



# Anna Wermuth

## Vice Chair, Labor & Employment Department

### Chicago

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Anna serves as the vice-chair of Cozen O'Connor's Labor & Employment Department, where she has been integral to the growth and success of the firm's L&E practice. Working out of the Chicago office, employers engage her to represent them in high-stakes, high-profile labor and employment litigation before state and federal courts and administrative agencies. She is also widely recognized as a "go to" legal resource for institutions of higher education, representing prestigious colleges and universities in leading collective bargaining negotiations and labor arbitrations, developing employee-engagement strategies for union-organizing campaigns, and litigating a myriad of faculty, staff, and student matters.

For over 20 years, Anna has brought both innovative and practical approaches to complex employment law matters to achieve favorable and precedent-setting results, whether in large-scale class actions or single-plaintiff cases involving the full range of employment-related disputes, including discrimination, wage and hour and non-compete agreements. Anna also has a robust traditional labor practice, representing employers in managing unionized workforces, negotiating collective bargaining agreements, developing employee engagement strategies, and litigating labor arbitrations and matters at the NLRB. She also regularly counsels employers on the full range of novel legal issues facing employers, from addressing the impact of national current events in the workplace, to navigating the patchwork of state and local obligations in the workplace, executing human resources strategies, and conducting internal investigations. Anna is praised by clients for being an "extraordinary litigator and trial lawyer;" and "extremely skilled, very good with clients and strategic."

Anna is also an active member of the American Bar Association's Labor & Employment Law Section, where she has held several leadership positions. In 2021, Anna was appointed employer vice-chair of the ABA L&E Section's Diversity, Equity, and Inclusion in the Legal Profession Committee. She also currently serves as the management co-vice chair for the Section's National Trial Advocacy Competition.

She is the past management co-chair of the Section's Development of the Law Under the NLRA Committee and has served as an associate editor of *Developing Labor Law* - the leading traditional labor law treatise jointly published by Bloomberg/BNA and the ABA. Anna is also the past-chair of the Chicago Bar Association's Labor & Employment Law Committee.

In addition, in 2021 Anna was appointed to the Advisory Committee for the Study of the Rules of Practice and Internal Operating Procedures of the District and Bankruptcy Courts of the Northern District of Illinois.

Inducted in 2020 as a fellow of the College of Labor and Employment Lawyers (CLEL), Anna has been recognized by several law and business publications for sustained outstanding performance in the legal profession, including Crain's Chicago Business, the Chicago Daily Law Bulletin, and Lawdragon/HRE magazine. She is also consistently recognized by her peers as one of the top labor and employment attorneys in Chambers USA, Best Lawyers and SuperLawyers.

Anna writes and speaks on a variety of contemporary labor and employment topics for the American Bar Association, the National Association of College and University Attorneys, the Corporate Counsel Institute, the Practicing Law Institute, the Society of Human Resource Management, and other

### Practice Areas

- Labor & Employment
- Employment Litigation
- Labor Relations & Disputes
- Trade Secrets, Restrictive Covenants, and Computer Abuse

### Industry Sectors

- Education
- Gaming

### Education

- Loyola University Chicago School of Law, J.D., 1999
- Northwestern University, M.A., 1992
- DePaul University, B.A., 1991

### Bar Admissions

- Illinois

### Court Admissions

- U.S. District Court -- Central District of Illinois
- U.S. District Court -- Northern District of Illinois
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Seventh Circuit

### Affiliations

American Bar Association, Section of Labor and Employment Law:

Management Program Co-Chair for the Development of the Law under the NLRA Committee

Former Employer Vice-Chair, National Programs (BASICS) Subcommittee

Former Employer Vice-Chair for Membership Development Retention Subcommittee

Participant in Labor & Employment Law Section's Leadership Development Program

Chicago Bar Association:

2012-13 Chair, Labor & Employment Law Committee

2011-12, Vice-Chair, Labor & Employment Law Committee

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Alliance for Women Member

Fellow, American Bar Foundation

Women's Bar Association of Illinois Member

Coalition of Women's Initiatives in Chicago Law Firms - Delegate

Nominated, American Institute of Legal Counsel

### Awards & Honors

- Chambers USA, 2017-2024
- The American Lawyer Midwest Trailblazers, 2022
- *Lawdragon* Top Leading U.S. Corporate Employment Lawyers, 2018-2025
- Top 20 Lawyers in Traditional Labor and Employment Law by *Lawdragon*, 2017-2021
- 
- 2022 Employment Law - Management Lawyer of the Year in Chicago by The Best Lawyers in America
- Best Lawyers in America 2019-2024
- Woman Leader in the Law, *ALM and Martindale Hubbell*, 2020
- Business Today Top 10 Impactful Labor and Employment Lawyers in Illinois, 2023
- *Crain's Chicago Business*, Notable Leaders in Employment Law, 2023
- *Crain's Chicago Business*, Most Influential Women Lawyers, 2017; Notable Women in Law, 2018, 2020, and 2022
- Woman Making an Impact, Chicago Daily Law Bulletin, 2014
- Illinois Super Lawyer, 2010, 2012-2024
- 
- Illinois Rising Star, 2008-2009
- Leading Lawyers Network Illinois 2009-2022, 2024
- Benchmark Labor & Employment Star for the Midwest, 2019

### Clerkships

The Honorable Rebecca R. Pallmeyer, the U.S. District Court for the Northern District of Illinois

business, bar, legal education, and academic associations.

Prior to entering private practice, Anna served as law clerk to the Honorable Rebecca R. Pallmeyer of the District Court for the Northern District of Illinois. In addition to her legal practice, Anna serves on the board of directors of the Chicago Youth Centers, a 64-year-old nonprofit organization that services more than 4,000 children and families in Chicago each year with early childhood education, out-of-school, and teen leadership programs.

Anna received her J.D. from the Loyola University Chicago School of Law where she graduated second in her class and served as an editor of the *Loyola University Chicago Law Journal*. Anna received an M.A. from Northwestern University and graduated with high honors from DePaul University where she also competed in NCAA Division I Women's Track and Cross Country. Before practicing law, Anna taught Spanish for the City Colleges of Chicago and worked for community-based nonprofit organizations.

### Experience

Negotiated first collective bargaining agreements, with units of more than 3,000 graduate students each, at two prominent universities.

Negotiated a first union contract for wall-to-wall staff units at a private art school and art museum over the course of more than 50 bargaining sessions with AFSCME. The final agreement preserved the client's flexibility and control over operations, including merit increases, the right to select the most qualified candidate regardless of seniority, and the right to establish pay scales.

Achieved a precedent-setting decision from the U.S. Court of Appeals for the Seventh Circuit in a putative class and collective action brought against a social media company, holding that employees who had signed arbitration agreements with class action waivers were not entitled to receive notice of the collective action under the FLSA.

Obtained an opinion from the U.S. Court of Appeals for the Seventh Circuit affirming the grant of summary judgment in a tenure denial case alleging gender discrimination.

Successfully led communications campaigns in response to Faculty Forward adjunct organizing drives at multiple universities, including one of the few universities that won an NLRB-supervised election with post-election challenges, through hearing and appeal to the full NLRB.

Successfully appealed a \$27 million defamation and FCRA jury award to the U.S. Court of Appeals for the Seventh Circuit and then obtained dismissal of the refiled defamation and privacy claims in state court, which was upheld on appeal to the Illinois Appellate Court.

Co-led the defense of a national gender discrimination class action for a financial services company, defeating Rule 23 class certification in two separate decisions, one of which the putative plaintiffs unsuccessfully appealed to the U.S. Court of Appeals for the Seventh Circuit.

Secured victory in a high-stakes and closely watched appeal before the NLRB centering on efforts by the football team at Northwestern University to form the first-ever union of scholarship student athletes. The appeal followed an intense organizing drive, that received national attention, and litigation of the case before the NLRB's Chicago Regional Office where Anna served in a first chair role.

Negotiated the first collective bargaining agreements for non-tenure track faculty and post-doctoral fellow units for a top-rated Research 1 university.

Obtained summary judgment on a multi-count complaint including novel theories of sexual orientation

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harassment under Title VII, which was pending at the time the Supreme Court recognized the cause of action in the *Bostock* decision.

Obtained dozens of temporary restraining orders against departing financial advisors on contractual non-solicit and trade secrets grounds.

Handled more than 100 labor grievances including first contract grievances, high-stakes contract interpretation cases impacting large employee populations and termination cases.

Successfully defended against discrimination, retaliation, and whistleblower claims brought by terminated physician who had raised numerous internal and external complaints regarding alleged patient care concerns.

Represented retail and restaurant industry groups in amicus briefing relating to claim accrual and statute of limitations issues under the Illinois Biometric Privacy Act.

Represented multiple clients in SOX-whistleblower claims, including in claims involving purported violations of regulatory consent decrees and improper political contributions.

Obtained dismissal of an FMLA retaliation claim on standing grounds based on lack of a concrete injury tied directly to the allegedly retaliatory conduct.