



## D. ALBERT BRANNEN

Partner

Atlanta

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### Service Focus

- Collective Bargaining
- Contract Administration, Union Grievances and Labor Arbitrations
- Counseling and Advice
- Labor Relations
- Litigation and Trials
- Strike Preparation and Impasse
- Unionized Mergers, Successorship, and Acquisitions
- Workplace Investigations

### Industry Focus

- Automotive Dealership
- Construction
- Education
- Energy
- K-12 Institutions
- Manufacturing

## OVERVIEW

D. Albert ("Bert") Brannen is former Managing Partner in the Atlanta office of Fisher & Phillips LLP. Bert represents employers exclusively in solving their labor and employment law problems. He counsels employers about how to comply with applicable laws, avoid or deal with workplace crises and prevent litigation. He

regularly advises employers about increasing employee engagement and, when necessary, assists them with the negotiation, administration and arbitration of collective bargaining agreements.

Bert has written and published extensively. He is the author of *Practical Tips for Human Resources Professionals From A Veteran Labor & Employment Lawyer* (2026), a helpful guidebook identifying common HR issues and practical strategies for dealing with them. In addition, he often speaks to chambers of commerce, business and professional associations and industry groups.

The College of Labor and Employment Lawyers elected Bert as a Fellow in 2015. He is active in the State Bar of Georgia and served as Chairman of the State Bar of Georgia's Labor and Employment Law Section. He is a founding Board member of that Section's Mentorship Academy and the Fulton County Daily Report named him Best Mentor in 2018. In his roles as a Team Captain and Regional Managing Partner with the Firm and with the State Bar, he has a proven track record of creating successful professional development and mentoring programs.

Martindale-Hubbell rates Bert as "AV," its highest rating. Best Lawyers® recognized him as 2019 "Lawyer of the Year" for Labor & Employment Law and selected him repeatedly as one of The Best Lawyers in America for Labor & Employment Law. Georgia Trend Magazine named him one of Georgia's "Legal Elite" and he has been recognized as a "Super Lawyer for Labor & Employment Law" for the State of Georgia more than 15 times.

He is a past member of the Board for the Georgia Branch of the Associated General Contractors ("AGC") and is past Chairman of AGC's national Labor & Employment Law Council. He is a member of the Electric Cooperative Bar Association ("ECBA"), the Society of Human Resources Management ("SHRM") and other professional groups.

The Good Samaritan Health Center, Operation HOPE and other non-profit organizations have benefited from his pro bono service. Within the firm, he started a program to increase the involvement and support of Fisher Phillips' lawyers in pro bono service to the Pro Bono Partnership of Atlanta.

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## Recent Experience

### Recent Examples of Cases Handled:

- Represented a large national provider of emergency care services in defeating a union by a large margin after the union signed up more than three-quarters of the employees. This matter proceeded very quickly under the NLRB's new procedures.

- Successfully represented an electric cooperative in an arbitration with a long term employee who caused serious damage to a bucket truck.
- Successfully represented a distribution employer in an arbitration regarding their driver who got into an altercation on a customer's loading dock.
- Served as the lead negotiator in collective bargaining negotiations which resulted in more than a million dollars of savings for a national distribution client.
- Prepared and conducted a full series of employment and labor law training, extending monthly over nine months, for all of the employer's managers and supervisors. This extensive training program was just a part of the employer's orchestrated effort to increase employee engagement.
- Advised a mining client during a major reduction in force.
- Conducted a comprehensive wage and hour review for a group of automobile dealerships to help them get into compliance with the changes to the white collar exemptions of the Fair Labor Standards Act.
- Advised a construction client on numerous project labor agreements around the U.S.
- Advised construction clients on lawful withdrawal from relationships with building trades unions under Section 8(f) of the National Labor Relations Act. The transition to being union-free occurred without unfair labor practice charges or work stoppages.
- Advised a distribution client whose employees sought to decertify the union that had represented them for decades. Representation of this client before the National Labor Relations Board in connection with this matter resulted in the complete dismissal of multiple unfair labor practice charges prior to an administrative hearing.
- Successfully mediated claims by a partner in a large accounting firm that he was discharged in violation of his partnership agreement.
- Won jury trial in which jury denied a former manager his *pro rata* share of an annual bonus.
- Part of a team of lawyers that resolved on favorable terms a series of four lawsuits alleging multiple serious violations of Title VII.
- Conducted internal seminars for employers whose employees alleged violations of the employer's No Harassment policy.
- Reviewed employment agreements placing restrictions on employees and successfully dealt with disputes regarding same.
- Drafted and negotiated Transition Agreements and Employment Agreements for senior executives and other critical employees.
- Successfully resolved four related EEOC charges for a high profile client without any adverse publicity.

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## Credentials

### Education

- University of Georgia School of Law, J.D., cum laude, 1982
- University of Georgia, M.B.A., cum laude, 1982
- Georgia Institute of Technology, B.S., with honors, 1978

### Bar Admissions

- Georgia

### Court Admissions

- Georgia Supreme Court
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Middle District of Georgia
- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Southern District of Georgia
- U.S. Supreme Court

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## Recognitions

- Recognized in *The Best Lawyers in America* (2011 – 2026)
- Named by *Best Lawyers in America 2019* as “Lawyer of the Year” for Labor Law – Management
- Listed in the *Daily Report’s* 2018 Best Mentors
- Included in *Georgia Super Lawyers* (2005 - Present)
- Recognized as a member in Georgia Trend’s “Legal Elite” (2017-2018)

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## Affiliations

### Professional Activities

- Fellow, College of Labor and Employment Lawyers
- Former Chairman, Labor and Employment Law Section, State Bar Of Georgia
- Co-Founder, Mentorship Program of the State Bar of Georgia's Labor & Employment Law Section
- Member, Electric Cooperative Bar Association
- Member, Association of General Contractors Labor and Employment Law Council
- Former Board Member, Association of General Contractors, Georgia Branch

## INSIGHTS

**Insights**

**Aug 16, 2024**

FP Snapshot for Manufacturers: 7 Essential Elements Of A Workplace Investigation

**News**

**Jun 20, 2024**

Atlanta Partner Discusses NLRB's Reconsideration of the Definition of "Independent Contractor"

**Event**

**Jun 20, 2024**

Labor Relations Issues That Keep Contractors Up At Night

**Event**

**Aug 23, 2023**

Are You Ready for a Union Organizing Drive at Your Workplace?

Labor Relations Attorneys Quoted for Their Recent Insights on Jennifer Abruzzo's Advice Memoranda

7 Things Employers Couldn't Say About Unions if NLRB's General Counsel Has Her Way