Reinhart

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Robert Driscoll is a shareholder in Reinhart's Labor and Employment Practice. He is an experienced, accomplished attorney who works to understand his clients' goals and provide them with effective legal and business solutions.

Rob counsels employers to help them avoid disputes with an emphasis on discrimination (including disability discrimination), wage and hour issues and employment contracts of all kinds. Rob's practice also includes all areas of traditional labor law, such as collective bargaining, labor arbitrations, proceedings before the National Labor Relations Board, and advising employers of their rights under the National Labor Relations Act.

He understands that trials can be costly and time-consuming, and clients appreciate that he offers creative options to resolve disputes without litigation. However, when litigation is unavoidable, he's a confident and diligent legal partner, devising effective strategies for prevailing. Rob's litigation experience includes wage and hour claims (both individual and class actions), employment and fair housing discrimination and noncompetition agreements. He also represents clients in appeals.

Prior to joining the firm, Rob was a law clerk for the Hon. Diane S. Sykes, U.S. Court of Appeals for the Seventh Circuit in Milwaukee.

Rob proudly serves on the Board of Directors for GPS Education Partners, an organization that works to validate technical career paths and provide students and their communities pathways to prosperity.

In his free time, Rob enjoys reading history, spending time with his family and coaching his childrens' sports teams.

Education

- J.D., magna cum laude, University of Notre Dame Law School (Notre Dame Law Review, Articles submission editor for Volume 82)

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- Master of Politics, University of Dallas
- B.A., summa cum laude, Hillsdale College

Bar Admissions

Wisconsin, Michigan

Court Admissions

- U.S. Court of Appeals, Seventh Circuit
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Northern District of Illinois

Practices

- Labor and Employment
- Litigation

Services

- Appellate Litigation
- Employment Counseling, Advice and Compliance
- Employment Litigation
- Labor Relations
- Wage and Hour

Matters

Many of Rob's cases have resulted in reported decisions. Some examples include:

- *Sanford v. Preferred Staffing Inc*., 447 F. Supp. 3d 752 (E.D. Wis. 2020) (granting summary judgment and holding that time spent waiting for and then riding on an employer-provided bus was not compensable working time under the FLSA because it was not part of the employee's principal activities)
- *Bukstein v. Dean Health Sys., Inc.*, 2017 WI App 54, 377 Wis. 2d 688, 903 N.W.2d 130 (holding that an internal management policy did not alter the express, written at-will relationship with the plaintiff and ordering that summary judgment be entered in the employer's favor); *petition for review denied*
- *Ricard v. KBK Servs., Inc.*, No. 15-cv-299-jdp, 2016 WL 4691608 (W.D. Wis. Sept. 7, 2016) (granting employer's motion to decertify FLSA and Rule 23 classes and employer's motion for summary judgment on the merits of Plaintiffs' wage claims)
- *Cent. States, Se. & Sw. Areas Pension Fund v. Wingra Stone Co.*, 550 F. App'x 332 (7th Cir. 2014) (reversing the district court and holding that plaintiffs were not entitled to summary judgment on their claim for delinquent pension contributions)

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- *Reliable Fire Equip. Co. v. Arredondo*, 2011 IL 111871, 965 N.E.2d 393 (clarifying the standard that Illinois courts must use when evaluating the enforceability of restrictive covenants between employers and employees)
- *United States v. WHPC-DWR, LLC*, No. 10–CV–0590-JPS, 2011 WL 6817921 (E.D. Wis. Dec. 28, 2011); aff'd 491 F. App'x 733 (7th Cir. 2012) (holding that defendants did not violate the federal Fair Housing Act)
- *InfoCorp, LLC v. Hunt*, 2010 WI App 3, 323 Wis. 2d 45, 780 N.W.2d 178 (holding that under Wisconsin law, employees owe a duty of loyalty to their employers)

Amicus Briefs Filed

- Brief Amici Curiae of the Catholic Conferences of Illinois, Iowa, Michigan, Minnesota, Tennessee, and Washington in Support of Petitioners, *Cath. Charities Bureau, Inc. v. Wis. LIRC*, No. 24-154 (U.S. Jan. 31, 2025), 2025 WL 404616.
- Brief of Non-Party Amici Curiae Wisconsin Realtors Ass'n et al., *Koble Invs. v. Marquardt*, 2024 WI App 26, 412 Wis. 2d 1, 7 N.W.3d 915, *rev. granted*, 2025 WL 8033714 (No. 2022AP000182), 2024 WL 4804683.
- Brief Amici Curiae of the Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota in Support of Petitioners, *Cath. Charities Bureau, Inc. v. Wis. LIRC*, No. 24-154 (U.S. Sept. 12, 2024), 2024 WL 4215750.
- Non-Party Brief of Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota in Support of Petitioners-Respondents-Petitioners, *Cath. Charities Bureau, Inc. v. LIRC*, 2024 WI 13, 411 Wis. 2d 1, 3 N.W.3d 666 (No. 2020AP002007), 2023 WL 4684145.
- Brief of Amici Curiae Rental Property Ass'n of Wisconsin Inc. et al. in Support of Petitioners, *Gonzales v. Inslee*, 144 S. Ct. 2685 (Mem), 2024 WL 3089557 (No. 23-935), 2024 WL 1717873.
- Amicus Brief Filed on behalf of the Apartment Ass'n of Southeastern Wisconsin, Inc., *State v. Lasecki*, 2020 WI App 36, 392 Wis. 2d 807, 946 N.W.2d 137 (No. 2018AP2340-CR), 2020 WL 1076085.

Honors & Affiliations

Honors

- *Wisconsin Law Journal* Power 30 List: Employment Law
- *Best Lawyers in America* – Litigation - Labor and Employment
- Benchmark Litigation: Wisconsin Litigation Star
- Selected for inclusion in *Wisconsin Super Lawyers* – Rising Stars Edition
- Selected for inclusion in *Wisconsin Super Lawyers*

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Affiliations

- State Bar of Wisconsin
- Milwaukee Bar Association
- Eastern District of Wisconsin Bar Association (Board of Directors [2021-present; President, 2026-2027; Vice President, 2024-2026; Secretary, 2023-2024]; Executive Committee [2022-present]; co-chair, Civil Committee [2019-2022])
- American Bar Association – Council of Appellate Lawyers – Wisconsin State Chair (August 2020 – May 2024)
- GPS Education Partners (Board of Directors, 2018-2024)
- Office of Lawyer Regulation – District 2 Investigative Committee (Appointed August 2017)
- Wisconsin Judicial Selection Advisory Committee (September 2016-January 2019)
- U. S. Commission on Civil Rights – Wisconsin Advisory Committee (2015-2019)
- St. Thomas More Lawyer's Society (Member 2008-Present; Board of Directors 2009-2015; Secretary 2014-2015)
- The Federalist Society – Milwaukee Lawyers Chapter (Member 2008-Present; Secretary/Treasurer 2014-2016; President 2016-2020)

Presentations

- "Trending Topics in Business Litigation," State Bar of Wisconsin PINNACLE (2023-2025)
- "Exempt or Non-Exempt: That Is The Question," LeadingAge 2023 Fall Conference (October 4-6, 2023)
- "Wage and Hour Strategies for Preventing Litigation," 2022 ACC-WI Annual Conference & Meeting of Members (May 20, 2022)
- "Anticipated Changes to Labor & Employment Law in the Biden Administration," The Horton Group (March 16, 2021)

Publications

- "Ideas, Associations, and the Making of Good Cities," 10 *Journal of Markets & Morality*. 27 (Spring 2007)
- "The Law of Premises Liability in America: Its Past, Present, and Some Considerations for Its Future," 82 *Notre Dame Law Review*. 881 (2006)

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