

Snell & Wilmer



John F. Lomax

Partner | Phoenix

Tel. 602.382.6305

jlomax@swlaw.com

Main Bio

John Lomax chairs the firm's labor and employment practice. He listens to clients and tailors his counsel to the client's strategic needs with careful attention to the regulatory environment, jurisdictions, and the industry in which the client operates. His practice includes representing employers in traditional labor issues, class and collective litigation, internal investigations, and employment litigation of all types. He also maintains an active practice advising companies doing business with federally recognized Indian tribes. John has handled bench and jury trials, and arbitrations and appeals in state, tribal, and federal courts. He is an AV-rated lawyer and has long been listed in Chambers & Partners USA Guide (Band One ranking), The Best Lawyers in America, and Southwest Super Lawyers.

Representative Experience

Class and Collective Action Litigation

- Represented Fortune 500 employer before trial and appellate courts in EEOC-initiated pattern and practice case challenging tribe-specific hiring preferences on the Navajo Nation.
- Represented Fortune 500 employer in nationwide Fair Labor Standard Act (FLSA) collective action arising from pandemic-era work-from-home conditions.
- Represented hospital in class action brought by employee alleging tort claims arising from mandated COVID-19 vaccines.
- Represented Fortune 500 employer in several nationwide class actions under the Fair Credit Reporting Act in federal courts in Arizona, Indiana, Utah, and Virginia.
- Member of National Coordinating Counsel team managing large number of wage and hour class actions, FLSA claims, and MDL proceedings on behalf of Fortune 500 employer.
- Represented electric utility in several FLSA collective actions alleging off-the-clock and donning-and-doffing claims.
- Represented nationwide transportation provider in consumer class action alleging improper fees.

Traditional Labor Practice

- Represented Fortune 500 employer in long-running series of labor arbitrations brought by a union alleging breach of contract related to the union's work jurisdiction.
- Represented employers in many industries in NLRB representation cases (union elections) and unfair labor practice proceedings.
- Advised employers in labor negotiations and strike planning in many different industries.

- Represented employers in labor arbitrations involving alleged wrongful discharge.
- Counseled companies in mergers and acquisitions on handling strategies related to union-represented workforces.

Employment Litigation

- Represented large hospital system in two-week jury trial and the ensuing appeal in a case brought by an employed physician alleging claims under USERRA, FMLA, and ADA.
- Represented Fortune 500 employer in jury trial alleging off-the-clock work under the FLSA.
- Represented healthcare provider in a week-long arbitration brought by employed physician alleging contract, wage payment, whistleblower, FMLA, and tort claims.
- Represented healthcare employer in four-week jury trial involving wage, contract, and tort claims asserted by an employee who was also a minority shareholder.
- Represented large hospital system in trial court and on appeal in case alleging discrimination, harassment, and intentional infliction of emotional distress.
- Represented Fortune 500 employer in multiple restrictive covenant lawsuits involving multi-day evidentiary proceedings.

Investigations and Counseling

Publicly traded companies, large non-profit organizations, their Boards of Directors, or their Audit Committees have hired John to handle sensitive internal investigations related to the conduct of C-level executives or other senior leaders. Those investigations have involved a wide-ranging set of issues including related party transactions, code of conduct or ethics violations, safety practices, financial impropriety, conflicts of interest, expense reimbursement, whistleblowing, discrimination, retaliation, sexual harassment, privacy concerns, and substance abuse.

Native American Practice

John represents employers doing business with federally recognized Indian tribes. On the Navajo Nation, John has been involved in litigation in tribal, state, and federal courts related to employment preferences, wrongful discharge, rights-of-way, leasing and mineral rights, wrongful death claims, consumer billing practices, arbitration agreements, tribal taxes, and tribal court exhaustion issues. He has even handled litigation involving a disputed grazing permit.

Education

- Emory University School of Law (J.D.)
 - American Jurisprudence Awards for Constitutional Law and State and Local Tax
 - Executive Articles Editor, Bankruptcy Developments Journal
- University of North Carolina at Chapel Hill (B.A., with honors)

Representative Presentations & Publications

- "[The EEOC Expands Employers' Requirements to Accommodate Pregnancy and Childbirth Under the Pregnant Workers Fairness Act](#)," Co-Author, Snell & Wilmer Legal Alert (June 20, 2024)
- "Labor Arbitrations & Strike Preparations," Presenter, SHRM of Greater Phoenix Labor Conference (April 18, 2024)

- "Labor and Employment Laws Applicable to Organized Delivery Systems," Contributing Author, Health Care Administration, Jones & Bartlett 4th ed. (2004)
- "RICO and Labor Law," Contributing Author, The Developing Labor Law, American Bar Association, 4th ed. (2000)
- "Disparate Impact Discrimination," Author, Labor and Employment Law for South Carolina Lawyers, South Carolina Bar (1999)
- "Protecting the Growing Number of Older Women: The Age Discrimination in Employment Act," Editor, Procedures, 1997 Supp., George Mason University (1998)
- "Privacy in the Workplace," Author, South Carolina Lawyer (January 1997)
- "Information Technology and Workplace Privacy," Author, American Textiles International, 48 (February 1997)
- "Solving Employment Disputes Without Court," Author, American Textiles International, 32 (November 1996)
- "Future Electric Utility Bankruptcies," Author, Bankruptcy Developments Journal, 12 (1996)

Professional Recognition & Awards

- The Best Lawyers in America®, Labor & Employment Litigation (2008-2024), Employment Law - Management, Labor Law - Management (2012-2024)
 - Phoenix Lawyer of the Year, Labor & Employment Litigation (2020)
 - Phoenix Lawyer of the Year, Labor Law - Management (2016, 2018, 2021, 2024)
- Top 100 Lawyers in Arizona, AZ Business Magazine (2015, 2017-2020)
- AZ Business Leaders in Law, AZ Big Media (2014, 2016)
- Chambers USA: America's Leading Lawyers for Business®, Labor & Employment (2008-2024)
- Southwest Super Lawyers®, Employment & Labor (2009-2022, 2024)
 - Top 50 in Arizona (2011-2019, 2023)

Community Involvement

- The Heard Museum, Board of Trustees, Past Chair (2016-Present)
- All Saints Episcopal Day School, Board of Directors, Past Chair (2009-2016)
- Teach for America, Phoenix Regional Advisory Board, Past Chair (2000-2006)
- Valley of the Sun Human Resources Association, Board of Directors, Past Member
- Paradise Valley United Methodist Church, Board of Trustees, Past Member

Bar Admissions

- Arizona
- Navajo Nation

Court Admissions

- United States Supreme Court
- Supreme Court of Arizona
- United States Court of Appeals, Fourth Circuit
- United States Court of Appeals, Fifth Circuit

- United States Court of Appeals, Ninth Circuit
- United States Court of Appeals, Eleventh Circuit
- United States District Court, District of Arizona
- United States District Court, District of South Carolina
- United States District Court, Western District of North Carolina
- United States District Court, Northern District of Georgia
- Tribal Courts of the Navajo Nation