



Chair of the firm's Labor and Employment Department for two decades, Ken Yerkes has spent over 30 years successfully fighting for his clients' rights and business objectives at the bargaining table, in arbitration and federal and state court, as well as in plants across the country through proactive training, counseling and union avoidance campaigns.

Ken's ability to transform complex scenarios into workable strategies has earned him not only his clients' trust, but also acclaim as one of the country's recognized leaders in labor and employment law. In addition to being an *inaugural* National Law Journal Trailblazer (limited to 26 practitioners), he is a fellow in both The College of Labor and Employment Lawyers and the Litigation Counsel of America and has also been interviewed, quoted and/or featured in the Wall Street Journal, Inside Counsel Magazine, Corporate Counsel Magazine and Law360.

His unwavering drive to serve as a comprehensive resource to his clients has allowed him to design a practice that balances litigation, counseling and traditional labor matters. With respect to collective bargaining, Ken's experience runs the gamut from first contract negotiations to pattern bargaining, mid-term contract modifications, decision bargaining, effects bargaining, plant closing agreements, managing strikes, mandatory COVID-19 vaccinations, and successfully implementing lockouts without union charges resulting in a complaint. He has bargained with and run union avoidance campaigns against virtually every union in the country, and throughout the years has trained employers on best practices for remaining union free.

At the same time, Ken has been an active litigator and trial attorney with numerous reported decisions that illustrate his effective collaboration with clients in planning and executing the right strategy at the right time. On those rare occasions when summary judgment or an acceptable settlement are not forthcoming, Ken is willing and able to take the case to trial and has done so successfully in multiple jurisdictions. Understanding how cases are tried to juries has been instrumental in Ken's development as a trusted counselor and adviser, particularly when critical employment

Kenneth J. Yerkes

Partner

11 S. Meridian Street
Indianapolis, IN 46204-3535

P 317-231-7513

F 317-231-7433

ken.yerkes@btlaw.com

EDUCATION

Indiana University-Bloomington, (J.D.),
Indiana Law Journal, Articles Editor

Earlham College, (B.A.), Phi Beta Kappa

BAR ADMISSIONS

Indiana

Pennsylvania (Inactive)

Tennessee (Inactive)

COURT ADMISSIONS

U.S. Supreme Court

U.S. Court of Appeals for the District of
Columbia Circuit

U.S. Court of Appeals for the Eleventh
Circuit

U.S. Court of Appeals for the Eighth
Circuit

U.S. Court of Appeals for the Seventh
Circuit

U.S. Court of Appeals for the Sixth
Circuit

U.S. District Court for the Northern
District of Indiana

U.S. District Court for the Southern
District of Indiana

Indiana Supreme Court

U.S. District Court for the Northern
District of Illinois

LANGUAGES

English

decisions need to be implemented.

His dedication to extraordinary service and the development of personal relationships is manifest in his commitment to understanding each client's often unique business operations, goals and financial drivers.

Ken has been a featured speaker and presenter at numerous law partnering conferences and in-house law training programs in cities including New York, Chicago, Washington, D.C., and Toronto. Topical subject matter included a focus on managing litigation as a business and effective strategies to maximize legal services.

Of particular interest, Ken presented on "Reconnecting Cost with Value" at the ACC Corporate Counsel University. He previously has participated in the ACC Value Challenge program, where he had the opportunity to interact with in-house counsel on best practices for collaboration.

His passion for the law makes him a willing partner and collaborator with clients and colleagues alike, and his people skills have helped him to develop a keen understanding about what clients actually value in outside counsel and the delivery of legal services. While many lawyers "talk the talk" of value and partnering, Ken has "walked the walk." At the end of the day, Ken seeks to offer clients what they value most: the highest caliber legal representation in the context of a relationship based on trust and the ability to recognize and execute on business objectives.

Professional and Community Involvement

Member. Trial Law Institute

Member, Diversity Law Institute

Barrister. Order of Veritas

Advocate. Order of Certus

Fellow, College of Labor and Employment Lawyers, and Former Member, Seventh Circuit Credentials Committee, College of Labor & Employment Lawyers

Member and past Chairman, Section of Labor & Employment Law, Indiana State Bar Association

Board member, Indiana Legal Foundation

President and Board Member, Indiana Fire Juniors Soccer Club

Former Board Member, Meridian Hills Country Club

Former Board Member, Indianapolis Zoo

Former President and Board Member, Carmel United Soccer Club

Former Board Member, Indiana Repertory Theatre

Former Member, The Hundred Club of Indianapolis

Former Board Member and Vice Chair, Labor & Employment Committee,

PRACTICES

Arbitration and Grievances

Class and Collective Actions

Collective Bargaining

Disability, Leave and Medical Issues

Discipline and Termination

Downsizing and WARN Act

EEO Compliance

Employment

Employment Litigation

Executive Level (or C-Suite) Internal Investigations

Human Resource Audits

Immigration Compliance - Worksite Enforcement Services

International Business

International Services

Labor and Employment

Labor Relations

Litigation

Logistics and Transportation

Management and Employee Training

Mergers and Acquisitions - Labor Issues

National Labor Relations Board (NLRB)

Non-Compete and Trade Secrets

Sarbanes-Oxley and Dodd-Frank Acts

Union Avoidance

Wage and Hour

Workplace Counseling

Workplace Culture 2.0

INDUSTRIES

University and Professional Athletics

Indiana State Chamber of Commerce

Former Board Member, Indiana Sports Corporation

Former Chairman and Board Member, Indianapolis Private Industry Council

Former Panel Member, City of Indianapolis Diversity Study

Former President and Member, Penrod Society

Former Participant, Ardath Burkhart Board Leadership Development Series

Honors

National Law Review Go-To Thought Leadership Award, 2022

Senior Fellow, Litigation Counsel of America

Chambers USA, Indiana Labor & Employment, Band 1, 2003-2023

Indiana Super Lawyers, 2004-2024; Top 50: 2022 Indiana Super Lawyers

The Best Lawyers in America, 1995-2024; Labor Law - Management Lawyer of the Year, 2015

Indianapolis Monthly, Top Attorneys in Indiana

National Law Journal's Inaugural Employment Trailblazer's List, 2019

Indiana State Chamber of Commerce, First Volunteer of the Year Award, 2000

BTI Client Service All-Stars, 2009, 2020

The Indiana Lawyer Leadership in Law, Distinguished Barrister, 2015

Ken Yerkes Day proclamation from Mayor Goldsmith, 1999

Martindale-Hubbell, AV Preeminent

Martindale-Hubbell, AV Preeminent Attorney - Judicial Edition, 2022