

BARRAN LIEBMAN^{LLP}

A T T O R N E Y S

Employment | Labor | Benefits | Higher Education
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Nelson Atkin is a founding Partner of Barran Liebman and has been practicing labor and employment law since graduating, *cum laude*, from Syracuse University College of Law in 1974. Nelson excels in traditional labor law, representing employers in union organizing, unfair labor practice charges, and collective bargaining. He is also a leader in advising clients on the Family Educational Rights & Privacy Act (FERPA). A former chair of the Oregon State Bar, Labor and Employment Law section, Nelson has also been an active member of the American Bar Association's section of the Labor and Employment Law Committee on the Development of the Law under the NLRA since 1972. He is both an associate editor and a primary chapter editor of the *Labor Law Treatise* written by the committee. Nelson was elected by his national colleagues to the College of Labor and Employment Lawyers for his sustained outstanding performance in the profession.

On a pro bono basis, he has represented the Portland Opera since 1983, the Oregon Symphony since 1990, and the Oregon Ballet Theater and Oregon Children's Theater since 1997. Since 2006, Nelson has been named a top lawyer in Oregon by *Oregon Super Lawyers Magazine*. In 2008, he was chosen to receive the Management Practitioner Award by the Labor and Employment Relations Association (LERA), Oregon Chapter.

Areas of Practice

Affirmative Action Compliance
Collective Bargaining
Family Educational Rights & Privacy Act (FERPA)
Labor Relations in Public & Private Sector
Wage & Hour

Representative Matters

Counsel to McKenzie Manor Nursing Home following organization by SEIU. Planned and executed a strategy which led to union disclaimer of interest following an illegal strike.

Chief negotiator for Albertina Kerr Centers (Marion County) in negotiations with AFSCME Council 75.

Counsel to Roseburg Forest Products Co. during repeated contract negotiations including successful defeat of all unfair labor practice charges relating to a 119-day strike.

Repeated representation of Oregon Symphony, Portland Opera, Oregon Ballet Theater, and Oregon Children's Theater in contract negotiations with American Federation of Musicians, American Guild of Musical Artists, and stage hands (IATSE).

Repeated representation of Pacific Northwest Regional Blood Service (Red Cross) in contract negotiations with Oregon Nurses Association, and Teamsters Local 223.

Honors

Oregon Super Lawyers Magazine: Super Lawyer (2006-2007, 2012-present)

Portland Opera: Aubrey N. Morgan Award (2014)

Labor and Employment Relations Association (LERA), Oregon Chapter: Management Practitioner Award (2008)

Labor Relations Ink: Top One Hundred Labor Attorneys (2007)

Received AV® Preeminent™ rating by his legal peers at Martindale-Hubbell

Professional Experience & Affiliations

Syracuse University Law Alumni Association: Board of Directors (2015-present)

Portland Opera: Board of Directors (2015-present)

College of Labor and Employment Lawyers: Regional Board for the 9th Circuit-North, Member (2010-present); Fellow of College (Inducted 2001)

American Bar Association: Labor & Employment Section, Committee on Development of the Law Under the National Labor Relations Act; Associate Editor, Primary Chapter Editor, and Contributing Editor of *The Developing Labor Law* (1972-present)

Oregon Symphony: Board of Directors (1992-1999, 2009-2015)

Portland State University: Employee and Labor Relations Course, Instructor (2007-2011)

Oregon State Bar: Labor & Employment Law Section, Chair (2001), Chair-Elect (1999-2000), Secretary (1998-1999), Treasurer (1997-1998), Executive Committee (1981-1997)

Representative Presentations

Lewis & Clark Law School Employment Law Society: “Legislative Update,” Presenter (9/19/15)

“A Day in the Life of a Labor & Employment Lawyer,” Moderator (4/3/2011)

American Bar Association Committee on the Development of the Law under the National Labor Relations Act 2011 Midwinter Meeting, Lanai, Hawaii: “Neutrality & Card Check Recognition,” Presenter (3/1/11)

Pacific NW Paralegal Association: “Wage and Hour Laws and Issues,” Presenter (11/28/07)

Portland State University Professional Development Center: “Employee & Labor Relations Course,” Instructor (2007-2011)

Representative Publications

“Good News: Employer’s At-Will Policy Withstands Review by NLRB’s General Counsel,” *HR Answers’ Advantage Newsletter*, September 2014

“Sick Leave Questions and Answers,” *Daily Journal of Commerce*, November 22, 2013

“Shazam! The National Labor Relations Act,” *HR Answers’ Advantage Newsletter*, May 2013

“NLRB Offers Guidance on Maintaining Confidentiality during Workplace Investigations,” Barran Liebman Electronic Alert, April 25, 2013

“The Developing Labor Law,” 6th Edition, Associate and Primary Chapter Editor, 2012

“National Labor Relations Board Finds Rule Prohibiting Electronic Posting of Damaging Statements Illegal,” Barran Liebman Electronic Alert, September 18, 2012

“Court Requires Employers Must Provide Information to Union about Non-Bargaining Unit Employees,” Barran Liebman Electronic Alert, August 31, 2012

“EEO - Affirmative Action: Oregon,” *XpertHR.com*, July 2012

College of Labor & Employment Lawyers Newsletter, Summer 2002

Admitted to Practice

Oregon

U.S. Court of Appeals, District of Columbia

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Sixth Circuit

U.S. District Court, District of Oregon

Academics

Syracuse University (J.D., *cum laude*, 1974): Order of the Coif; Survey Editor, *Syracuse Law Review*

State University of New York at Albany (B.S., 1970)