



Bob Carey



PARTNER

bob.carey@tonkon.com
503.802.2032 direct
503.972.3711 fax

LEGAL SERVICES

Labor & Employment Advice
Employment Litigation

EDUCATION

J.D., Willamette University College of Law, 1987

B.A., Harvard University, 1984

BAR & COURT ADMISSIONS

Oregon State Bar

Washington State Bar, Litigation and Labor & Employment Sections

District of Columbia Bar

U.S. Supreme Court

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, District of Oregon

U.S. District Court, Eastern and Western Districts of Washington

AWARDS & RECOGNITION

The Best Lawyers in America

2009-2021, Employment Law – Management

2009-2021, Labor Law – Management

2009-2021, Litigation – Labor & Employment

Chambers USA: America's

Leading Lawyers

2009-2020, Labor & Employment

Super Lawyers

2006-2020, Oregon Super Lawyer – Employment Litigation: Defense

Bob is a member of Tonkon Torp's Labor & Employment Practice Group. He represents companies, professionals, and executives in employment litigation, and provides counseling on a broad range of employment related issues. He has substantial jury trial experience in Oregon and Washington, defending wrongful discharge, discrimination, sexual harassment, wage and hour, and whistleblower cases. He also has defended ERISA lawsuits, been on both sides of post-termination cases with non-competition, trade secret and related claims, and has defended numerous labor disputes in arbitration.

Bob has represented companies in labor negotiations, and in election petitions and unfair labor practice charges before the NLRB. He has negotiated compensation, benefits, and other terms and conditions of employment contracts for companies, professionals, and executives.

He also serves as a mediator in complex commercial disputes and in employment and ERISA/benefits cases. Before joining the firm, Bob was a partner at Barran Liebman (1998-2006) and an associate and partner at Lane Powell (1993-1998). Before entering private practice, Bob served on active duty as a captain in the U.S. Army Judge Advocate General's Corp, at the U.S. Army Communications and Electronics Command, Fort Monmouth, N.J. and the U.S. Army Defense Appellate Division, Falls Church, V.A. (1987-1993). While stationed at Fort Monmouth, Bob was appointed as a Special Assistant to the U.S. Attorney for the District of New Jersey.

Bob has been consistently listed in the Best Lawyers in America, in the Oregon edition of Super Lawyers for employment litigation and as one of "America's Leading Lawyers" for labor and employment by Chambers USA, which notes that Bob is "top-notch and quick on his feet, and excellent at building strong relationships with his clients" and "the man to call whenever there is a complicated matter that won't go away."

Bob is certified as a Senior Professional in Human Resources (SPHR) by the Human Resources Certification Institute, and is also designated as a Senior Certified Professional (SHRM-SCP) by the Society for Human Resource Management.

PROFESSIONAL MEMBERSHIPS

American Bar Association
Federal Bar Association
Multnomah Bar Association
Oregon Association of Defense Counsel
Portland Human Resources Management Association
Society for Human Resource Management

COMMUNITY INVOLVEMENT & ACTIVITIES

Society of Human Resource Management

1995-Present, Harvard Schools and Scholarships Committee

Oregon Business Association

2006-2016, Business and Economy Committee

Portland Human Resources Management Association

Board of Directors
2013, General Counsel

Oregon Junior-Senior Golf Association

2009-2012, Director

Children's Cancer Association

2004-2009, Ambassador Board

Oregon State Bar

2001-2003, Procedure and Practice Committee

Multnomah Bar Association

1999-2002, Judicial Screening Committee

Representative Matters

Washington jury issued defense verdict on wrongful discharge and wage claims against real estate management company. The employer also recovered on counterclaim against plaintiff, and the court awarded attorney fees to our client.

Summary judgment granted on perceived disability and contract claims against large paper products company and its union.

Obtained defense verdict on wrongful discharge and whistleblower claims before an Oregon jury. Our client also won a counterclaim for breach of fiduciary duty against its former nursing home administrator.

Summary judgment granted in state court for large retailer where plaintiff had claims for discrimination, wrongful discharge, intentional infliction of emotional distress and assault.

Won summary judgment to enforce non-compete agreement for the benefit of acquiring company where agreement was signed by seller's employees in anticipation of the sale of the business.

Court granted directed verdict for employer during jury trial where former accounting clerk brought claim under the Fair Credit Reporting Act.

Small local newspaper won jury verdict against employee suing for wrongful discharge and discrimination.

Obtained a directed verdict during jury trial of claims for sexual harassment and wrongful discharge.

Manufacturing company recovered on counterclaim against former employee.

Numerous summary judgments granted in federal court on a variety of claims, including age, gender, disability and sex discrimination, sexual harassment, wrongful discharge, whistleblower, wage and hour, and ERISA.

Presentations & Publications

Bob is a frequent speaker at seminars on labor and employment law and provides training for clients on various issues.

"2013 HR Roundup: Checklist of New Employment Laws this Year," PHRMA News & Views, December 2013

"One Size Does Not Fit All: FMLA Leave and Same-Sex Couples," PHRMA News & Views, November 2013

"Affordable Care Act Retaliation," PHRMA News & Views, October 2013

"Protecting Confidential Business Information," PHRMA News & Views, September 2013

"Legislative Update: OFLA to Provide Leave to Deal with Death of a Family Member," PHRMA News & Views, August 2013

"Politics in the Workplace," PHRMA News & Views, July 2013

"The Pitfall of the Unpaid Intern," PHRMA News & Views, June 2013

"Evaluating the Independent Contractor Designation for Purpose of Wage Claims," PHRMA News & Views, May 2013

"Play or Pay: Crunching the Numbers on Affordable Care Act Penalties," PHRMA News & Views, April 2013

"Sick Times in Portland: What You Should Know about Portland's Sick Leave Ordinance," PHRMA News & Views, March 2013

"Protecting Your Company's Competitive Advantage Through Employment Agreements," PHRMA News & Views, February 2013

