



Aparna B. Joshi

Partner

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Aparna B. Joshi represents employers in a wide variety of labor and employment matters. She has substantial experience advising aviation industry clients, representing airlines in federal court litigation under the Railway Labor Act, as well as in labor arbitrations, mediations, collective bargaining negotiations and proceedings before the National Mediation Board and the National Labor Relations Board. She also has significant experience representing clients in employment class action litigation as well as in international labor matters.

Additionally, Aparna represents employers in a wide range of employment discrimination matters including Title VII, the Americans with Disabilities Act, the Family and Medical Leave Act, wrongful discharge, the Age Discrimination in Employment Act. She further routinely advises clients on employee terminations and other employment matters.

Aparna actively works to improve diversity in the legal profession including as a member of the Firm's Diversity Working Group and as a past Fellow of the Leadership Council on Legal Diversity (LCLD), a growing organization of more than 200 corporate chief legal officers and law firm managing partners dedicated to creating a truly diverse legal profession.

Experience

- *Spirit Airlines v. Air Line Pilots Association, et al.* (S.D. Fla) - Counsel for Spirit Airlines - successfully obtained injunctive relief for Spirit Airlines prohibiting a job action by pilots.

Admissions

Bar Admissions

District of Columbia
Illinois

Court Admissions

U.S. District Court for the District of Columbia and the Northern District of Illinois

U.S. Court of Appeals for the Third and Seventh Circuits

Education

University of Chicago, J.D., 2000: with honors

University of Pennsylvania, B.A., International Relations, 1996: *summa cum laude*

- *Cunningham v. United Airlines, et al.* (N.D. Ill.) - Counsel for United Airlines - successfully obtained dismissal of complaint brought by a putative class of pilots alleging breach of the collective bargaining agreement by United resulting in reduction of pay longevity and collusion in an alleged breach of the duty of fair representation by the pilots' union.
- *Wyatt v. United Airlines* (E.D.N.C.) - Counsel for United Airlines - successfully obtained dismissal of complaint challenging the Company's changes to its employee pass travel program following the merger of United and Continental Airlines.
- *Flight Attendants in Reunion v. American Airlines, et al.* (E.D.N.Y) - Counsel for American Airlines - successfully obtained dismissal of complaint alleging violation of McCaskill-Bond in connection with the seniority list integration following the merger of American and US Airways and alleging collusion in an alleged breach of the duty of fair representation by the flight attendants' union.
- *Local 591 Transport Workers Union of America v. American Airlines* (N.D. Ill.) - Counsel for American Airlines - successfully obtained dismissal of complaint by union local and four individuals alleging claims under the Railway Labor Act for failure to resolve disputes arising from a collective bargaining agreement; for interference with representation rights; and failure to "treat" with the certified bargaining representative.
- *In re FedEx Ground Package Systems, Inc. Employment Practices Litigation* (U.S.D.C., MDL Case No. 1700, N.D. Ind.) - Counsel for FedEx Ground with respect to pending putative class action lawsuits in forty-two states seeking to reclassify as "employees" thousands of independent contractors engaged in package pick-up and delivery services.
- *United Air Lines, Inc. v. Air Line Pilots Ass'n, Int'l*, No. 08 CV 4317 (N.D. Ill.) - Counsel for United Air Lines --obtained a preliminary injunction against pilots' union and individual pilots to stop a job action by pilots.
- *United Air Lines, Inc. v. Air Line Pilots Ass'n, Int'l*, 563 F.3d 257 (7th Cir.)- Counsel for United Air Lines -- successfully represented United in the Seventh Circuit Court of Appeals which upheld grant of preliminary injunction against pilots' union and individual pilots.
- *Air Line Pilots Association International v. US Airways Group, Inc. et al*, No. 1:09-cv-00222-CMH-TCB (E.D. Va.) - Counsel for US Airways Group, Inc. and US Airways, Inc.-- obtained a precedent-setting dismissal of a two-count complaint brought by the Air Line Pilots Association alleging that the Railway Labor Act required a multi-party arbitration board.
- *Air Line Pilots Association International v. US Airways Group, Inc. et al*, No. 09-2083 (4th Cir.) - Counsel for US Airways Group, Inc. and US Airways, Inc. -- won appeal before the Fourth Circuit Court of Appeals, defeating ALPA's effort to obtain a multi-party arbitration board.
- *International Ass'n of Machinists v. US Airways, Inc.*, 358 F.3d 255 (3rd Cir.) - Counsel for US Airways -- won appeal before the Third Circuit in an action alleging that the outsourcing of aircraft maintenance constituted a "major dispute" under the RLA.
- Lead counsel for airlines in negotiations with various work groups including pilots and flight attendants.
- Lead counsel for airlines in numerous labor arbitrations involving pilots, flight attendants, mechanics and other work groups.

Professional Activities

Member

- American Bar Association, Labor and Employment Law Section, Railway and Airline Labor Law Committee
- District of Columbia Women's Bar Association

Author

- "Independent Contractors, Temporary Staffing Agencies, Outsourcing: At What Point Do You Become Joint Employer?" (with Jeffrey Kohn, Rachel Schy), NYU 66th Annual Conference on Labor: Regulation of Compensation (2013)
- "The Essential Role of Workplace Culture in the New Whistleblower Era," Corporate Counsel (with Rachel Janger)

Senior Editor

- "The Railway Labor Act, Third Edition," 2014-2017 Cumulative Supplements, *BNA Books*

Contributing Editor

- "The Railway Labor Act, Third Edition," *BNA Books* (2012)

Fellow

- Leadership Council on Legal Diversity (2013)

Recent Speaking Engagements/Papers

- Panelist, "Airline and Railroad Labor and Employment Law 2018," American Law Institute (September 2018)
- Panelist, "Med-Arb: Hybrid, Flexible, Low Cost, Efficient Approach to Resolving Disputes," Labor and Employment Relations Association, 70th Annual Meeting (June 2018)
- Panelist, "Pattern Bargaining in the Airline Industry," ABA Section of Labor & Employment Law, Railway & Airline Labor Law Committee's Midwinter Meeting (March 2018)
- "How Are Labor and Management Getting Along Nowadays," ABA Forum on Air & Space Law (September 2017)
- Panelist, "Airline and Railroad Labor and Employment Law 2017," American Law Institute (April 2017)
- "Hot Issues in the Field of Labor Law," American Bar Association Forum on Air & Space Law (September 2015)
- "Recent Developments in the Railroad and Airline Industries," 24th Annual ALI-CLE Course of Study, Airline and Railroad Labor and Employment Law (April 2014)
- "Pilot Duty and Rest Requirements: The FAA Puts its Past Approach to Bed as the New FAR 117 Requirements Take Off," ABA Section of Labor & Employment Law, Railway & Airline Labor Law Committee's Midwinter Meeting (March 2014)
- "Strategic Employment Litigation," Washington Metropolitan Area Corporate Counsel Association (September 2012)

Honors & Awards

- Recognized in *Lawdragon's* Guide to The Most Powerful Corporate Employment Lawyers, ranking among the Top 20 Lawyers in Traditional Labor and Employment Law (2018-2019)
- Recommended by *Legal 500* in the area of Labor and Employment: Labor-management Relations (2015-2017, 2019) and Transport: Aviation and Air Travel (2019)
- Recognized as a Washington, DC "Super Lawyer" by *Super Lawyers* (2015-2018)
- Recognized as a Washington, DC "Rising Star" by *Super Lawyers* (2014)