



Joshua D. Nadreau

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Service Focus

- Artificial Intelligence
- Counseling and Advice
- Employee Leaves and Accommodations
- Labor Relations
- Litigation and Trials
- Wage and Hour

Industry Focus

- Education
- Higher Education
- Healthcare
- Hospitality
- Retail
- Sports

Overview

Joshua Nadreau is a labor and employment litigation attorney in the Boston office and Vice Chair of the Labor Relations Group.

Working with clients in New England and throughout the country, Josh routinely advises and represents clients in collective bargaining, arbitration proceedings, and before state and federal administrative agencies. His litigation practice focuses on class and collective wage and hour litigation. Josh also advises clients on compliance with state and federal leave laws, restrictive covenants, and matters concerning allegations of employment discrimination.

Labor: Negotiation and Arbitration

In connection with his Labor practice, Josh has represented clients in both the public and private sector at the bargaining table during collective bargaining negotiations with unionized employees. Josh has also tried numerous labor arbitration hearings concerning employee discipline and discharge, contractual interpretation, and denial of tenure.

Josh has significant experience in representing both union and non-union clients in proceedings dealing with labor protections tied to Federal Transit Administration funding under Section 13(c) of the Urban Mass Transportation Act.

Josh also represents his clients in labor litigation matters in state and federal courts, including matters involving the breach of the duty of fair representation, injunctions, and proceedings to vacate arbitration awards.

A large part of his Labor practice is advising clients on the day to day decisions (and potential consequences) of operating in a unionized environment.

Employment Litigation: Complex Wage & Hour Litigation

In addition to his labor practice, Josh regularly advises and represents clients in class and collective wage and hour litigation under the Fair Labor Standards Act and the Massachusetts Wage Act. These cases typically involve allegations of impermissible rounding of time clock punches, off-the-clock work, misclassification, and meal/rest breaks.

Josh also handles wage and hour audits on behalf of large and small clients before the Massachusetts Attorney General's office and the Department of Labor.

Representative Clients

Josh enjoys representing clients of all sizes, from Fortune 500 corporations to locally owned car dealerships and other businesses. His industry experience includes hospitality, manufacturing, health care, higher education, and retail organizations.

In his spare time he is a certified high school football and basketball official and proud father of Watson the Beagle.

Recent Experience

Experience

Labor

- Successfully represented hospital system in several arbitration hearings challenging whether the discharge of nurses was for "just cause"
- Convinced neutral arbitrator that Hospital's interpretation of language in its collective bargaining agreement was correct

- Provided advice and litigation representation for nationwide truck rental and repair company during a 3-month strike
- Vacated erroneous arbitration decision in federal district court where arbitrator exceeded the scope of his authority under the collective bargaining agreement
- Obtained favorable arbitration award in proceeding challenging the outsourcing of certain functions of a regional transit authority under Section 13(c) of the Urban Mass Transportation Act
- Granted dismissal by Department of Labor in proceedings challenging mass transit employee protections for non-union employees of regional transit authority
- Negotiated and resolved successor collective bargaining agreements on behalf of private and public sector entities

Employment Litigation

- Successfully mediated potential multi-million dollar class action litigation involving allegations of unpaid off-the-clock work and travel pay
- Granted motion to dismiss on behalf manufacturing and distributing company in case alleging improperly calculated overtime
- Negotiated favorable settlement with Attorney General's office as a result of internal wage and hour audit
- Amicus counsel to state automobile dealers association in case challenging the calculation of overtime due to 100% commission sales personnel
- On behalf of several Massachusetts clients, obtained lack of probable cause findings from the Massachusetts Commission Against Discrimination
- Granted injunctive relief in favor of employer seeking to enforce non-competition agreement in state court

Credentials

Education

- J.D., 2013, Northeastern University School of Law
- B.S., 2010, cum laude, University of Massachusetts Amherst

Bar Admissions

- Maine
- Massachusetts
- New Hampshire
- Rhode Island

Court Admissions

- U.S. Court of Appeals for the First Circuit
- U.S. District Court for the District of Maine
- U.S. District Court for the District of Massachusetts
- U.S. District Court for the District of New Hampshire
- U.S. District Court for the District of Rhode Island

Recognitions

- Pro Bono Honor Roll, Massachusetts Supreme Judicial Court, Standing Committee on Pro Bono Legal Services (2022)
- Recognized in *Boston Magazine's* The Top Lawyers of 2021
- *Massachusetts Super Lawyers*- "Rising Star," *Boston Magazine* - (2015, 2016, 2017, 2018, 2019)
- *American Bar Association*, Section of Labor & Employment Law's Young Lawyers Division Fellow (2017-2019)
- *Massachusetts Lawyers Weekly*, Excellence in the Law – Up & Coming Lawyer (2018)

Affiliations

Professional Activities

- American Bar Association
 - Member, Section of Labor & Employment Law
 - Member, Committee on Development of the Law under the NLRA
- Boston Bar Association
 - Member, Labor & Employment Steering Committee

Community Activities

- Treasurer, Northeastern University School of Law, Alumni/ae Board of Directors
- Supporting Fellow, Boston Bar Foundation Society of Junior Fellows
- MIAA Certified Football and Basketball Official

Insights

INSIGHTS

03/14/24

FP's Interactive Union Organizing Activity Map Reveals 4 Key Trends

Steven M. Bernstein, Adanna Ferguson, Todd A. Lyon, Joshua D. Nadreau

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INSIGHTS

03/13/24

Are Your Student-Athletes Employees? NLRB Regional Director Says So

Seth D. Kaufman, Joshua D. Nadreau, Henry Thomson-Smith

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NEWS

03/12/24

Media Turns to Fisher Phillips for Insight on the Latest with the NLRB's Joint Employer Rule

Steven M. Bernstein, Joshua D. Nadreau, John M. Polson

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INSIGHTS

03/11/24

Controversial Joint Employer Rule Struck Down Just Before Taking Effect: Your Blueprint For Navigating Months Ahead

Steven M. Bernstein, Joshua D. Nadreau, John M. Polson

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NEWS

03/04/24

Labor Relations Vice Chair Discusses Next Steps for Employers if College Athletes Become Employees

Joshua D. Nadreau

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INSIGHTS

03/01/24

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

Sheila M. Abron, Steven M. Bernstein, Amanda M. Blair, Raeann Burgo, Kathleen McLeod Caminiti, Melissa (Osipoff) Camire, Patrick J. Collopy, Tami Essis Culkar, Alex G. Desrosiers, Benjamin M. Ebbink, Shelby L. Garland, Darcey M. Groden, Usama Kahf, Aymara Ledezma, Joshua D. Nadreau, Jacklin Rad, Jennifer B. Sandberg, Nan Sato, David Shannon, Henry Thomson-Smith, J. Hagood Tighe, Connie Yang

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NEWS

02/27/24

Labor Relations Attorneys Quoted on NLRB's Ruling Focused on Political Activism in the Workplace

Alex G. Desrosiers, Joshua D. Nadreau

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INSIGHTS

02/23/24

Labor Board's "BLM" Ruling Will Require You To Review Your Dress Code and Other Workplace Policies: Your 5-Step Guide

Alex G. Desrosiers, Joshua D. Nadreau

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02/09/24

Do Your Workplace Romance Policies Need an Update? 4 Points for Employers to Consider this Valentine's Day

Samantha J. Monsees, Joshua D. Nadreau

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NEWS

02/07/24

Government Relations Co-Chair Discusses How Employers Can Navigate Potential Political Turbulence

Rick Grimaldi, Leanne Lane Coyle, Joshua D. Nadreau

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