



John A. Ferguson, Jr.

John A. Ferguson, Jr. is a partner with Schmoyer Reinhard LLP. Prior to joining the firm, John was a counsel with the international law firm of Bracewell LLP in the San Antonio office.

Experience

John's practice concentrates on all aspects of labor and employment law, including traditional labor relations, litigation, arbitration and counseling. He represents employers in:

- Collective bargaining agreements and negotiations
- Labor arbitrations
- Union representation elections
- Proceedings before the NLRB, EEOC, and DOL
- Defense of Fair Labor Standards Act collective actions
- Wage and hour, and Family and Medical Leave Act matters
- Title VII and state law employment discrimination litigation, including state law workers' compensation retaliatory discharge actions
- Service Contract Act compliance issues for federal government contractors
- Advising management on personnel decisions, policies, and employee handbooks
- Defense and prosecution of LMRA Section 301 actions in federal courts for enforcement of collective bargaining agreements, including to enforce and vacate arbitration awards
- Conducting training programs for managers and supervisors

Partner

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Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization

Education

Texas Tech University School of Law, J.D., 1980

Duke University, B.A., 1976

Bar Admissions

State Bar of Texas

Court Admissions

U.S. District Courts for the Eastern, Northern, Southern, and Western Districts of Texas

U.S. District Court for the District of Colorado

U.S. Court of Appeals for the 5th Circuit

John has over 40 years of experience in traditional labor relations law, especially the National Labor Relations Act. He has tried numerous unfair labor practice complaints to decision before the NLRB, and has represented employers in the appeal of those decisions in federal courts of appeals. He has guided employers through all aspects of the NLRB's union representation election process. He has also arbitrated to award numerous union grievances before labor arbitrators for private as well as public sector employers and has served as lead negotiator for employers in the negotiation and renegotiation of collective bargaining agreements.

He served as a trial attorney with the National Labor Relations Board's Houston Resident Office (1981-1986). He also served as a briefing attorney for the Honorable Carlos Cadena, Chief Justice of the Fourth District Court of Appeals for the State of Texas.

Professional Recognition

- Named an Outstanding Lawyer in 2018 by the *San Antonio Business Journal*
- Named by peers for inclusion in the 2008 - 2024 editions of *The Best Lawyers in America*® in the practice areas of Employment Law – Management, Labor Law - Management, and Litigation - Labor and Employment
- Selected as a "Top Rated Lawyer" in Labor & Employment Law by American Lawyer Media and Martindale-Hubbell in 2013 and 2014
- Rated by his peers with the Martindale-Hubbell "AV Preeminent" rating
- Named as one of San Antonio's best labor and employment lawyers by *Scene in S.A.* in 2011, 2012, and 2015 - 2023
- Named by *San Antonio Magazine* as a Top Labor and Employment Attorney in 2020 - 2023

Activities and Affiliations

- Member, State Bar of Texas Labor and Employment Law Section
- Member, San Antonio Bar Association
- Board Advisor, Compadres Therapy, Inc.
- Frequent speaker at various labor and employment law conferences

