



## Peter J. Petesch

Senior Counsel

Chair, Transportation Industry Practice Group

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## Practice Areas

Transportation

Leave and Accommodation

Discrimination and Harassment

Arbitration

## Overview

Peter J. Petesch handles a wide range of labor and employment matters, including litigation under:

- The Railway Labor Act
- The Americans With Disabilities Act
- The Family and Medical Leave Act
- Title VII
- The Age Discrimination in Employment Act
- Sarbanes-Oxley
- AIR 21 – the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century

He has successfully defended employers in individual and class-based cases before federal and state courts and agencies such as the Equal Employment Opportunity Commission, the National Mediation Board, the Department of Justice, and the Department of Labor's Office of Administrative Law Judges.

Peter has nearly 35 years of experience in representing employers in disability-related matters under both Titles I and III of the ADA, and he has taught webinars in both areas. He counsels, litigates and trains on leave issues and whistleblower matters under Sarbanes-Oxley. Peter often works with airlines, offering strategic advice on:

- Union representation disputes

- Collective bargaining
- Arbitrations
- AIR 21 whistleblower claims
- Employment claims unique to airlines

He also works with healthcare facilities and trade associations, as well as the hospitality, retail and service industries. Additionally, he represented a large human resources association as an amicus participant in four employment law cases before the Supreme Court.

Chair of Littler Mendelson's Transportation Industry Practice Group and a core member of the EEO and Leaves of Absence and Disability Accommodation Practice Groups, Peter has published numerous books and articles on the ADA and other employment issues for a variety of trade journals and has been quoted on labor and employment issues in the national media.

Peter co-wrote and hosted [\*The Deal with Dogs\*](#), a vignette-based video developed by Littler in conjunction with Canine Companions<sup>®</sup>. This product offers simple strategies that meet legal standards and address practical considerations when service or assistance animals are brought to a place of business.

Prior to becoming a Littler shareholder, Peter was the managing partner of the Washington, D.C. office of another nationwide labor and employment firm.

## Professional and Community Affiliations

- Member, District of Columbia Bar Association
- Member, Maryland State Bar Association
- Member, American Bar Association
- Member, Special Expertise Panel, Ethics / Corporate Social Responsibility and Sustainability, Society for Human Resource Management
- Member / Former Co-Chair, Business and Labor Partners Board, Business Responds to AIDS Program, U. S. Centers for Disease Control and Prevention

## Events & Speaking Engagements

### **Help! We Keep Getting Sued Over Access to Our Websites and Physical Locations... What Can We Do About It?**

Littler Executive Employer Conference  
May 5, 2022

### **Unleashing Accommodations in the Post-Pandemic Workplace**

June 23, 2021

### **Littler's Annual Report on the EEOC: A Practical Primer on Organizational, Procedural and Case Developments**

April 14, 2021

**Not All Who Wander Are Lost: Managing Employee Relocation in the Era of Remote Work**

March 11, 2021

**Unmasking New COVID-19 Dilemmas: Violence Related to Customer Refusal to Wear Masks, and the Lawful Handling of Employee and Customer Refusal to Wear Masks**

August 27, 2020

**Littler's Annual Report on the EEOC: A Practical Primer On Organizational, Procedural, and Case Developments**

March 10, 2020

**Anticipating and Beating the Risks of the Latest Wave of Technology Entering the Workplace**

2019 Executive Employer Conference, Phoenix, AZ

May 9, 2019

**Littler's Annual Report on the EEOC: Where We've Been and What's on the Horizon**

February 22, 2019

**Littler's Annual Report on the EEOC: Where We've Been and What's on the Horizon**

February 19, 2019

**Doggy Dilemmas: Accommodating Service Animals for Employees and Customers**

Philadelphia, PA

September 6, 2018

**Doggy Dilemmas: Accommodating Service Animals for Employees and Customers**

Washington, DC

September 5, 2018

**Doggy Dilemmas: Accommodating Service Animals for Employees and Customers**

Littler Executive Employer, Phoenix, AZ

May 4, 2018

**Transportation Roundtable**

Littler Executive Employer, Phoenix, AZ

May 2, 2018

**Challenges and Differences in Accommodating Religion, Pregnancy and Disabilities in the Workplace**

Webinar

December 13, 2017

**Dog Gone It - Hogwash About Emotional Support Animals in the Workplace**

2017 CLM Conference, New York, NY

November 30, 2017

**Service Animal Accommodations**

San Francisco, CA

October 19, 2017

**Emerging Issues Under FMLA, ADA, and Workers Comp**

Tysons Corner, VA

September 28, 2017

**Challenges and Differences in Accommodating Religion, Pregnancy and Disabilities in the Workplace**

September 19, 2017

**Managing a Growing Business**

2017 Mid-Atlantic Employer Conference, Washington, D.C.

June 6, 2017

**Who Let the Dogs In?**

2017 Executive Employer Conference, Phoenix, AZ

May 2017

**2016 Mid-Atlantic Employer Conference**

Washington, DC

June 7, 2016

**Healthcare Industry Roundtable**

The 2016 Executive Employer® Conference, Scottsdale, AZ

May 6, 2016

**Littler's Annual Report on the EEOC**

January 26, 2016

**Effectively Handling Leave & Accommodation Issues Under the ADA**

Tysons Corner, VA

October 21, 2015

**Littler's Annual Report on the EEOC**

January 9, 2015

**The EEOC's New Strategic Enforcement Plan (SEP) Critical Challenges Faced by Employers**

January 24, 2013

### **HR for NFPs: Hot Topics**

2012 Not-For-Profit Industry Conference - AICPA  
June 20-22, 2012

### **Ask the Experts Panel: HR**

2012 Not-For-Profit Industry Conference - AICPA  
June 20-22, 2012

### **Don't Be Left Behind: Accommodations and the Interactive Process in the Wake of the ADAAA and the EEOC's Scrutiny of Maximum Leave Policies**

Littler Mendelson, Scottsdale, AZ  
May 10, 2012

### **You Did WHAT? Things Your HR and Legal Experts Wish You Knew**

AICPA  
June 10, 2011

### **Update on the ADAAA**

Fairfax Bar  
May 19, 2011

### **ADA Compliance Based on the Final Regulations and A Renewed Focus By the EEOC**

April 5, 2011

### **New ADA Accessibility Regulations and Design Standards**

December 8, 2010

## **Books & Book Chapters**

, *Disability Discrimination and the Workplace*, BNA, co-author: P. Susser, 2nd ed., 2011, 2017 supplement

## **Recognition**

- Awarded, AV<sup>®</sup> Preeminent Peer Review Rating *Martindale-Hubbell*, 2016-present
- Named, The Best Lawyers in America<sup>®</sup> , 2007-2025
- Named, Lawyer of the Year, Labor Law - Management, *The Best Lawyers in America*<sup>®</sup>, 2021
- Named, Top 100 Attorneys, Washington D.C., *Super Lawyers*, 2019-2022
- Named, Super Lawyer, Washington D.C., *Super Lawyers*, 2013-2025
- Named, Top Rated Lawyer<sup>®</sup> - Transportation Law *The American Lawyer & Martindale-Hubbell<sup>TM</sup>*, 2013
- Recipient, National Business and Labor Award for Leadership on HIV/AIDS, *U. S. Centers for Disease Control and Prevention*

## **Education**

J.D., Georgetown University Law Center, 1985

A.B., University of Michigan, 1982, *With Honors and Distinction*

## Bar Admissions

District of Columbia

Maryland

## Courts

U.S. Supreme Court

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, 4th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. Court of Appeals, D.C. Circuit

U.S. District Court, District of Columbia

U.S. District Court, District of Maryland

## Publications & Press

### **When Is Reassignment a Reasonable Accommodation?**

*In the News*

August 28, 2024

### **Annual Report on EEOC Developments – Fiscal Year 2023**

*Littler Report*

May 6, 2024

### **EEOC Guidance Provides Examples of Accommodations for People with Visual Disabilities**

*In the News*

August 3, 2023

### **Annual Report on EEOC Developments – Fiscal Year 2022**

*Littler Report*

April 25, 2023

### **Respond Compassionately to People with Psychological Disabilities**

*In the News*

August 9, 2022

### **Annual Report on EEOC Developments – Fiscal Year 2021**

*Littler Report*

April 26, 2022

**What to Do When COVID-19 Long-Haulers Seek Exemptions from Vaccine Mandates**

*In the News*

September 20, 2021

**Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers**

*Press Release*

August 19, 2021

**How to Keep Telecommuting Employees with Disabilities Engaged**

*In the News*

July 19, 2021

**What If a Job Applicant Discloses a Disability?**

*In the News*

July 12, 2021

**‘Cause We’re Still Living – At Appropriate Distance – in a World of Fools (Spanning the Globe Because You Still Can’t)**

*Littler ASAP*

April 1, 2021

**Annual Report on EEOC Developments – Fiscal Year 2020**

*Littler Report*

March 1, 2021

**Snakes Off a Plane**

*Littler ASAP*

December 3, 2020

**GC Agenda: December 2020/January 2021: A round-up of major horizon issues for General Counsel**

*External Publication*

December 2, 2020

**Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Press Release*

August 20, 2020

**Demand face masks? Get sued. Lax requirements? Also get sued.**

*In the News*

July 31, 2020

**“Who Was that (Un)masked Man?” Does the Law Protect Employees and Guests Against Wearing Face Coverings?**

*Littler ASAP*

July 21, 2020

**Federal Court Chooses Reliable Attendance and Rejects Suit Claiming ADA Requires Accommodation of Unpredictable and Unplanned Absences**

*Littler ASAP*

March 31, 2020

**Annual Report on EEOC Developments – Fiscal Year 2019**

*Littler Report*

March 5, 2020

**4 Tips For Handling Requests For Animals In The Workplace**

*In the News*

November 12, 2019

**Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year**

*Press Release*

August 15, 2019

**Suffering Fools and Foolish Employment Stories Gladly**

*Littler ASAP*

April 1, 2019

**Work at Home Gets Skeptical Eye from Courts as Disability Issue**

*In the News*

February 21, 2019

**Annual Report on EEOC Developments – Fiscal Year 2018**

*Littler Report*

January 28, 2019

**Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Press Release*

August 15, 2018

**Littler and Canine Companions For Independence® Announce Strategic Partnership**

*Press Release*

July 30, 2018

**Employers Should Keep Open Mind on Service Animal Accommodation Requests**

*In the News*



May 16, 2018

**What a Fool Believes? These Non-Fake Employment News Stories**

*Littler ASAP*

March 29, 2018

**Annual Report on EEOC Developments — Fiscal Year 2017**

*Littler Report*

February 27, 2018

**Helping Workers Who Rely on Animals Without Making a Mess**

*In the News*

November 30, 2017

**Quiet, Dogs at Work: Why You May Soon Be Clocking In With Fido**

*In the News*

November 29, 2017

**Dear Littler: How Do You Address Employee Service Animal Accommodation Requests Under the ADA?**

*Dear Littler*

October 24, 2017

**Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers**

*Press Release*

August 17, 2017

**Set Ground Rules for the Different Types of Service Animals**

*In the News*

August 14, 2017

**Who Let the Dogs in? Possibly HR: Service Animal Requests in the Workplace**

*External Publication*

August 10, 2017

**The Continuing Stream of Website Accessibility Claims: A Trial Victory for a Plaintiff and a Dismissal for a Company**

*Littler ASAP*

June 21, 2017

**Dear Littler: Do I Really Have to Let an Employee Bring an “Emotional Support Pig” to Work?**

*Dear Littler*

June 16, 2017

**These Foolish Things – The Oddest Employment Issues of the Past Year**

*Littler ASAP*

March 30, 2017

**Annual Report on EEOC Developments – Fiscal Year 2016**

*Littler Report*

February 27, 2017

**Not Phoning It In: Telecommuting Accommodations and the ADA**

*Littler Podcast*

January 6, 2017

**Competition vs. Accommodation**

*In the News*

January 4, 2017

**Telework Under The ADA & Other Nondiscrimination Laws**

*Littler Report*

October 20, 2016

**The Best Lawyers in America® Honors More Than 180 Littler Lawyers in Its 2017 Edition**

*Press Release*

August 16, 2016

**Navigating the Rising Tide of Restaurant Accessibility Claims**

*External Publication*

June 6, 2016

**Employers Urged to Tread Lightly on Obesity**

*External Publication*

May 8, 2016

**Early-Onset Alzheimer's: Too Soon to Forget**

*In the News*

April 25, 2016

**Obesity Alone as a Disability? Slim Chance, Says Eighth Circuit**

*Littler ASAP*

April 13, 2016

**Emerging Accessibility Issues under Title III of the ADA**

*Littler Podcast*

April 12, 2016

**The Wave of Website and Other ADA Accessibility Claims – What You Should Know**

*Littler ASAP*

February 22, 2016

**Annual Report on EEOC Developments – Fiscal Year 2015**

*Littler Report*

January 12, 2016

**Littler Attorneys Recognized in the Best Lawyers in America© 2016 Edition**

*Press Release*

August 18, 2015

**Keeping Up With the EEOC in 2015**

*In the News*

February 2, 2015

**EEOC Welcomes New Staff to Build on Agency's National Enforcement Strategy**

*In the News*

January 26, 2015

**Keeping Up With the EEOC in 2015**

*In the News*

January 14, 2015

**Annual Report on EEOC Developments - Fiscal Year 2014**

*Littler Report*

January 5, 2015

**When Is Enough ADA Leave Enough?**

*In the News*

December 17, 2014

**No Coverage for the Cantankerous? The Ninth Circuit Goes "Retro" In Finding "No Disability"**

*Littler ASAP*

August 20, 2014

**Littler Attorneys Included in the Best Lawyers in America© 2015 Edition**

*Press Release*

August 18, 2014

**Philadelphia-Area Rail Strike Likely to be Short-Lived**

*In the News*

June 14, 2014

**Sixth Circuit Opens Floodgates on Telecommuting as a Reasonable Accommodation**

*Littler ASAP*

April 24, 2014

**ADA Ruling Sets Stage For More Work-From-Home Bids**

*In the News*

April 24, 2014

**ADA: Keep the Plates Spinning on the Poles**

*In the News*

April 3, 2014

**Supreme Court Grounds Pilot's Defamation Claim**

*Littler ASAP*

January 30, 2014

**Annual Report on EEOC Developments - Fiscal Year 2013**

*Littler Report*

January 22, 2014

**Littler Attorneys Named in Best Lawyers in America® 2014 Edition**

*Press Release*

August 15, 2013

**New psychiatric diagnostic categories could lead to spike in ADA claims**

*In the News*

August 1, 2013

**Annual Report on EEOC Developments – Fiscal Year 2012**

*Littler Report*

January 8, 2013

**6th Circuit rules that counseling recommendation violated the ADA**

*In the News*

October 30, 2012

**Increase in Disability Cases Means HR Must Focus on Accommodations, Job Descriptions**

*In the News*

September 24, 2012

**Seventh Circuit Reverses Itself on Reassignments as a Reasonable Accommodation Under the ADA (or "Humiston-Keeling: An Appreciation")**

*Littler ASAP*

September 12, 2012

**Federal Appellate Court Holds that Requiring an Employee to Undergo Psychological Counseling May Constitute Requiring a Medical Examination Under the ADA**

*Littler ASAP*

September 11, 2012

**Best Lawyers in America® Names 164 Littler Attorneys to 2013 Edition**

*Press Release*

September 7, 2012

**People with HIV and AIDS: Living and Working Longer**

*In the News*

June 1, 2012

**Annual Report on EEOC Developments – Fiscal Year 2011**

*Littler Report*

January 20, 2012

**Littler's Peter Susser and Peter Petesch Author New Publication on Disability Discrimination and the Workplace Released by Bloomberg BNA**

*Press Release*

January 12, 2012

**Best Lawyers in America® Names 108 Littler Lawyers to 2012 Edition**

*Press Release*

September 12, 2011

**Firms struggle to comply with ADA leave rules**

*In the News*

August 21, 2011

**NMB Launches Expedited Mediation Program**

*Littler ASAP*

June 14, 2011

**EEOC Moves Toward Guidance Addressing Leave As a Reasonable Accommodation Under the ADA**

*BNA's Daily Labor Report*

June 2011

**District Court Rejects Untimely Claims in Pattern or Practice Lawsuit**

*Littler ASAP*

May 23, 2011

**Full Breadth of Changes to Federal Disability Law Becomes Clear in EEOC's Final Regulations**

*BNA Books Monitor*

2011

**Seventy-Two Littler Attorneys Named to The Best Lawyers in America® 2011**

*Press Release*

August 9, 2010

**President Signs Bill Easing FMLA Eligibility Requirements for Airline Flight Crew**

*Littler ASAP*

December 22, 2009

**61 Littler Attorneys Named to The Best Lawyers in America® 2010**

*Press Release*

August 14, 2009

**51 Littler Attorneys Named to The Best Lawyers in America**

*Press Release*

October 31, 2008

**Littler Mendelson Welcomes Six-Attorney Team from Ford & Harrison to its Washington, D.C., Office**

*Press Release*

October 6, 2008