

J. Randall Patterson

Senior Counsel
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Randall Patterson represents employers before the EEOC and other state and federal agencies, and advises employers on many topics including policies and procedures, reductions in force, wage and hour issues, employee handbooks, drug testing and employment contracts.

In employment litigation, Mr. Patterson has experience in a full range of employment related claims including: sexual harassment; age, race and disability discrimination, FLSA collective actions; retaliatory discharge and employment related defamation claims. Mr. Patterson has litigation experience in ERISA litigation cases involving the denial of employee benefits, breach of fiduciary duties and related claims, and in antitrust and white collar criminal defense.

Representative Matters

- Successfully defended a regional commercial contractor against an unfair labor practices charge brought by a local union alleging that the contractor had taken retaliatory measures against two individuals who complained that they and other employees were not being paid prevailing wages. After an extensive investigation by the National Labor Relations Board, the charge was dismissed.
- Obtained summary judgment for a national restaurant operator in a lawsuit asserting claims of sexual harassment.
- Won partial summary judgment for construction company in suit asserting both federal and state employment law claims as well as multiple state law torts.
- Successfully defended regional health center, obtaining summary judgment in an employment case in the U.S. District Court for the Northern District of Mississippi. In the complaint, the plaintiff asserted claims against the hospital and its administrator for wrongful termination in retaliation for the exercise of protected speech, as well as various state law claims.
- Successfully represented a mental health facility in a wrongful discharge case based on race and disability discrimination, and a pendant state law claim for intentional infliction of emotional distress. Obtained summary judgment based on plaintiff's failure to comply with the procedural requirements of the Mississippi Tort Claims Act.
- Won summary judgment on all claims for defendant in an action alleging disability discrimination based upon the perception prong of the Americans with Disabilities Act, retaliation, as well as intentional infliction of emotional distress, and the negligent hiring/supervision of supervisors.
- Obtained summary judgment for a mental health facility and its individual board members in an action alleging breach of employment contract, Section 1983, freedom of association, and intentional infliction of emotional distress claims.

Professional Honors & Activities

- Listed in *The Best Lawyers in America*® for ERISA Litigation (2015 – 2024); Labor and Employment Litigation (2018 – 2024); Employment Law - Management (2019 – 2024)
- Listed in *Chambers USA: America's Leading Business Lawyers* as a leading employment lawyer (2007 – 2019)
- Listed in *Mid-South Super Lawyers* (2006 – 2007, 2013 – 2019)
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Recipient – Baker Donelson Knoxville Pro Bono Award (2019)

- Member – Tennessee, North Carolina, and Mississippi State and American Bar Associations
- Member – DRI
- Member – Professional Liability Underwriting Society
- Mississippi Volunteer Lawyers Project
  - Selected as an "MVP" (2012 – 2013)
  - President's Award – Lawyer of the Year (1999)
- Member – Society of Human Resource Management
- Former Adjunct Professor of Law – Mississippi College School of Law
- Member – North Carolina Pro Bono Honor Society (2017)
- Articles Editor – *Mississippi College Law Review*
- Former Barrister – American Inns of Court (2006, 2007, 2008)
- Member – Association of Citadel Men

Publications

- "Management Counsel: Law Office 101, Online Behavior – Social Media Pitfalls & Warnings," *Dicta*, Knoxville Bar Association Magazine (January 2020)
- "Encyclopedia of Mississippi Law," chapter "Employment Law," *West Group* (2017)
- "Implicit Bias – Recognition and Solutions," *HR Professionals Magazine*, Vol. 6, Issue 10 (October 2016)
- "Best Employment Practices and HR Audit Considerations," *HR Professionals*, Mississippi, SHRM Special Edition (June 2013)
- "Documentation Drama in Employment Law Litigation," *HR Professionals of Greater Memphis*, Vol. 2: Issue 5 (2012)
- Contributing Author – "Litigating the Workplace Harassment Case," Chapter 5, "Defense Perspective – Responding to a Charge or Complaint," ABA Publication (2010)

Speaking Engagements

- "Social Media Considerations for Employers" (April 2023)
- "The EEOC Charge: Nuts, Bolts, and Best Practices" (December 2022)
- "Handbook Policies That an Employer Must Have, a Few That Can Help, and Some That Are Harmful" (October 2022)
- "Top 10 Ghastly and Scary Mistakes Employers Are Making" (October 2019)
- "#MeToo: New Era in Sexual Harassment, Media Frenzy, or Both?" (July 2019)
- "Employee Handbook Compliance" (March 2019)
- Co-presenter – "The FMLA - ADA Master Class," presented to the American Payroll Association, Knoxville, Tennessee (July 2018)
- Faculty Member – "God, Guns, and Other Interesting Stuff," Law Education Institute, National CLE Conference, Civil Litigation Program, Vail, Colorado (January 2018)
- Faculty Member – "Social Media Challenges for Employers," Delta Human Resources Association, Greenwood, Mississippi (November 2017)
- "Workplace Challenges of Privacy, Social Media, and Technology," Delta Human Resources Association's 17th Annual Human Resource Seminar, Greenwood, Mississippi (November 2017)
- Faculty Member – "Business Law: Labor and Employment Law for Business Lawyers," National Business Institute, Jackson, Mississippi (July 2017)
- Faculty Member – "Essentials of Employment Law," Sterling Educational Services, Inc., Biloxi, Mississippi (April 2017)
- "God, Guns and Other Interesting Stuff," Mississippi Society for Human Resources Management State Conference, Tupelo, Mississippi (April 2017)

- Faculty Member – "HR Legal Compliance," National Business Institute, Jackson, Mississippi (March 2017)
- "Internal Investigations," Pine Belt Human Resource Association, Hattiesburg, Mississippi (March 2017)
- Faculty Member – "Implicit Bias: Recognition and Solutions," Gulf Coast Human Resource Association Annual Symposium, Gulfport, Mississippi (September 2016)
- "Privacy and Social media in the Workplace," Delta Human Resources Association, Greenwood, Mississippi (August 2016)
- "Implicit Bias: Recognition and Solutions," Mississippi Society for Human Resources Management State Conference, Gulfport, Mississippi (May 2016)
- Faculty Member – "Human Resource Law Boot Camp," National Business Institute, Jackson, Mississippi (May 2016)
- Faculty Member – "Employment Law Update: Cutting Edge Issues," Sterling Education Services, Inc., Biloxi, Mississippi (April 2016)
- "Top Ten Employer Mistakes," Capital Area Human Resources Association, Jackson, Mississippi and Pine Belt Human Resources Association, Hattiesburg, Mississippi (March 2016)
- Faculty Member – "Labor and Employment Law Update," Mississippi State Bar, Jackson, Mississippi (March 2016)
- Faculty Member – "Employment Law Update: Cutting Edge Issues," Sterling Education Services, Inc., Jackson, Mississippi (January 2016)
- Faculty Member – "Implicit Bias: Recognition and Solutions," Law Education Institute, National CLE Conference, Civil Litigation Program, Vail, Colorado (January 2016)
- "Privacy and Social Media Considerations," Capital Area Human Resource Association, Jackson, Mississippi (October 2015)
- "The Art and Science of Alternative Dispute Resolution," Mississippi Paralegals Association 2015 Fall Seminar, Jackson, Mississippi (September 2015)
- Faculty Member – "Must Have Policies for Today's Handbooks," Gulf Coast Human Resource Association Annual Symposium, Gulfport, Mississippi (September 2015)
- "Workplace Privacy and the Thrills of Social Media," Mississippi Society for Human Resource Management State Conference, Gulfport, Mississippi (May 2015)
- Faculty Member – "Employment Law: Beyond the Basics," Sterling Education Services, Inc., Biloxi, Mississippi (April 2015)
- Faculty Member – "Employment Law: 2015 Comprehensive Guides," National Business Institute, Jackson, Mississippi (March 2015)
- Faculty Member – "Comprehensive Employment Law," Sterling Education Services, Inc., Jackson, Mississippi (January 2015)
- Faculty Member – "Social Media and 21st Century Litigation," Law Education Institute, National CLE Conference, Civil Litigation Program, Vail, Colorado (January 2015)
- "Top Ten Mistakes Mississippi Employers are Making," Mississippi Society for Human Resource Management State Conference, Gulfport, Mississippi (May 2014)
- Faculty Member – "Human Resource Law From Start to Finish," National Business Institute, Gulfport, Mississippi (April 2014)
- Faculty Member – "Human Resource Law From Start to Finish," National Business Institute, Jackson, Mississippi (April 2014)
- Faculty Member – "The Art and Science of Alternative Dispute Resolution," Law Education Institute, National CLE Conference, Civil Litigation Program, Vail, Colorado (January 2014)
- Moderator – "Employment Law Update in Mississippi," Lorman Education Services Seminar, Tupelo, Mississippi (August 2013)
- Faculty Member – "Human Resources Law: What You Need to Know Now," National Business Institute, Jackson, Mississippi (June 2013)

- "Employment Law Best Practices and Human Resources Audit Considerations," Mississippi Society of Human Resource Management State Conference, Gulfport, Mississippi (May 2013)
- Moderator – "Employment Law Update in Mississippi," Lorman Educational Services Seminar, Pearl, Mississippi (March 2013)
- Moderator – "Employment Law Update in Mississippi," Lorman Educational Services Seminar, Gulfport, Mississippi (February 2013)
- Faculty Member – "Overview of Employment Law," Law Education Institute, National CLE Conference, Civil Litigation Program, Aspen, Colorado (January 2013)
- Faculty Member – "Employee Documentation, Discipline and Discharge," National Business Institute, Jackson, Mississippi (July 2012)
- "Crucial Considerations for Handbooks and Policies," Mississippi Society for Human Resource Management State Conference, Gulfport, Mississippi (May 2012)
- Faculty Member – "Employment Law Beyond the Basics," Sterling Education Services, Inc., Jackson, Mississippi (November 2011)
- Faculty Member – "Employment Laws Made Simple, Employment Laws You Need to Be Familiar With," National Business Institute, Jackson, Mississippi (June 2011)

Education

- Mississippi College School of Law, J.D., 1991, with special distinction
- The Citadel, B.A. English, distinguished military graduate

Admissions

- Tennessee, 2007
- Mississippi, 1991
- North Carolina, 1992
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Supreme Court
- Alternative Dispute Resolution Panel of Neutrals, U.S. District Courts for the Southern and Northern Districts of Mississippi