

Partner

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Practice Areas

Business & Commercial
Litigation

Labor & Employment

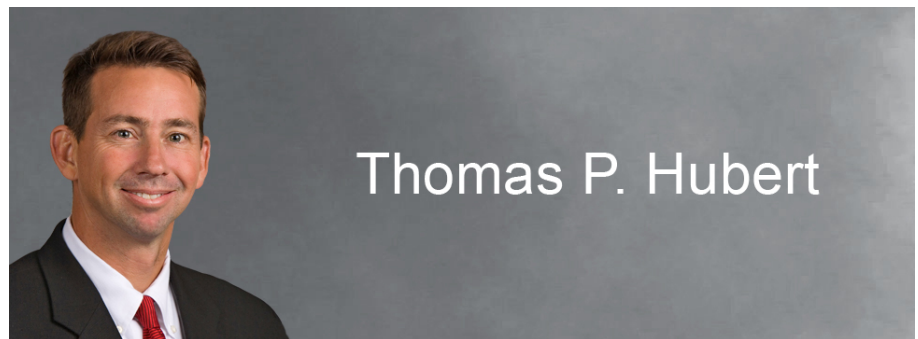
Professional Liability

Bar Admissions

Louisiana, 1989

Education

Paul M. Hebert Law Center,
Louisiana State University,
J.D., 1989; Moot Court
Board, Robert Lee Tullis
Moot Court Competition
Trinity University, B.S., 1986



Since 1989, Thomas Hubert has practiced primarily in the area of labor and employment law, as well as in areas that fall under more traditional commercial claims. Specifically, Mr. Hubert has focused on the business and commercial litigation as well as labor and employment (including commercial contracts, Unfair Trade Practices Act, Trade Secret Act, covenant not to compete agreements, defamation, errors and omissions for insurance agents and stock brokers, directors and officers, and defense of homeowners' associations and boards of directors) in jury and judge trials throughout the Southeast, as well as in proceedings before administrative agencies. A majority of cases managed and handled by Mr. Hubert are pending throughout Louisiana, Texas, and Florida. Among the cases he has handled are multiple class action employment litigation, including race, sex, and Fair Labor Standards Act claims; numerous sexual harassment claims; intentional infliction of emotional distress claims; workers' compensation claims; wage and hour individual and collective action claims; various contract/damage claims; and defense of a multitude of claims arising out of Hurricanes Katrina, Rita, and Ike, against insurance agents and homeowners'/condominium associations.

In addition to litigation, Mr. Hubert regularly assists management concerning union organizing drives, representation elections, unfair labor practice charges, arbitrations, collective bargaining negotiations, and EEOC charges, as well as training and counseling managers in employment relations and human resource administration, compliance with various labor and employment laws, and the avoidance of claims in general.

Noteworthy

- Regional Management Chair, Committee on Practice and Procedure Under the National Labor Relations Act, American Bar Association Section of Labor and Employment
- Listed in *The Best Lawyers in America*® 2012 (Copyright 2011 by Woodward/White, Inc., Aiken, SC) in the area of Litigation - Labor and Employment (listed annually since 2011)
- Listed in the 2012 edition of *Louisiana Super Lawyers* in the area of General Litigation (also listed in 2011), and in the area of Employment & Labor (2007, 2009, and 2010)
- **AV® Peer Review Rating in Martindale-Hubbell**

Representative Matters

- *B&G Crane Service, L.L.C. v. Shannon Duvic, Bryan Vige, and Turner Bros. Crane & Rigging, Inc.*, 2005 1798 (La. App. 1 Cir. 5/5/06), 935 So. 2d 164; 2006 La. App. (NO. 2005 CA 1798). Representing plaintiff, suit was filed seeking monetary damages, a temporary restraining order, a preliminary and permanent injunction and declaratory relief. The Court of Appeals agreed; plaintiff was entitled to a preliminary injunction pursuant to Louisiana's Unfair Trade Practices and Consumer Protection Law.
- *Loria v. Children's Hospital*, 31 Employee Benefits Cases 2171–2181 (USDC, E.D. La. Aug. 27, 2003). Plaintiff's claims of intentional infliction of emotional distress and intentional interference with the receipt of benefits under an employer-sponsored long term disability insurance policy were dismissed on summary judgment.
- *Labbe v. Chemical Waste Management*, 786 So.2d 868 (La. App. 3d Cir. May 2, 2001) *writ den'd* (La. Sept. 14, 2001). Plaintiff's claim of intentional infliction of emotional distress and disability discrimination were dismissed on Chemical Waste Management's Motion for Reconsideration of a summary judgment filed prior to a procedural change in the law. Success for the company was made possible after uncovering evidence justifying the recusal of the district court judge originally assigned to the case.

- *Labbe v. Chemical Waste Management*, 756 So.2d 613 (La. Ct. App. 3d Cir. 2000) *writ den'd* (La. 2000). Plaintiff's claim of intentional exposure to hazardous chemicals was dismissed due to a lack of supporting evidence that the company harmed or intended to harm Mr. Labbe by exposing him to a dangerous environment.
- *Tumbs v. Wemco, Inc.*, 97-2437 (La. App. 4 Cir. 4/22/98), 714 So.2d 761 (La. App. 4th Cir., Apr. 22, 1998) (NO. 97-CA-2437). Plaintiff claimed disability discrimination, intentional and negligent infliction of emotional distress. After a jury verdict in favor of Wemco, Plaintiff's appeal was unsuccessful.

Presentations

- "Mid-Term Congressional Elections Mean Changes, But Not Necessarily The Changes You Want" (New Orleans)
Inn on Bourbon, New Orleans, Louisiana, April 12, 2011
- "Harassment in the Workplace" Steel Founders Society of America
- "Effective Workplace Supervision"
W-H Energy/Dyna Drill
- "Employee Privacy Rights: Balancing Your Employees' Rights with Business Necessity"
C.E.M. Human Resource Management Seminar
- "The Impact of Federal Labor Laws on Management Practices in Both Union & Non-Union Settings"
C.E.M. Human Resource Management Seminar
- "Negotiating a Collective Bargaining Agreement with the Union"
Electrical Contractor Seminar
- "Writing the Employee Handbook in Louisiana"
Lorman Education Services, New Orleans, Louisiana
- "The Impact of Federal Labor Laws on Management Practices in Both Union & Non-Union Settings"
C.E.M. Human Resource Management Seminar, New Orleans, Louisiana, January 2004

Publications

- *How to Take a Case Before the NLRB* (Published 2005; Updated 2007, 2009, 2011)
American Bar Association Section on Labor & Employment Law

- "Union News Alert: Supervisory Status Under The National Labor Relations Act"
The OMSA Newsletter, Vol. 29, No. 3, 2001
 - "The Union Campaign"
Jones Walker: New Union Threat – Are You Prepared?, October 2000
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Memberships

- American Bar Association (Member, Section of Labor and Employment)
 - Louisiana State Bar Association
 - New Orleans Bar Association (Member, Board of Directors, Young Lawyers Section, 1997–1999)
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Court Admissions

U.S. Supreme Court, 2007

5th Cir., 1992

6th Cir., 2003

11th Cir., 1991

D.C. Cir., 1995

E.D. La., 1989

M.D. La., 1989

W.D. La., 1989

W.D. Mich., 2010

E.D. Tex., 2010

N.D. Tex., 2011

S.D. Tex., 2008