

People



John T. Roache

Partner, Labor and Employment

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vCard

John Roache focuses his practice on employment law and class action litigation. He represents employers in numerous wage and hour issues arising under the Fair Labor Standards Act (FLSA) and Illinois wage statutes, including collective and class actions involving claims for off-the-clock work, employee misclassification, joint employer liability, misclassification of independent contractors, uniform maintenance, training, and entitlement to overtime.

John also represents clients in federal and state trial and appellate courts in in other employment litigation matters, including restrictive covenant disputes, and harassment, discrimination, retaliation, constitutional, administrative, regulatory, and civil rights claims. John also regularly counsels employers on a wide array of labor and employment issues, including wage and hour compliance, enforceability of restrictive covenants, compliance with other employment laws, leaves of absence, and terminations.

John's clients have included major financial institutions, technology companies, security service providers, and state governments and municipal agencies.

Notable Work

Wage and Hour Litigation: Represented Securitas, an international company of 300,000 employees focused on protective services, in defeating a motion for class certification in Northern District of Illinois for the plaintiffs' "off-the-clock" and uniform maintenance claims asserted under the Illinois Minimum Wage Law and decertifying plaintiffs' collective action for their "off-the-clock" and uniform maintenance claims asserted under the FLSA. *Hawkins v. Securitas Security Services USA, Inc.*, 280 F.R.D. 388 (N.D. Ill. 2011); *Howard v. Securitas Security Services USA, Inc.*, No. 08-CV-2796 (N.D. Ill. March 13, 2012).

Wage and Hour Litigation: Represented PeopleScout, Inc, a recruiting and talent management company, in obtaining the District Court's dismissal of plaintiff's FLSA and IMWL claims based on a

Areas of Experience

Labor and Employment
 Employment Training and Compliance
 Employment Administrative Claims Defense
 Employment Litigation
 Wage and Hour

Education

J.D., University of Illinois College of Law, 1993, *magna cum laude*; Order of the Coif
 B.A., University of Notre Dame, 1990, high honors

Admissions

Bars

Illinois

Courts

U.S. Supreme Court
 U.S. Court of Appeals, Eighth Circuit
 U.S. Court of Appeals, Seventh Circuit
 U.S. District Court, Central District of Illinois
 U.S. District Court, Eastern District of Wisconsin
 U.S. District Court, Northern District of Illinois

Related Content

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complete tender and lack of subject matter jurisdiction. The court also denied plaintiff's motion for leave to amend as moot. *Hernandez v. PeopleScout, Inc.*, 2012 WL 3069495 (N.D. Ill. July 24, 2012).

Discrimination Allegations – Seventh Circuit Court of Appeals:

Represented defendants in case involving claims under the Americans with Disabilities Act, the Rehabilitation Act, and the Fair Housing Act. The District Court granted defendants' motion to dismiss. Argued the case before the Seventh Circuit Court of Appeals, which affirmed the decision. The Court determined that the plaintiffs failed to allege that they were treated differently than nondisabled loan applicants and noted that merely requesting documentation from plaintiffs did not constitute discrimination. The Court concluded that the FHA forbids discrimination, not requests that will enable banks to apply uniform standards. *Wigginton v. Bank of America*, 770 F.3d 521 (7th Cir. 2014).

Discrimination Allegations – Seventh Circuit Court of Appeals:

Represented the defendants in obtaining summary judgment in a Northern District of Illinois case brought under the race discrimination provisions of Title VII and 42 U.S.C. § 1981, and the Family Medical Leave Act. Argued the case before the Seventh Circuit Court of Appeals, which affirmed the decision. *Andonissamy v. Hewlett-Packard Co.*, 547 F.3d 841 (7th Cir. 2008).

Published Work and Lectures

- [HR Defense Blog](#), Contributor
- Akerman's Labor and Employment Chicago Program, Presenter, "ADA Update-Mental Health and Substance Abuse," October 2018
- *Illinois Institute for Continuing Legal Education (IICLE)*, Co-Author, "Employment Discrimination: Unlawful Grounds and Prevention," 2019 Edition
- *Lexis Nexis*, Lexis Practice Advisor Practice Note, Author, "Independent Contractor Classification Training Presentation," 2018
- *Illinois Institute for Continuing Legal Education (IICLE)*, Co-Author, "How to Hire, Manage, and Terminate Employees," 2018
- *Law360*, Co-Author, "Biometrics In The Workplace: Best Practices For Compliance," December 14, 2017
- *FSR Magazine*, Author, "Tip Credits: Is the DOL's 20 Percent Guideline a Bridge Too Far?" December 11, 2017

Honors and Distinctions

- *The Best Lawyers in America* 2023, Listed in Illinois for Employment Law – Management