post-COVID Era: Navigating Stormy Employment Waters," *Labor & Employment Law Perspectives* (August 15, 2022)
- Co-author, "More Training, More Notice, More Time – Oh, My! Chicago Adds New Anti-Harassment Obligations for Employers," *Labor & Employment Law Perspectives* (June 20, 2022)
- Co-author, "Preparing for NYC's New Pay Transparency Law," *Law360* (June 10, 2022)

- Co-author, “Considering an Early Retirement Program? Make Sure You Plan Ahead,” *Labor & Employment Law Perspectives* (January 31, 2022)
- Co-author, “Supreme Court Pulls the Plug on OSHA Vaccine Mandate, but the CMS Vaccination Mandate is Resuscitated In the 25 States In Which It Was on Life Support,” *Labor & Employment Law Perspectives* (January 13, 2022)
- Co-author, “Chicago’s Public Venue Vaccine Mandate – Does It Impact Cannabis Dispensaries?” *Labor & Employment Law Perspectives* (December 23, 2021)
- Co-author, “Employer FAQs Regarding COVID-19 Vaccination and Testing Mandate for Federal Contractors and Large Employers (with 100 or More Employees),” *Labor & Employment Law Perspectives* (September 28, 2021)
- Co-author, “New Illinois Limitations on Noncompetes Go Into Effect January 1 – Update Your Restrictive Covenants Now,” *Labor & Employment Law Perspectives* (July 26, 2021)
- Co-author, “Employer FAQs Regarding CDC’s New Guidance Allowing Fully Vaccinated Individuals to Go Mask-free and Forego Social Distancing in Most Settings,” *Labor & Employment Law Perspectives* (May 17, 2021)
- Co-author, “Best Practices for Returning to Work in a Vaccinated World,” *Labor & Employment Law Perspectives* (March 31, 2021)
- Author, “A National COVID-19 Response Strategy: What Should Employers Expect?” *Labor & Employment Law Perspectives* (February 1, 2021)
- Co-author, “EEOC Addresses COVID Vaccine Guidance and Potential Discrimination Issues,” *Labor & Employment Law Perspectives* (December 16, 2020)
- Co-author, “President Trump Issues New Executive Order for Federal Contractors and Employers,” *Labor & Employment Law Perspectives* (September 28, 2020)
- Co-author, “Department of Labor Doubles Down and Largely Reaffirms Limitations on FFCRA Leave, But Narrows Health Care Provider Exclusion,” *Labor & Employment Law Perspectives* (September 14, 2020)
- Co-author, “Beware: Federal Court Strikes Down Labor Department’s Limitations on Paid Sick and Extended Leave Benefits Under FFCRA,” *Labor & Employment Law Perspectives* (August 4, 2020)
- Co-author, “LGBTQ Employees Can Sue for Termination – What Other Employment Policies Do You Now Need to Review?” *Labor & Employment Law Perspectives* (August 3, 2020)
- Co-author, “Employer Use of Contact Tracing Apps: The Good, the Bad, and the Regulatory,” *Labor & Employment Law Perspectives* (July 7, 2020)
- Co-author, “The Story of Hannah and Bob – Why Employers Cannot Discriminate Against LGBT Employees,” *Labor & Employment Law Perspectives* (June 15, 2020)
- Co-author, “Restore Illinois: Governor Pritzker’s Five-Phase, Four Region Plan and What It May Mean for Your Business Operations,” *Coronavirus Resource Center: Back to Business* (May 18, 2020)
- Co-author, “Key Changes and New Provisions in April 30, 2020 Illinois Stay-at-Home Order Extension,” *Coronavirus Resource Center: Back to Business* (May 5, 2020)

- Co-author, “Best Practices for COVID-19 Preparedness: Key Employment Law Issues for Starting Back Up or Continuing Operations,” *Coronavirus Resource Center: Back to Business* (April 2020)
- Co-author, “Department of Labor Issues Temporary Rule Regarding Families First Coronavirus Response Act,” *Labor & Employment Law Perspectives* (April 3, 2020)
- Co-author, “Updated FAQs related to the FFCRA based on Department of Labor Regulations,” *Labor & Employment Law Perspectives* (April 3, 2020)
- Co-author, “UPDATE: Employment Provisions Within the Families First Coronavirus Response Act,” *Coronavirus Resource Center: Back to Business* (March 19, 2020)
- Co-author, “Technical Corrections to the House’s Employment Provisions within the Families First Coronavirus Response Act,” *Coronavirus Resource Center: Back to Business* (March 17, 2020)
- Co-author, “Coronavirus FAQs for Employers No. 3,” *Labor & Employment Law Perspectives* (March 16, 2020)
- Author, “EEOC’s 2019 Efficiency is Both Good News and Concerning News for Employers,” *Labor & Employment Law Perspectives* (February 17, 2020)
- Co-author, “Drug Testing Best Practices in the Wake of Cannabis Legalization,” *HR Daily Advisor* (January 9, 2020)
- Co-author, “Are Baby Boomers the ticket to autonomous vehicle success?” *Automotive World* (November 18, 2019)
- Co-author, “LGBTQ Employment Law Practice Guide – 2017 Edition,” published by *LexisNexis* (2017)
- Author, “Expanding the Timer: Supreme Court Gives Employees More Time to File Claims,” *Labor & Employment Law Perspectives* (June 2016)
- Author, “Employer Wellness Programs: Finally (Or At Least Potentially) Some Clarity,” *Labor & Employment Law Perspectives* (April 2015)
- Co-presenter, “Ebola: Requirements and Recommendations for Employers and Healthcare Providers,” *LawLine Webinar* (November 2014)
- Author, “Paycard Use Comes With Convenience, Regulation,” *Labor & Employment Law Perspectives* (November 2014)
- Author, “Ebola Preparedness: Employee Education Is Key,” *Health Care Law Today* (October 2014)
- Co-presenter, “Puff, Puff, Pass: A Legal, Business and Political Perspective on the Law of Medical and Recreational Marijuana Use,” *Lavender Law Conference & Career Fair* (August 2014)
- Author, ““No Harm, No Foul” and the FMLA Still Means “Be Diligent,”” *Labor & Employment Law Perspectives* (June 2014)
- Author, “So If I Have to Allow Employees to Revoke a Waiver, How Much Should I Allow Them to Revoke?” *Labor & Employment Law Perspectives* (May 2014)
- Co-author, “Caught Snooping on Privacy Rights: Illinois Supreme Court Invalidates State Eavesdropping Law,” *Foley Legal News: Labor & Employment* (April 2014)
- Author, “Staying Ahead of the Curve: Don’t Get Drunk on BYOD,” *Labor & Employment Law Perspectives* (November 2013)

- Co-author, “The Impact of the Supreme Court’s Decision in Windsor (DOMA) on Individuals and Businesses,” *Foley Legal News: Employee Benefits & Executive Compensation* (July 2013)
- Co-author, “Stay Informed on the Changing Legal Definition of Marriage,” *Chicago Daily Law Bulletin* (April 2013)
- Author, “Proper Classification of Workers and Good Recordkeeping Will Save You Money,” *Labor & Employment Law Perspectives* (February 2013)
- Author, “Employers Won’t Do Jail Time for Snooping Around on Employees’ Cell Phones, But They May End Up Paying For It,” *Labor & Employment Law Perspectives* (December 2012)
- Co-author, “Whatever Happened to the ENDA?,” *ABA’s Labor and Employment Law* (Spring 2012)
- Author, “Proposed Legislation Would Boost WARN Act Penalties And Encompass More Employers,” *Foley Legal News: Employment Law Update* (July 2012)
- Co-author, “Building Relationships Becomes Valuable,” *Chicago Daily Law Bulletin* (April 2012)
- Co-author, “Injunctive Relief: Recent Developments in Illinois Law,” *Chicago Daily Law Bulletin* (April 2011)
- Co-presenter, “ADAAA Update – How the New Regulations Impact You and Your Business,” Foley Web Conference (April 2011)
- Author, “The EEOC Releases New ADAAA Regulations: What Employers Should Watch For,” *Foley Legal News: Employment Law Update* (March 2011)
- Author, “Psychotherapist-Patient Privilege Is Not Automatically Waived Under an ADA Claim,” *Foley Legal News: Employment Law Update* (January 2011)

Sectors

- [Cannabis](#)
- [Energy](#)
- [Family Offices](#)
- [Health Care & Life Sciences](#)
- [Racial Justice & Equity](#)

Practice Areas

- [ADA & FMLA Compliance](#)
- [Business Litigation & Dispute Resolution](#)
- [Discrimination, Harassment & Retaliation](#)
- [Environmental, Social, and Governance \(ESG\)](#)
- [Financial Institutions](#)
- [Government Solutions](#)
- [Labor & Employment](#)
- [Labor & Employment Class Actions](#)
- [Litigation](#)

- [Union/Employer Matters](#)

Education

- Loyola University Chicago School of Law (J.D., cum laude, 2009)
 - Comparative law program in Rome, Italy and Oxford, England (2007)
 - Comparative law program in Santiago, Chile (2009)
 - Senior Editor, *International Law Review*
 - Co-president and founder of OUTLAW, gay and lesbian student organization
- University of Edinburgh (M.Sc., 2005)
- Miami University (B.A., dean's list, 2004)
 - Diplomacy
 - Foreign Affairs

Admissions

- Illinois
- United States District Court for the Northern, Central and Southern Districts of Illinois

*The Illinois Supreme Court does not recognize certifications of specialties in the practice of law and no award or recognition is a requirement to practice law in Illinois.