Robert C. Christenson

Partner

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Email

Service Focus

- Employee Benefits and Tax
- Labor Relations

Industry Focus

- Construction
- Energy
- Manufacturing
- Supply Chain
- Transportation and Supply Chain

Overview

Bob Christenson represents employers at the complicated intersection of ERISA and traditional labor law. Early in his career, Bob recognized that ERISA lawyers rarely understand how traditional labor concepts impact ERISA and that traditional labor lawyers lack knowledge of how ERISA affects bargaining and union fringe benefits. Bob was one of the first lawyers in the country to become expert in multiemployer pension plan withdrawal liability, arguing the first case in the U.S. Appeals Court in Chicago challenging the constitutionality of withdrawal liability. Over the years, Bob has conducted a number of withdrawal liability defenses and arbitrations, successfully defending against an assertion of millions of dollars in mass withdrawal liability by a hotel pension fund, successfully defending against a multi-million dollar demand by a UFCW Fund asserting that an employer did not sell substantially all of its assets, successfully arbitrating a multi-million dollar demand by a Teamster Fund based on incorrect calculation of withdrawal liability installment amounts, and successfully settling several Teamster Fund withdrawal liability demands based on the invalidity of the "Segal" method of calculating plan underfunding. Bob also undertakes substantial transactional work with employers and private equity clients, helping buyers and sellers

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of unionized businesses structure asset or stock deals so that withdrawal liability is not triggered, commonly controlled trades or businesses do not become entangled in withdrawal liability exposure, or successor withdrawal liability does not come into play. Bob works with employers in the construction industry to ensure that project labor agreements are properly negotiated so that withdrawal liability and union exposure is limited. Bob has also been involved with a number of employer bankruptcies and the labor and withdrawal liability implications raised by these proceedings. Bob has represented numerous employers in union fringe benefit delinquency litigation and demands. Further, Bob often counsels employers in collective bargaining with respect to technical fringe benefit issues, such as establishing cafeteria plans to allow bargaining unit members to contribute to union health benefit plans on a pre-tax basis, and counseling on employer Affordable Care Act compliance in connection with union plans.

Prior to law school, Bob was commissioned as a United States Army artillery officer and spent a combat tour conducting fire support missions against hostile forces, including a period as battery commander of an isolated firebase. That role engrained in Bob a sense of urgency and accuracy that continues today in his legal practice, and gives rare perspective to his advice and strategic insights. Bob graduated *cum laude* from Loyola of Chicago Law School and has practiced with Fisher Phillips for over three decades.

Credentials

Education

- J.D., *cum laude*, Loyola University Chicago School of Law
- B.S., Northwestern University

Bar Admissions

- Georgia
- Illinois

Court Admissions

- Georgia Court of Appeals
- Georgia Supreme Court
- Illinois Supreme Court
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Northern District of Georgia

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- U.S. District Court for the Northern District of Illinois
- U.S. Supreme Court

Affiliations

Professional Activities

Bob is a frequent speaker around the country on employee benefits issues, and he has been quoted in publications such as the *Wall Street Journal*, the *Atlanta Journal & Constitution*, and the *Atlanta Business Chronicle*. Bob has also been interviewed on national television programs such as "48 Hours", "Dateline NBC" and "Court TV." Bob also served as a Field Artillery, First Lieutenant XO, and FDO & Battery Commander in the Army from 1968-1971.

Community Activities

Bob serves as a coach with Atlanta's Northside Youth Organization and with Atlanta's Top Hat Soccer Club. Bob is also a member of the Atlanta Vietnam Veterans Business Association, and the Atlanta Chapter of the Northwestern University Alumni Association.

Insights

INSIGHTS 04/01/24

Workplace Law Update: 10 Essential Items on Your April To-Do List

Sheila M. Abron, Nazanin Afshar, Steven M. Bernstein, Amanda M. Blair, Kathleen McLeod Caminiti, Michael D. Carrouth, Robert C. Christenson, J. Micah Dickie, Benjamin M. Ebbink, Usama Kahf, Stephan Kendall, Todd B. Logsdon, Kile E. Marks, Joshua D. Nadreau, Raymond W. Perez, John M. Polson, Robin Repass, Jennifer B. Sandberg, Andrew J. Sommer, J. Hagood Tighe, Travis Vance, David J. Walton, Alexander A. Wheatley, Annie Ziesing

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