

Michael D. Gifford

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“I've practiced employment law for over 35 years, with a focus on helping clients avoid the changing pitfalls of the workplace.”

I regularly advise and represent clients on a wide variety of employment issues, including hiring, testing, record keeping, discipline and discharge, discrimination, retaliation, collective bargaining, and wage and hour matters. I also counsel clients and other attorneys on matters involving all facets of electronically stored information (ESI), including forensics, litigation holds, and related issues, as well as discovery, production, preservation, and retention of ESI (commonly called eDiscovery). I also write policies and procedures related to general employment and eDiscovery issues, as well as issues arising from employee use of social networking sites, such as Twitter, Facebook, and LinkedIn. Additionally, I have experience conducting management and employee training in all facets of workplace law.

Business Litigation

- Labor, Employment, & Immigration
- Business & Corporate
- Financial Institutions
- Healthcare

I am a frequent speaker before legal and human resources groups and management seminars, addressing topics including eDiscovery and related issues, employee use of social networking sites, harassment, discrimination and retaliation, discipline and discharge, wage and hour, and other issues. I have also taught law related classes at Illinois Central College and Bradley University.

Representative Matters

- Lead negotiation and drafting of multimillion-dollar sale of business with multiple locations, including negotiation and drafting of asset purchase agreements, disclosure schedules,

assignment documents to transfer obligations to purchaser, along with other corporate documentation and consents, including director consents.

Education

- Southern Illinois University School of Law, 1981
 - J.D., *cum laude*
- Southern Illinois University, 1978
 - B.A., Political Science

Memberships

- Seventh Circuit Council on eDiscovery and Digital Information
 - Steering Committee, Member and Membership Chair
- American Bar Association
 - Labor and Employment Law Section
- Illinois State Bar Association
 - Labor and Employment Law Section
- Peoria County Bar Association, Past President
- The Abraham Lincoln American Inn of Court
 - President, 2014-2015

Admissions

- Illinois, 1981
- U.S. District Court, Southern District of Illinois, 2019
- U.S. Court of Appeals, District of Columbia Circuit, 2008
- U.S. District Court, Northern District of Illinois, 2004
- Supreme Court of the United States, 1990
- U.S. Court of Appeals, Seventh Circuit, 1987
- U.S. District Court, Central District of Illinois, 1981

Professional Achievements

- Illinois *Leading Lawyers*, 2009-2021
 - Employment Law-Management
- Martindale-Hubbell® AV Preeminent® Peer Review Rating
- "Retention of E-mail—Why Bother?" *InterBusiness Issues*, February 2008.
- "Amendments to Federal Rules of Civil Procedure to Address Electronic Discovery." *Labor & Employment Law Newsletter*, Illinois State Bar Association, July 2006.
- "Pitfalls of the New OFCCP Internet Applicant Regulations." *Labor & Employment Law Newsletter*, Illinois State Bar Association, March 2006.
- "HIPAA Update: Understanding HIPAA." Illinois State Bar Association, 2nd ed., 2006.
- "New Illinois Workplace Legislation." *Labor & Employment Law Newsletter*, Illinois State Bar Association, October 2005.