



Contact

Scott A. Faust

Partner

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Scott A. Faust is a partner in the Labor & Employment Law Department, co-head of the Strategic Corporate Planning Group and a member of the Labor-Management Relations Group. He focuses his practice on all aspects of labor and employment law, and regularly handles collective bargaining negotiations, arbitration, mediation, counseling and litigation of labor and employment disputes on behalf of his clients.

Labor-Management Relations

Scott represents employers in collective bargaining negotiations, grievance arbitrations, union organizing campaigns, work stoppages, labor injunction proceedings and proceedings before the National Labor Relations Board. He also has extensive experience advising distressed companies and their creditors, as well as buyers and sellers involved in M&A transactions in labor-intensive industries. Scott has negotiated numerous collective bargaining agreements with the United Steelworkers in more than a dozen U.S. states as well as in Canada. He also has negotiated agreements with the United Auto Workers, Canadian Auto Workers, SEIU, Teamsters, Machinists, Operating Engineers, Carpenters, Painters, United Plant Guard Workers, Electrical Workers, Sheet Metal Workers, Chemical Workers, Food and Commercial Workers, Massachusetts Nurses Association and Typographers unions.

Employment Litigation and Counseling

Scott represents employers in labor and employment disputes in state and federal courts and administrative agencies, as well as in mediation and arbitration. Cases he has handled include matters involving wrongful discharge, ERISA, employment discrimination, related employment torts, enforcement of and challenges to non-competition agreements, and administrative proceedings before state and federal agencies. He has litigated cases in state and federal courts in Massachusetts, Pennsylvania, West Virginia, Ohio, Utah, Colorado and North Carolina, including appeals to the U.S. Courts of Appeals for the First and Tenth Circuits. He also provides day-to-day counseling on general employment matters, including equal employment opportunity and discrimination issues, development of employment policies, workplace restructuring, and employment law compliance.

Thought Leadership

Scott has published articles and given recent presentations on such subjects as *Labor and Employee Benefits Issues in Corporate Transactions*, *Issues and Opportunities in Labor Intensive M&A Transactions*, *Trends in Private Sector Collective Bargaining*, *Electronic Workplace Monitoring and Surveillance*, *Duty to Provide Information in Bargaining*, *NLRA Compliance Issues*, and *Strikes in the Health Care Industry*. Scott has been ranked in *Chambers USA* as a leader in labor and employment law.

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Matters

Representative Experience

- Collective bargaining negotiations and labor arbitrations with the Steelworkers on behalf of multiple clients in the steel, aluminum and related industries across the U.S. and in Canada.
- Collective bargaining negotiations with the United Auto Workers on behalf of a major truck manufacturer in Indiana.

- Collective bargaining negotiations with the Teamsters on behalf of a major freight company.
- Collective bargaining negotiations with the Food & Commercial Workers to restructure collective bargaining agreements in bankruptcy.
- Collective bargaining negotiations with the Steelworkers on behalf of a financial investor in connection with its acquisition of a chemical company in Louisiana.
- Renegotiation of collective bargaining agreements in the U.S. and Canada with the Steelworkers, Teamsters and Canadian Auto Workers on behalf of a strategic acquirer pursuing the potential acquisition of a bankrupt auto supply company.
- Strategic advice to financial investors in connection with their potential acquisition of a bankrupt trucking company.
- Collective bargaining negotiations with the Chemical Workers on behalf of a global pharmaceutical company in Illinois.
- Collective bargaining negotiations with the Massachusetts Nurses Association on behalf of a major Massachusetts-based health system.
- Ongoing employment advice and representation in civil litigation matters to a global placement and staffing firm.

Practices

Labor Management Relations, Transactions and Corporate Change, Business Solutions, Governance, Restructuring & Bankruptcy, Private Credit Restructuring

Industries

Health Care, Private Capital

Education

Boston College Law School, J.D.

magna cum laude

University of Virginia, B.A.

With High Distinction

Admissions & Qualifications

Massachusetts

Memberships

Fellow, The College of Labor & Employment Lawyers

Awards & Recognition

Chambers USA: Massachusetts: Labor & Employment 2010-2024

Chambers Global: USA: Labor & Employment 2018-2023

The Legal 500 United States: Labor & Employment Litigation 2011-2013

The Legal 500 United States: Labor-Management Relations 2011-2014, 2016-2017,
2019-2023

Massachusetts Super Lawyers 2004-2023

Best Lawyers in America 2019-2024