

RESUME

Christian A. Bourgeacq

Arbitrator | Mediator | Attorney

P.O. Box 16, Driftwood, Texas 78619

512.476.1232 | chris@cabadr.com

BACKGROUND

Currently self-employed as a full-time independent neutral offering arbitration, mediation, and other ADR services

Considerable experience in traditional labor and employment law (over 35 years), personal injury claims, consumer disputes, and complex commercial litigation, as well as in telecommunications regulation

Board Certified – Labor & Employment Law, Texas Board of Legal Specialization

Handled several trials (jury and bench), appeals, labor, employment, and commercial arbitrations, and administrative proceedings as lead counsel

Practiced before several federal, state, and local agencies in a variety of subject matters

NEUTRAL / ADR EXPERIENCE

FMCS – labor arbitrator panel

FINRA (formerly NASD/NYSE) – public arbitrator on several panels involving investor disputes and broker/advisor employment disputes

Texas Education Agency – Certified Independent Hearing Examiner serving as the adjudicator in teacher/school district employment disputes

AAA – National Roster of Arbitrators

Certified Mediator – completed mediator training, satisfying Texas Alternative Dispute Resolution Procedures Act and Texas Mediation Trainers Roundtable standards

EMPLOYMENT HISTORY

2021 – present: *Christian A. Bourgeacq ADR Services.* Full-time, independent neutral offering arbitration, mediation, and other ADR services, as well as public hearing examiner services

2015 – 2021: *Founder / owner, The Chris Bourgeacq Law Firm, PC.* Solo practitioner – managed a general law practice with a specialty in labor & employment law, representing both employees & employers in a variety of workplace matters

1989 – 2015: *General Attorney, AT&T.* Responsible for traditional labor and employment matters within a five-state area; duties include managing or directly handling hundreds of labor arbitrations; providing primary legal counsel in numerous collective bargaining sessions; drafting labor agreements; managing or handling employment litigation; developing and delivering training in traditional labor and employment policies

Previously handled administrative law and arbitration proceedings as lead counsel before the Public Utility Commission of Texas for the company's efforts to obtain approval to offer long distance services; also served as lead counsel in several other major cases; duties also included advising clients on significant marketing, transactional and contract matters

First assignment in the company included several years in Southwestern Bell's Missouri state office directly handling litigation throughout Missouri and occasionally in Texas, Illinois, and Kansas; provided advice and counsel on labor & employment, contract, insurance, real estate, and other commercial issues

1986 – 1989: *Associate, Coburn & Croft (now Thompson Coburn)* in St. Louis, Missouri, concentrating in securities litigation/arbitration, FELA practice, personal injury practice, workplace disputes, ERISA, labor and employment, and commercial litigation

SAMPLE REPORTED DECISIONS

Communications Workers of America v. Southwestern Bell Telephone, 781 Fed.Appx 339 (5th Cir. 2019) (Prevailed in LMRA case for employer seeking to compel union to arbitrate collective bargaining agreement dispute)

Gardini v. Texas Workforce Commission, 2004 WL 2558423 (Tex. App. – Austin, 2004) (represented employee in unemployment compensation dispute; reversed agency determination)

Woermann Constr. v. Southwestern Bell Telephone, 846 S.W.2d 790 (Mo.App.1993) (construction arbitration dispute; obtained reversal of trial court and compelled case to arbitration)

Jorritsma v. Tymac Controls Corp., 864 F.2d 597 (8th Cir. 1988) (represented manufacturer's agent; prevailed at trial and on appeal)

SAMPLE UNREPORTED DECISIONS

Rivas v. PPG Industries, 5:20-cv-1114-JKP (W.D. Tex. 2021) (represented plaintiff in discrimination claims; case settled)

Avants v. Liberty Mutual Ins., 16-0135-C425 (Williamson County District Court, Tex. 2017) (represented plaintiff in Texas Insurance Act claims; case settled)

Bank of America v. Scott-Harris, 09-0536-CC4 (Williamson County Court at Law, Tex. 2009) (represented defendant in consumer dispute; filed counterclaim and case settled)

Briesch v. WebStorz, et al., A-01-CA-55-JN, (W.D. Tex. 2001) (represented plaintiff in employment dispute; case settled)

Jackson v. Epicron, Inc., et al., A-99-CA-641-JN (W.D. Tex. 1999) (represented plaintiff in employment discrimination claim; case settled)

Stegman, et al. v. Southwestern Bell, 3:92-CV-757-G (N.D. Tex. 1993) (obtained judgment after trial for defendant in class action over ERISA retirement incentives)

SPEAKING ACTIVITIES & IN THE NEWS

Presented several papers and speeches to legal conferences, local bar association, the Austin Human Resource Management Association, the Texas Employers Law Council, and Wolters Kluwer's Labor & Employment Law Daily on a variety of workplace topics:

- 10/23/18: *Speaker*, National Business Institute – Human Resource Law from A to Z
- 1/28/15: *Speaker*, National Business Institute – Employment Law: 2015 Comprehensive Guide, “Utilizing Alternative Dispute Resolution Tactics in Employment Matters”
- 2/27/14: *Speaker*, Austin Human Resource Management Association, Annual Law Day, moderator/speaker on keynote panel addressing administrative agencies in employment
- 5/14/12: *Speaker*, Legal & Regulatory Podcast for the Austin Human Resource Management Association

2010 – present, *Member*, Editorial Advisory Board, LABOR & EMPLOYMENT LAW DAILY (Wolters Kluwer's daily update service for labor & employment news); quoted in numerous articles on workplace issues, as well as served as a presenter in several webinars, including:

- 3/19/19: Presenter in Wolters Kluwer webinar, “Let's talk about what's been happening at L&E federal agencies”
- 2/23/18: Presenter in Wolters Kluwer webinar, “Sexual Harassment Roundtable: Practical Guidance for Employers”
- 5/18/16: Employment Law Daily Wrap Up, *quoted in* “Standing requires concrete injury from FCRA violation, though risk of harm may be enough”
- 5/16/16: Employment Law Daily Wrap Up, *quoted in* “Supreme Court's Spokeo decision may be a mixed bag for employers”

- 6/3/15: Employment Law Daily Wrap Up, *quoted in* “Supreme Court: Applicant’s religious practice, confirmed or otherwise, can’t be a factor in employment decisions”
- 3/25/15: Employment Law Daily Wrap Up, *quoted in* “TOP STORY—U.S.: McDonnell Douglas applies to pregnancy accommodation claims in UPS case”
- 1/13/15: Employment Law Daily Wrap Up, *quoted in* “TOP STORY—Mach Mining: Justices seem united on some minimal review, divided on scope”
- 6/26/14: Employment Law Daily Wrap Up, *quoted in* “TOP STORY—U.S.: President Obama’s recess appointments to NLRB declared unconstitutional”
- 2/16/14: Employment Law Daily Wrap Up, *quoted in* “STRATEGIC PERSPECTIVES—Labor and employment litigation landscape changing on several fronts in 2014”
- 8/7/13: Employment Law Daily Wrap Up, *quoted in* “STRATEGIC PERSPECTIVE—Lawsuit against EEOC for allegedly unauthorized mass email to employees using employer’s email domain could spark firestorm”
- 6/20/13: Employment Law Daily Wrap Up, *quoted in* “INDUSTRY PERSPECTIVE—Now that obesity is officially a disease, expect more workplace accommodation requests”
- 10/19/12: Employment Law Daily Wrap Up, *quoted in* “PRACTICE TIP—Beware the pitfalls of workplace politicking (by employees and employers alike) — but heed the risks of trying to quash it”
- 11/28/11: Employment Law Daily Wrap Up, *lengthy interview in* “PRACTICE TIP—Social media’s legal quagmire discussed in-depth by Employment Law Daily advisor, Chris Bourgeacq”
- 4/27/11: Employment Law Daily Wrap Up, *quoted in* “TOP STORY—USSCt: FAA bars states from restricting class-action waivers in arbitration agreements”

COMMUNITY SERVICE & HONORS

2013-2016, 2019-2020: Member, *State Bar of Texas Pro Bono College*, which recognizes attorneys who have provided more than 75 hours of pro bono service each year

2003, 2004, 2010, 2013, 2017: Recognized by *Volunteer Legal Services of Central Texas* with Covington award for pro bono service to the community

August 2003: Highlighted in Austin Bar Association's "*Austin Lawyer*" inaugural article on attorney pro bono service

1991: Obtained the then-highest jury verdict in a court-appointed civil rights case in the Eastern District of Missouri federal court

OTHER INFORMATION

Licensed in Texas, Illinois (inactive) and Missouri; admitted to U.S. Supreme Court, U.S. 5th and 8th Courts of Appeals, and numerous U.S. District Courts

Member, Texas Bar Sections on ADR and Labor & Employment

Member, American Bar Association Sections on Dispute Resolution and Labor & Employment

Member, Labor and Employment Relations Association (Houston chapter)

Member, Texas Bar College

Adjunct professor for legal research and writing for first-year law students at Washington University School of Law

Handled several *pro bono* cases, often representing plaintiffs in employment, civil rights, consumer law, and commercial disputes

Veteran, United States Air Force, 1975-1981

EDUCATION

A.B. and J.D. from Washington University, St. Louis, Missouri

Phi Beta Kappa; graduated with college honors

Dean's List every semester

Washington University Law Quarterly – Notes & Comments Editor

Honor Scholar in law school