



RUFINO GAYTÁN III

Rufino Gaytán is an associate member of the firm's Labor & Employment Practice Group in Milwaukee. Rufino assists private and public employers in addressing general human resource issues and counsels employers in every aspect of labor and employment law. In particular, Rufino assists clients with discrimination claims, wage and hour issues, unfair labor practice charges and elections petitions, and drafting and enforcing restrictive covenant agreements. Rufino represents clients in federal and state courts and before the Equal Employment Opportunity Commission, the National Labor Relations Board, the Wisconsin Equal Rights Division and other federal and state administrative agencies.

Prior to law school, Rufino served in the U.S. Army Reserve as a member of B Company, 980th Engineer Combat Battalion in San Antonio, Texas. He attained the rank of Sergeant and served in Iraq from March 2004 - March 2005. Rufino received the Army Commendation Medal and the Combat Action Badge for his service in Iraq.

Practice Areas

Business

- Labor, Employment & Immigration
- Indian Nations

Litigation

- Labor & Employment Litigation
- Unfair Competition & Trade Secrets

Milwaukee

780 North Water Street
Milwaukee, WI 53202-3590
TEL • 414.287.9572
FAX • 414.273.5198
EMAIL • rgaytan@gklaw.com

Admissions & Activities

Admitted to Practice

Wisconsin - 2009
Texas - 2009

Court Admissions

United States Court of Appeals, Seventh Circuit
United States District Court, Eastern District of Wisconsin
United States District Court, Western District of Wisconsin

Professional Association Memberships

American Bar Association
State Bar of Texas
State Bar of Wisconsin
Eastern District of Wisconsin Bar Association
Milwaukee Bar Association

News & Publications, Godfrey & Kahn Updates, Presentations

News & Publications

Rufino Gaytán III quoted in "Construction industry reps decry NLRB ruling" (The Daily Reporter) August 28, 2015

Andrew S. Oettinger, Rufino Gaytán III and Brian L. Pierson mentioned as counsel in "Tribal Casino Not Exempt From Age Bias Law, Judge Says" (Law360) May 08, 2014

Scott LeBlanc & Rufino Gaytán mentioned in "Wisconsin Broadcasters Association Hosts Social

Media Seminar" (radioworld.com)
December 20, 2012

Christine McLaughlin and Rufino Gaytán authored "NLRB says requesting confidentiality during internal investigations violates Section 7 rights" (InsideCounsel)
August 13, 2012

Christine McLaughlin and Rufino Gaytán authored "Arbitration agreements and class action waivers legal under NLRA" (InsideCounsel)
July 30, 2012

Christine McLaughlin and Rufino Gaytán authored "The 3rd Circuit adopts a joint employer test to determine FLSA liability" (InsideCounsel)
July 16, 2012

Christine McLaughlin and Rufino Gaytán authored "Supreme Court rejects the DOL's outside sales exemption interpretation" (InsideCounsel)
July 02, 2012

Christine McLaughlin and Rufino Gaytán authored "Running a union-free workplace doesn't make you safe from NLRB meddling" (InsideCounsel)
June 18, 2012

Christine McLaughlin and Rufino Gaytán authored "When employees are eligible for multiple FLSA overtime exemptions" (InsideCounsel)
June 04, 2012

Christopher Smessaert, Daniel Blinka, Erin "Maggie" Cook, Shannon Brusda, Jessica Franklin, Rufino Gaytán III, Peggy Heyrman, Rebecca Lauber and Joshua Torres were mentioned in "In the News" (Wisconsin Lawyer).
December 01, 2009

The States as Laboratories for Social Experiments: A Proposal Asking President Obama to Use the National Guards to Reason Our Way Out of 'Don't Ask, Don't Tell'
May 01, 2009

Godfrey & Kahn Updates

UPDATE: Attention all Pittsburgh private employers... Pittsburgh paid sick leave ordinance struck down!
January 06, 2016

UPDATE: Final rule to promote pay transparency takes effect in January 2016
December 01, 2015

Reminder to health care providers: you have a duty to accommodate HIV-positive patients
October 14, 2015

Supreme Court allows DOL home care worker overtime rules to stand
October 07, 2015

NLRB changes joint-employer standard: possession of authority to control essential terms and conditions of employment will suffice
September 01, 2015

President Obama Drafts Executive Order That Would Require All Federal Government Contractors and Their Subcontractors to Provide Paid Sick Leave
August 14, 2015

Pittsburgh City Council Passes Paid Sick Leave Law
August 04, 2015

The Equality Act: Legislation introduced in Congress to prohibit LGBT discrimination
July 29, 2015

Employers beware of independent contractor status; DOL says most workers are "employees" under the FLSA
July 15, 2015

Department of Labor issues Notice of Proposed Rulemaking for overtime regulations, seeks to more than double salary requirement
June 30, 2015

NLRB changes its deferral standard to little fanfare
May 12, 2015

EEOC issues proposed rule regarding employer wellness programs
April 16, 2015

Supreme Court: Mortgage loan officers must be paid for overtime
March 12, 2015

U.S. Supreme Court rules federal agencies can flip-flop on interpretive guidance: The DOL has final say on mortgage loan officers
March 12, 2015

Supreme Court: DOL can flip-flop on its interpretation of its own regulations
March 11, 2015

Wisconsin non-compete revolution: Proposed legislation would provide employers greater certainty in enforcing restrictive covenant agreements
March 11, 2015

Another Court Rejects Notion that Restrictive Covenant Agreements Must be Supported by At Least Two Years of At-Will Employment
February 13, 2015

Beware of Limits to Criminal History Inquiries in Employment Applications
January 29, 2015

D.C. Court of Appeals Invalidates Department of Labor's Interpretation of the Exempt Status of Mortgage Loan Officers Under the FLSA
July 23, 2013

Mexican Federal Labor Law Reform: Opportunities and Challenges for Employers with Operations in México
December 11, 2012

NLRB Issues Final Rule
September 15, 2011

One More Victory For Employers In The Non-Compete Agreement Realm
July 22, 2010

Education

Juris Doctor, University of Wisconsin Law School, 2009
Bachelor of Arts, The University of Texas at Austin, 2003, Government