

Tom H. Luetkemeyer

Chicago, IL

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About Tom

Tom concentrates his practice on labor and employment law and corporate health care law, representing employers and management nationwide. His work involves federal agencies such as the Equal Employment Opportunity Commission (EEOC), the US Department of Labor, the Office of Federal Contract Compliance Programs (OFCCP), and the Occupational Safety and Health Administration (OSHA).

He also regularly appears before state agencies, including the Illinois Department of Human Rights, and others responsible for enforcing workplace anti-discrimination laws. Tom handles employment litigation, including complex discrimination class and wage/hour collective actions.

In addition, Tom represents employers in union-related matters, including organization drives, collective bargaining, strikes, secondary boycotts, decertification, and administrative hearings before the National Labor Relations Board (NLRB).

In his healthcare practice, Tom represents hospitals, group practices, and individual physicians in general corporate matters. He advises clients on joint ventures, sales of operating entities, physician recruitment, fraud and abuse issues, Stark Law compliance, tax exemption, shareholder relations, and executive compensation. He also represents clients before Illinois administrative agencies such as the Department of Professional Regulation, the Department of Public Aid, and the Department of Public Health.

Tom serves as the firm's in-house counsel on employment matters. He also teaches as an adjunct professor at Loyola University of Chicago School of Law.

Tom's Affiliations

- Chicago Bar Association
- Illinois State Bar Association

Areas of Focus

Industries: Healthcare; Healthcare Transactions;
Hospitals, Rural Health Systems & Service Providers

Services: Employee Benefits & Executive Compensation ; Employment Advice & Counseling;
Employment Litigation; Labor & Employment

Experience

- Represented the insured, a healthcare transportation solutions company, in a wage and hour class action dispute.
- Successfully bargained with a union representing a professional employee organization providing drivers to a hotel operating in a transportation hub near an international airport. Hinshaw achieved the client's objectives through quick negotiations that avoided strikes and disruptions of service.
- Represented a large association of contractors in industry-wide, multi-employer bargaining agreement adverse to a union and have represented same client for nearly 20 years in recurring trade contract negotiations with union.
- Represented national janitorial service company servicing major airlines in negotiations with union at Minneapolis airport while avoiding strikes and disruption of airline services.
- Secured summary judgment win for the defense in an ERISA case seeking \$4 million in fund assets, following withdrawal by a construction trade union from its benefits plan.

Recognition

- *The Best Lawyers in America*®, Employment Law – Management, 2023 – 2026
- *Illinois Super Lawyers*, 2005 – 2023
- Loyola University School of Law, Francis J. Rooney / St. Thomas More Award for outstanding alumni service, October 2012
- *Leading Lawyer*, Employment Law: Management
- Martindale-Hubbell, AV® Peer Review Rating

Credentials

Education

Loyola University Chicago School of Law, JD, 1982

Loyola University Chicago, BS/BA, *magna cum laude*, 1979

Bar Admissions

Illinois

Court Admissions

US District Court for the Central District of Illinois

US District Court for the Northern District of Illinois

US District Court for the Southern District of Illinois

US District Court for the Northern District of Indiana

Interests

Did you know...

If he were not a practicing lawyer, Tom would enjoy being an English teacher.

Thought Leadership

Presentations

Tom frequently speaks to educational, business, legal, and professional association audiences on labor and employment and health care topics, including wage and hour issues and sexual harassment. He also speaks on the impact of other state and federal laws affecting the employee-employer relationship.

His presentations over the past 10 years have included:

- Co-Presenter, “What is New at the Agencies: NLRB, EEOC, and DOL,” Hinshaw’s 29th Annual Labor & Employment Seminar, Schaumburg, Illinois, October 9, 2025
- Co-Presenter, “Legal and Practical Issues with the Infinite Workday - A Panel Discussion,” Hinshaw’s 29th Annual Labor & Employment Seminar, Schaumburg, Illinois, October 9, 2025
- Co-Presenter, “Artificial Intelligence - The Risks and Rewards of Its Use in Employment,” Hinshaw’s 28th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, November 13, 2024
- “Illinois Paid Leave for All Workers Act,” Hinshaw & Culbertson LLP, Webinar, December 6, 2023
- Co-Presenter, “Tumult at the National Labor Relations Board (NLRB),” Hinshaw’s 27th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 19, 2023

- Co-Presenter, “The Impact of *Students for Fair Admissions, Inc.* on Affirmative Action and Diversity, Equity, and Inclusion Initiatives,” Hinshaw’s 27th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 19, 2023
- Co-Presenter, “Lessons from Ethics Counsel,” Family Business General Counsel Seminar, Chicago, Illinois, June 22, 2023
- Co-Presenter, “Union Activity and Labor Organizing in the Current Environment,” Hinshaw’s 26th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 27, 2022
- Co-Presenter, “Arbitration Developments: State Legislation, Policy Considerations, and Waivers,” Hinshaw’s 26th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 27, 2022
- Co-Presenter, “Supreme Court Decision on OSHA ETS and CMS Interim Rule: What Are the Practical Ramifications?,” Hinshaw & Culbertson LLP, Webinar, January 19, 2022
- Co-Presenter, “Wage & Hour Issues in the Equine Industry,” *35th Annual National Conference on Equine Law* Presented by The University of Kentucky’s Rosenberg College of Law, Virtual Event, April 29, 2021
- “Medical Facts and Legal Options: COVID-19 Vaccine Initiatives in the Workplace,” Hinshaw L&E Presentation, Virtual Event, February 3, 2021
- Co-Presenter, “Whistleblower and Retaliation Claims in the COVID Era,” Hinshaw’s 25th Annual Labor & Employment Seminar, Virtual Event, October 27, 2020
- “When the ADA and ADEA Collide,” EEOC TAPS Conference, Lombard, Illinois, August 28, 2018
- “Navigating Troubled Waters: Dealing With the Impaired Lawyer,” 2018 Legal Malpractice & Risk Management Conference, Chicago, Illinois, March 5, 2018
- Moderator “Behind the Curtain: A Panel Discussion with Plaintiffs’ Employment Counsel,” Hinshaw’s Annual Labor & Employment Seminar, Hilton Chicago-Northbrook, Northbrook, Illinois, October 12, 2017
- “Conducting an Effective Internal Investigation,” Equal Employment Opportunity Commission EXCEL Conference, Chicago, Illinois, June 2017
- “The First 100 Days—The Trump Administration and Labor and Employment Law,” Hinshaw University, Chicago, Illinois, June 2017
- “Antitrust Issues in Labor Law for Law Firms,” General Counsel Roundtable, Chicago, Illinois, May 2017
- “Future of Class Action Waivers in Arbitration Agreements,” Chicago Kent School of Law, Chicago, Illinois, March 2017
- “A Discussion with the Agencies Focus, Initiatives and Guidance,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2016
- “Employment Law Update 2016: New Rules, New Challenges,” 2016 Illinois Private Duty Fall Symposium, Normal, Illinois, September 15, 2016
- “Radiology Legal Update 2016,” College Of Imaging Administrators, Eighteenth Annual Spring Assembly, Lisle, Illinois, May 5, 2016
- “Fly on the Wall: A Conversation Among L&E Lawyers,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2015

- “Pregnancy Discrimination: The Intersection of Title VII and the ADA,” 2015 EEOC Chicago Area Seminar, Chicago, Illinois, August 5, 2015
- “Appellate Issues in Administrative Review,” 6th Annual Illinois Administrative Law Conference, Chicago, Illinois, June 2015
- “Legal Issues in Hiring — A Workshop,” Office of the Illinois Attorney General, Chicago, Illinois, May 2015
- “2015 Health Care and Employment Law Update,” College of Imaging Administrators, Lisle, Illinois, May 2015
- “Workplace Discrimination: Current Issues in Employment Law,” Illinois State Bar Association / Taft Stettinius & Hollister LLP, Chicago, Illinois, April 2015
- “Gov. Rauner’s Executive Order & Public Unionism,” Loyola University School of Law, Chicago, Illinois, April 2015
- “Brave New World: Employee Access to Employer Email Systems,” national webinar, Hinshaw & Culbertson LLP, February 2015
- “Valuing Employment Cases: Plaintiff and Defense Perspectives,” National Employment Lawyer’s Association Seventh Circuit Conference, Chicago, February 2015
- “When the Lawyer Is a Creditor and the Client Is the Debtor -- The ethical and legal considerations of collecting fees,” Sixth Annual Saint Ignatius Law Society Continuing Legal Education Course, Chicago, Illinois, November 2014
- “The Labor & Employment Year in Review,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2014
- “What Practitioners want ALJs and Hearing Officers to Know,” Chicago Bar Association, Chicago, Illinois, June 2014
- “Documentation, Discipline and Discharge,” Community Bankers Association of Illinois Employee Benefits Seminar, Lisle, Illinois, June 2014
- “Interpreting and Negotiating Employment and Compensation Contracts,” American Gastroenterological Association Annual Meeting, Chicago, Illinois, June 2014
- “Legal Update,” Annual Meeting of the College of Imaging Administrators, Lisle, Illinois, May 2014
- “The Ethical and Legal Implications of Implicit Bias,” Fifth Annual Saint Ignatius Law Society Continuing Legal Education Course, Chicago, Illinois, November 2013
- “An Ounce of Prevention Beats a Pound of Cure,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2013
- “Evidentiary Issues Pertaining to Expert Witness Testimony,” 4th Annual Illinois Administrative Law Conference, Chicago Bar Association, Chicago, Illinois, June 2013
- “Legal Update,” Fifteenth Annual Spring Assembly of the College of Imaging Administrators, Lisle, Illinois, April 2013
- “Lessons from Sandusky/Internal Investigations,” Fourth Annual St. Ignatius Law Symposium, November 2012
- “Oversight Responsibility and Liability for Corporate Officers and Directors,” Hinshaw’s Annual Health Care Conference, Lisle, Illinois, November 2012

- “Systemic Discrimination in the Workplace,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2012
- “Evaluation of Witness Credibility and Effective Witness Presentation,” 3rd Annual Administrative Law Conference, Chicago Bar Association and the State of Illinois Office of the General Counsel’s Administrative Hearings Review Committee, Chicago, Illinois, June 2012
- “Deposition of the Imaging Center Administrator,” a workshop and mock deposition, College of Imaging Administrators, Lisle, Illinois, April 2012
- “Ownership Transition: Passing the Torch Without Getting Burned,” Illinois Society of Professional Engineers, live webinar, January 2012
- “Collective Actions Against Hospitals and Large Providers Under the FLSA,” Hinshaw’s Annual Healthcare Conference, Lisle, Illinois, November 2011
- “Emerging Legal and Ethical Issues in Law Firm Management,” Saint Ignatius Law Society’s 3rd Annual CLE Course, Chicago, Illinois, November 2011
- “Old Timers vs. Newbies: Collaboration-Based Solutions for Ownership Transition,” American Institute of Architects—Illinois Chapter’s 2011 Annual Meeting, Lisle, Illinois, November 2011
- “FLSA Collective Actions & Rule 23,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, October 2011
- “Deposition of the HR Professional,” an interactive workshop session, Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, October 2011
- “Mediating Workplace Discrimination Disputes,” and “The Deposition of the Human Resources Professional,” United States Equal Employment Opportunity Commission TAPS Seminar, Lincolnshire, Illinois, August, 2011
- “Impact of *Walmart Stores v. Dukes*,” Hinshaw Executive Briefing, Chicago, Illinois, July 2011
- “Legal Update for Imaging Centers,” College of Imaging Administrators, Downers Grove, Illinois, April 2011

Publications

- “FTC Faces Setback in U.S. District Court Over Noncompete Rule,” *Friday Facts* newsletter, Illinois Road & Transportation Builders Association, July 12, 2024
- Co-Author, “How To Evaluate and Investigate a Discrimination Case from the Plaintiff and Defense Perspectives,” Chapter 5, *Employment Discrimination: Practice and Procedure 2022 Edition*, Illinois Institute of Continuing Legal Education, April 2022
- Co-Author, “New EEOC Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions,” *Illinois Banker*, August 2012
- Chapter Author, “Employment Discrimination and Discharge,” IICLE’s *Handbook on Employment Termination*, May 2002

Blog Posts

- How Employers Will Be Impacted by President Trump's Executive Order Revoking Long-standing Affirmative Action Obligations of Federal Contractors, Jan 29, 2025
- Taking a Deeper Look at the Implications of the NLRB Declaring Captive-Audience Meetings Unlawful, Nov 21, 2024
- Impact for Employers: The NLRB General Counsel Doubles Down on Restrictive Covenants and Stay-or-Pay Provisions, Oct 11, 2024
- Texas Federal Judge Strikes Down FTC's Noncompete Ban, Aug 21, 2024
- FTC Faces Setback in U.S. District Court Over Noncompete Rule, Jul 10, 2024

Events

- 26th Annual Labor & Employment Seminar, Thursday, October 27, 2022 | 9:00 a.m. – 5:15 p.m.
- 25th Annual Labor & Employment Seminar – Virtual for 2020, October 26 - 30, 2020
- Yvonne Ocrant and Tom Luetkemeyer to Present at Ocala Jockey Club, Nov 14, 2019
- 24th Annual Labor & Employment Seminar, November 7, 2019
- Hinshaw's 22nd Annual Labor & Employment Seminar, Oct 12, 2017

Healthcare Alerts

- SCOTUS Confirms Enforcement of CMS Emergency Regulation Mandating Workforce COVID-19 Vaccinations, Jan 14, 2022
- District Court in Missouri Blocks Implementation of CMS Emergency Regulation Mandating Workforce COVID-19 Vaccinations, November 30, 2021 | Last Updated December 30, 2021
- A Second Illinois Appellate Court Finds Physician Restrictive Covenant Unenforceable, Apr 24, 2015
- CMS Issues Proposed Rules on Reporting and Returning of Overpayments Under Medicare, Mar 6, 2012

Hinshaw Newsletters

- Labor & Employment Chronicle - Fall 2019 Edition, Nov 25, 2019
- Labor & Employment Chronicle - Summer 2019 Edition, Aug 28, 2019
- NLRB Evaluates Personnel Handbook for Section 7 Compliance and finds Moonlighting Policy Unlawful, Jun 6, 2018
- Employment Practices Newsletter - February 2016 Edition, Feb 2, 2016
- Employment Practices Newsletter - January 2016 Edition, Jan 5, 2016

In The News

- Tom Luetkemeyer Comments on the Significance of a Trio of EEOC Lawsuits Challenging Employer COVID-19 Vaccine Mandates, Aug 22, 2025
- Tom Luetkemeyer Discusses Ongoing Ambiguities in the Application of the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act, Apr 17, 2025
- Tom Luetkemeyer Reviews Roadblocks Confronting FTC's Noncompete Rule in Illinois Road & Transportation Builders Association Newsletter, Jul 19, 2024
- Tom Luetkemeyer Highlights the Importance of Enforcing Consistent Dress Code Policies in Light of Recent NLRB Discrimination Ruling, Mar 19, 2024
- Tom Luetkemeyer Comments in Bloomberg Law About the Challenge of Employee Religious Accommodation Requests and Discrimination Claims, Dec 18, 2023

Insights for Employers Alerts

- FTC Votes to Approve Rules Banning Noncompete Employment Agreements Nationwide, Apr 25, 2024
- Q&A: Chicago Employers Confront Significant New Mandatory Paid Leave Requirements Effective January 1, 2024, November 10, 2023 | Updated, November 13, 2023
- Illinois Supreme Court Affirms That Federal Labor Law Preempts Plaintiff's BIPA Claim, Mar 23, 2023
- U.S. Senate Approves Bill That Makes Mandatory Arbitration Provisions Unenforceable in Cases of Sexual Assault or Sexual Harassment, Feb 11, 2022
- SCOTUS Reimposes National Stay on Enforcement of OSHA's COVID-19 ETS, Jan 14, 2022

Lawyers for the Profession® Alert

- Are Law Firm Mandatory Retirement Policies Enforceable? In This Instance – Yes., Dec 5, 2019

Press Releases

- 102 Hinshaw Lawyers Recognized in 2026 Editions of *The Best Lawyers in America*® and *Ones to Watch*™, Aug 21, 2025
- 105 Hinshaw Lawyers Recognized in 2025 Editions of Best Lawyers in America and Ones to Watch, Aug 15, 2024
- 101 Hinshaw Lawyers Recognized in 2024 Editions of Best Lawyers in America and Ones to Watch, Aug 17, 2023
- Eighty-Seven Hinshaw Lawyers Recognized in 2023 Editions of Best Lawyers in America and Ones to Watch, Aug 18, 2022
- Tom H. Luetkemeyer Receives Loyola University School of Law's Francis J. Rooney / St. Thomas More Award, Oct 25, 2012

Webinars

- Illinois Paid Leave for All Workers Act (PLAWA) - Unique Challenges for Hospitals and Health Care Providers, Wednesday, December 6, 2023
- Supreme Court Decision on OSHA ETS and CMS Interim Rule: What Are the Practical Ramifications?, Jan 19, 2022
- Medical Facts and Legal Options: COVID-19 Vaccine Initiatives in the Workplace, February 3, 2021 | 12:00 - 1:00 PM Central
- Considerations for Keeping Employees Safe as They Return to Work, May 28, 2020
- The Paradigm Shift in Workplace Sexual Harassment: Practical Advice to Get it Right, Jan 18, 2018

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