



David B. Kern, Partner



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Partner

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Milwaukee Office

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David Kern practices in the area of labor and employment law. His practice includes an emphasis on collective bargaining, grievance arbitration, discrimination litigation, and employer counseling. He represents clients in state and federal courts and before the National Labor Relations Board, the Wisconsin Equal Rights Division, the Equal Employment Opportunity Commission, and other state and federal agencies. Mr. Kern's recent experience includes:

- Successful negotiation of a multi-year collective bargaining agreement on behalf of a major Milwaukee manufacturer, which included the elimination of retiree insurance benefits and other significant changes.
- Representation of a large utility in a National Labor Relations Board proceeding, in which it was determined that a number of employees were supervisors and therefore ineligible to organize under the National Labor Relations Act.
- Successful negotiation of a collective bargaining agreement containing significant concessions, which was a condition of the purchase of a manufacturing facility in Illinois.
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Successful defense of a federal court action by a union seeking to compel grievance arbitration of disputes under an employer's retirement plan.

- Successful representation of a multistate employer in connection with two union decertification elections at its Illinois and Wisconsin facilities.

Legal Services

- Labor & Employment
- ERISA Litigation
- Financial Institutions Litigation

Education and Honors

- University of Michigan Law School (J.D., magna cum laude, 1979)
- Marquette University (B.A., summa cum laude, 1976)
 - › Phi Beta Kappa
 - › Alpha Sigma Nu

Bar Admissions

- Wisconsin

Court Admissions

- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Appeals, 7th Circuit
- U.S. Court of Appeals, 10th Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Supreme Court

Professional and Civic Activities

- American Bar Association (Member, Labor Law Section)
- ABA Committee on Development of the Law under the National Labor Relations Act (Member)
- ABA Committee on Equal Employment Opportunity (Member)
- State Bar of Wisconsin (Member; Former Member, Board of Directors, Labor and Employment Law Section)
- Juvenile Diabetes Research Foundation – Southeastern Wisconsin Chapter (Board Member, 1993–1999, 2001–2005; President of the Board, 2002–2004; Nominating Committee Member, 2007, 2009, 2010, 2014)
- National Labor Relations Board, Sub-Region 30 (Member, Policies and Procedures Committee)
- City of Wauwatosa, Board of Zoning Appeals (Member).
- Marquette University Alumni Association Student Mentor Program, 2014-2015
- Marquette University Law School, Labor and Employment Law Society Mentor Program, 2007-present

Professional Recognition

- Recognized as Best Lawyers® 2014 Milwaukee Employment Law – Management "Lawyer of the Year"
- Recognized as Best Lawyers® 2013 Milwaukee Labor Law – Management "Lawyer of the Year"
- Recognized as Best Lawyers® 2012 Milwaukee Employment Law – Management "Lawyer of the Year"
- Listed in The Best Lawyers in America® (1993–present: Employment

Law – Management; Labor Law –
Management; Litigation – Labor &
Employment)

- Listed in Chambers USA® (2003
–present: Band 1, Labor & Employment
– Wisconsin)
- Selected for inclusion in the 2005
–present Wisconsin Super Lawyers®
lists (Employment & Labor)
- Martindale-Hubbell AV® Preeminent
Peer Review Rated
- Fellow, The College of Labor and
Employment Lawyers