

LAFE E. SOLOMON

Member: Bar of the State of Arkansas
Bar of the District of Columbia

EMPLOYMENT HISTORY:

U.S. SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR & PENSIONS, Washington, D.C.

LABOR COUNSEL

September 2019 - September 2020

Part-time consultant to the Committee on issues arising under federal labor laws and the National Labor Relations Board and the Department of Labor. Assisted in drafting oversight letters, Federal Register comments and legislative text.

DEPARTMENT OF LABOR, Washington, D.C.

SENIOR LABOR COMPLIANCE ADVISOR, OFFICE OF THE SOLICITOR

September 2014 – January 2017

Responsible for implementation of the Fair Pay and Safe Workplaces Executive Order, signed by President Obama in June 2014, requiring contracting officers in every federal agency to consider a company's record of compliance with federal labor laws before awarding the company a federal contract. Led team of attorneys to draft DOL guidance and worked closely with the Federal Acquisition Regulations Council to draft FAR regulations. Designed work processes and created job descriptions for labor compliance advisors in every federal agency charged with making recommendations to contracting officers regarding whether the company's record of compliance with federal labor laws was satisfactory. Helped design IT systems within DOL and across the federal government to collect and report data to labor compliance advisors and contracting officers relevant to a company's record of compliance with federal labor laws. Conducted numerous listening sessions with the contracting community and labor advocates and testified before Congress in support of the Executive Order.

SENIOR ADVISOR TO SOLICITOR OF LABOR (on detail from the NLRB)

November 2013 – September 2014

Researched legal issues and drafted legal memoranda in support of Presidential Executive Orders and Presidential Memoranda. Participated in drafting and reviewing Notices of Proposed Rulemaking pursuant to those Executive Orders and Presidential Memoranda. Developed procedure for the referral of untimely-filed retaliation complaints under the Occupational Safety and Health Act (OSHA) to the National Labor Relations Board (NLRB) and for the coordination of litigation of retaliation complaints between the

NLRB and OSHA and the Wage/Hour Division. Advised DOL senior management officials regarding issues arising under the National Labor Relations Act.

NATIONAL LABOR RELATIONS BOARD, Washington, D.C.

ACTING GENERAL COUNSEL

June 2010 – October 2013

Chief legal officer, responsible for the investigation and prosecution of unfair labor practice cases which are filed in the Agency's 51 field offices throughout the United States, including deciding whether to issue complaint in cases involving novel issues of labor law and cases of national importance. Also responsible for the general supervision of the 1500 employees in the field offices, the three casehandling divisions housed at national headquarters in Washington, D.C., and the administrative functions of the Agency. Also responsible for securing compliance with the Board's orders, filing petitions on behalf of the Board in federal district and appellate courts.

DIRECTOR, OFFICE OF REPRESENTATION APPEALS

December 2000 – June 2010

Managed office under the Chairman responsible for handling requests for review to the Board by parties from pre-election decisions issued by Regional Directors, exceptions to the Board from Regional Director post-election reports on objections and challenges, and appeals from Regional Director administrative dismissals of representation petitions. Responsible for rendering advice to Board Members and their staffs and Regional Directors and their staffs on substantive and procedural questions in particular cases, maintaining continuing technical review and evaluation of the decisional activities of all Regional Directors, and recommending to the Board policy or legal changes in existing precedent or procedure governing representation cases.

DEPUTY CHIEF COUNSEL TO BOARD MEMBERS JAMES STEPHENS AND SARAH FOX

May 1995 – December 2000

Responsible for planning, directing, and coordinating the work of the Board Member's legal staff. Advised the Board Member on questions of law, policy, and procedure in all representation and unfair labor practice cases requiring the Board member's decision. Coordinated and managed with the other Deputy Chief Counsels the caseload of the Board and developed plans and procedures for the processing of cases.

ASSISTANT CHIEF COUNSEL TO VARIOUS BOARD CHAIRMEN AND MEMBERS

July 1989 – May 1995

Supervised team of attorneys responsible for advising Board Member on the facts and issues in particular cases and drafting legal memoranda and decisions in those cases. Represented Board Member at case discussion with other staffs.

STAFF ATTORNEY TO VARIOUS BOARD MEMBERS

February 1981 – July 1989

Handled complex cases pending before the Board, drafting legal memoranda and Board decisions. Formulated positions for Board Members in major cases, drafting dissents and concurrences. Assisted Members with special projects, including speech writing and preparation for Board agendas and oral arguments.

APPELLATE COURT BRANCH

February 1979 - February 1981

Handled all stages of appellate litigation of Board decisions, including writing motions and briefs and engaging in oral argument. Also handled federal district court litigation of cases arising in the Contempt Branch and the Special Litigation Branch.

OFFICE OF APPEALS

October 1976 - February 1979

Analyzed and formulated legal theories in unfair labor practice cases on appeal to the General Counsel. Drafted legal memoranda with appropriate recommendations. Participated in meetings with the General Counsel to consider the appeal and the techniques and theories of trial before the Board.

FIELD EXAMINER - NATIONAL LABOR RELATIONS BOARD, REGION 19, Seattle, Washington

January 1972 - July 1973; Summers 1974 and 1975

Investigated unfair labor practice charges, set up and conducted representation elections, acted as hearing officer in representation hearings, prepared legal memoranda, conducted settlement negotiations and drafted decisions on representation hearings.

VISTA VOLUNTEER - Standing Rock Sioux Reservation, Fort Yates, North Dakota

July 1970 - September 1971

EDUCATION:

TULANE UNIVERSITY SCHOOL OF LAW, J.D., May 1976, Order of the Coif
BROWN UNIVERSITY, B.A. ECONOMICS, June 1970