



Charles J. Mahoney

Associate

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Charles Mahoney is an associate in O'Melveny's New York office and focuses his practice on labor and employment matters. He represents employers from sectors across the economy, including aviation, financial services, sports, technology, and healthcare and pharmaceuticals.

Charles is involved in the pro bono community as well. His practice in this area includes representing military veterans seeking disability benefits and filing an amicus brief on behalf of higher education institutions to protect their DACA students.

Experience

- Prevailed on summary judgment in nationwide class action on behalf of Alaska Airlines and Horizon Air alleging the airlines violated USERRA by not paying their pilots while on short-term military leaves, and also prevailed on summary judgment as to Plaintiff's individual claims alleging a pilot-scheduling policy at Horizon violated USERRA. *Clarkson v. Alaska Airlines, Inc.*, 2021 WL 2080199 (E.D. Wash. May 24, 2021).
- Prevailed on motion to dismiss based on Railway Labor Act preemption on behalf of an airline in a proposed class action brought by a retired flight attendant alleging the airline impermissibly changed her travel privileges. See *Wynn v. American Airlines, Inc.*, 2020 WL 1934994 (E.D. Missouri, April 22, 2020).
- Obtained Third Circuit order decertifying Rule 23 state wage and hour class action of airline employees. *Ferreras v. Am. Airlines, Inc.*, 946 F.3d 178 (3d Cir. 2019).

Admissions

Bar Admissions
New York

Court Admissions
US District Court, Colorado and
Southern District of New York

Education

Columbia University, J.D., 2016
New York University, B.A., English
and Economics, 2013

- Obtained summary judgement on all claims in purported class action filed by a pilot against an airline alleging the airline violated USERRA in the manner it provided sick time, vacation time, and operations-based bonuses to pilots who took military leaves of absence from American. *Hoefert v. American Airlines*, No. 4-18-cv-00466-P, (ECF No. 126) (N.D. Tex. Jan 9, 2020).
- Represented an airline in litigation against the union representing its mechanics to stop a work slowdown causing flight delays and cancellations and prevailed in obtaining a temporary restraining order, a modified temporary restraining order, and a permanent injunction following a trial on the merits. See *Am. Airlines, Inc. v. Transp. Workers Union of Am., AFL-CIO*, Case No. 4:19-CV-414-A, 2019 WL 3774501 (N.D. Tex. Aug. 12, 2019).
- Obtained a preliminary injunction on behalf of Atlas Air and Polar Air against their pilots union to stop an illegal work slowdown. *Atlas Air, Inc. v. Int'l Bhd. of Teamsters*, No. 17-1953 (RDM), 2017 U.S. Dist. LEXIS 196472 (D.D.C. Nov. 30, 2017).
- Successfully compelled arbitration of dispute over contractual provisions governing the negotiation for new pilot contract. *Atlas Air, Inc. v. Int'l Bhd. of Teamsters*, No. 1:17-cv-00903-KB (S.D.N.Y. Mar. 13, 2018).
- Achieved victory in two arbitrations brought by carriers against their unions and successfully compelled compliance with arbitration awards in federal court. *Atlas Air, Inc. v. International Brotherhood of Teamsters, Airline Division*, No. 19-CV-1948 (CRC), 2020 WL 1536308, at *1 (D.D.C. Mar. 31, 2020).