

## JAMES M. MCWEENEY



**James M. McWeeney** is a partner with Weston Hurd's Education and Labor &

Employment groups located in Cleveland, Ohio. His legal services include education law, labor and employment, and litigation. He advises clients on matters related to contract disputes, collective bargaining, due process claims, public record request compliance, and policy drafting. James also has considerable commercial and labor/employment litigation experience, and he has managed and

assisted with several cases from the initial phases of discovery through trial.

James began his career as a public school teacher. He taught fourth and fifth grades in the Mississippi Delta as a member of Teach For America. As a Dillard Fellow at the University of Virginia School of Law, he mentored first-year students in writing and research skills. James's law practice reflects his commitment to education, labor and employment and litigation, and his first-hand knowledge of the legal challenges that his clients, such as school districts and educational institutions, face today.

### REPRESENTATIVE MATTERS

#### EDUCATION LAW

- Represents school districts in teacher termination and employee discipline proceedings.
- Represents school districts in proceedings regarding discipline and termination of classified employees.
- Provides "Behind-the-Scenes" collective bargaining support to school districts of various sizes.
- Advises school districts how to navigate various Constitutional issues, such as religion and free speech in public schools.
- Drafts and reviews school board policies.

- Advises clients on state employee hiring requirements under Ohio law.
- Advises clients on property disposition matters.
- Drafts, reviews, and advises school districts with regard to agreements with third-party vendors.
- Provides day-to-day advice to school districts regarding operational issues.
- Assists school districts with land-use and facilities issues.
- Counsels school districts with regard to public records requests.
- Counsels school districts relative to Ohio's Public Records Act and Open Meetings Act.

#### **LABOR & EMPLOYMENT**

- Arbitrates employee discipline cases as well as contract interpretation matters.
- Represents employers in proceedings before the Equal Employment Opportunity Commission (EEOC) and Ohio Civil Rights Commission (OCRC) with respect to discrimination claims.
- Advises clients regarding compliance with the Americans with Disabilities Act (ADA), Family Medical Leave Act (FMLA), Fair Labor Standards Act (FLSA), and other employment laws.
- Represents employers in Labor & Employment litigation, including defending against discrimination and compensation-related causes of action.

#### **LITIGATION**

- Drafts legal memoranda, motions, and pleadings for litigation, including motions for summary judgment, motions to dismiss, and discovery motions.
- Drafts discovery responses and objections as well as affirmative discovery requests.
- Prepares for and conducts depositions and witness preparation sessions.
- Present oral arguments relative to dispositive motion practice.

#### **PRESENTATIONS**

James presents to employers, management groups, organizations, individual school districts, and educational service centers about all facets of employment and education law, including customized client requests, on the following topics/subjects:

- Legislative and Case Law Updates
- Students' Rights
- Constitutional Issues
- Title IX
- Finance, Facilities, and Safety Planning
- Social Media and School Employees
- Student Attendance
- Compliance Training
- Public Records and Litigation

**ASSOCIATIONS**

- Member, Cleveland Metropolitan Bar Association

**Contact Information**

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