

## Alejandro "Alex" Caffarelli



Alejandro Caffarelli is the founding shareholder of Caffarelli & Associates, Ltd., a boutique labor & employment law firm located in downtown Chicago. He is a former President of **NELA-Illinois**, the largest plaintiff employment lawyers' group in Illinois, and a former Executive Board member of the **Hispanic Lawyers' Association of Illinois**. Mr. Caffarelli is proud to represent employees from all walks of life, from migrant workers and day laborers to clerical workers, middle management, academics and Fortune 500 executives.

In over twenty years as an employment lawyer, Mr. Caffarelli has personally litigated hundreds of cases, and is the Firm's lead counsel at trial, including federal jury trials. He has successfully defeated the majority of his opponents' dispositive motions – most

of them brought by large national firms, and he has prevailed on many issues of first impression in federal court. These issues include establishing that a police chief is subject to individual liability under the **Family and Medical Leave Act**, and that an employees' sleeping on the job does not alone constitute a breach of fiduciary duty in Illinois. See *Rasic v. City of Northlake* (N.D.Ill. No. 08C0104) and *Beltran v. Brentwood North Healthcare Center, LLC*, (N.D.Ill. No. 05C2558) respectively. In addition to his trial work, Mr. Caffarelli also has personally argued multiple appeals before the United States Court of Appeals for the Seventh Circuit, as well as handled cases before the Illinois Court of Appeals. For example, in *Loudermilk v. Best Pallet* (7th Cir. 10-1846) Mr. Caffarelli obtained the reversal of a Summary Judgment against his client. Authored by Chief Judge Frank Easterbrook, this seminal decision reaffirms an employee's right to gather information to support a discrimination claim, and establishes that temporal proximity alone may be enough to support a retaliation claim. More recently, Mr. Caffarelli prevailed in a jury trial on behalf of a school administrator who was not offered FMLA leave after exhibiting symptoms of severe mental distress. In upholding the jury's verdict, the Seventh Circuit agreed with Mr. Caffarelli and affirmed the continuing viability of constructive notice under the FMLA notwithstanding recent amendments to the regulations suggesting otherwise. *Valdivia v. Township High School District 214* (7th Cir. 19-1410).

Mr. Caffarelli has significant experience litigating **class actions**, as well as individual claims. For example, he has negotiated numerous six and seven-figure settlements, including but not limited to a \$10.2 Million settlement in the case of *Allen v. Chase* (N.D.Ill. No. 13C8285), a \$5.7 Million settlement in the case of *Diaz v. Grencore* (Cook Co. No. 2017CH13198), a \$3 Million settlement in *Montero v. Chase* (N.D.Ill. No. 14CV09053), a \$2.6 Million settlement in the case of *Cardenas et al. v. John B. Sanfilippo & Sons, Inc.* (N.D.Ill. No. 10C1354), a \$2.5 Million settlement in the case of *Leon et al. v. El Milagro* (N.D.Ill. No. 11C4255), as well as numerous others.

What distinguishes Mr. Caffarelli from many of his peers in the plaintiffs' bar is that he also has experience handling high level management-side work. Prior to founding Caffarelli & Associates, Ltd. in 2001, he worked at a mid-size management-side only firm, where, among other things, he helped draft the successful appellate brief in support of enforcing a confidentiality agreement on behalf of Oprah Winfrey's production company, Harpo, Inc. The appellate court's decision is now viewed as one of the seminal resources for defining the proper parameters of employee confidentiality agreements. *Coady v. Harpo, Inc.*, 719 N.E.2d. 244 (Ill. Ct. App. 1999). In 2008, the City of Chicago awarded Mr. Caffarelli the position of Special Assistants Corporation Counsel and appointed him to defend the City in two class action cases brought against the City with total potential damages in the millions of dollars.

## Education & Awards

B.A., University of Michigan, Ann Arbor

J.D., University of Minnesota Law School

National Institute for Trial Advocacy Midwest Regional Workshop

Illinois Super Lawyer, 2011-Present

AV (highest) peer review rated by LexisNexis' Martindale-Hubbell 2008-Present

Rated 10/10 "superb" by Avvo.com 2007-Present

**Lawdragon** 500 Leading Employment Lawyer

## Bar & Court Admissions

United States Seventh Circuit Court of Appeals

United States Sixth Circuit Court of Appeals

United States District Court for the Northern District of Illinois - Trial Bar

United States District Court for the Central District of Illinois

United States District Court for the Western District of Tennessee

United States District Court for the Eastern District of Wisconsin

Illinois & Minnesota Supreme Court

## Membership & Associations

American Bar Association

Chicago Bar Association

National Employment Lawyers' Association

NELA – Illinois Chapter - Former President and Board Member

National Hispanic Bar Association



In recognition of his achievements, Mr. Caffarelli has been awarded the top “AV” rating by LexisNexis’ Martindale-Hubbell since 2008, one of the oldest and most respected peer-review based rating services for attorneys. According to Martindale-Hubbell, the attainment of an “AV” rating is “a testament to the fact that a lawyer’s peers rank him or her at the highest level of professional excellence.” Mr. Caffarelli also has been rated “superb,” a perfect 10 out of 10 on a numerical scale, by Avvo. Avvo is an online attorney rating service with an algorithm based upon an objective mathematical model. In 2010, Mr. Caffarelli was one of the very few plaintiffs’ employment lawyers to be named a “Rising Star” by Super Lawyers Magazine. The following year, in 2011, he was named an “Illinois Super Lawyer,” and has continued to be named a Super Lawyer each year since then. In 2018 he was listed as one of the 500 leading employment lawyers in the U.S. by Lawdragon, and in 2019, he was named a Leading Lawyer by Law Bulletin Media. Mr. Caffarelli has also been quoted and recognized as an employment law expert by the national media, including the Wall Street Journal, the New York Times online, Univision Chicago, and Telemundo.

Mr. Caffarelli has served on the Board of Directors for the Illinois chapter of the National Employment Lawyers’ Association, as well as the Hispanic Lawyers’ Association of Illinois. In 2014 Chief Judge Ruben Castillo appointed Mr. Caffarelli to the Pro Bono Advisory Committee for the United States District Court for the Northern District of Illinois, and in 2018 U.S. Senators Dick Durbin and Tammy Duckworth appointed him to a joint screening committee whose task is to review and vet District Court candidates and advise the Senators regarding the candidates’ qualifications and fitness for the position. From 2013-2016, Mr. Caffarelli was on the Board of Directors of Centro de los Derechos del Migrante, Inc. (“CDM”), an organization that supports and defends the rights of Mexico-based migrant workers. In 2016, Mr. Caffarelli joined the Board of Directors for Latinos Progresando, a Chicago-based organization that serves immigrants with the highest quality, low-cost legal immigration services, community education and engagement, and advocacy/organizing around policy that affects immigrants. And since 2005, Mr. Caffarelli has provided pro bono services on behalf of indigent workers through ARISE-Chicago, and has served on the ARISE Legal Advisory Board.

Mr. Caffarelli received a B.A. from the University of Michigan in Ann Arbor, with a double major of History and Spanish Literature, and was awarded a Juris Doctor from the University of Minnesota Law School, where he served as Note & Comment Editor of the prestigious Minnesota Law Review, which has been ranked among the ten most cited law journals in the United States. During that time, he authored an article on criminal asset forfeitures, which subsequently was one of the few student articles accepted for publication. In 1995, he served as an intern for the Honorable Judge Michael Davis of the United States District Court for the District of Minnesota. Since graduation, Mr. Caffarelli has been admitted to practice law before the Seventh Circuit Court of Appeals, the United States District Court for the Northern District of Illinois, the Illinois Supreme Court, and the trial bar of the Northern District of Illinois. In 2005, Mr. Caffarelli honed his trial skills by participating in the National Institute for Trial Advocacy’s Midwest Regional Workshop in St. Paul, Minnesota. In 2020, Mr. Caffarelli became a certified mediator by completing the Chicago Bar Association’s Advanced Workshop for Improved Negotiation, Mediation and Advocacy Skills.

Mr. Caffarelli currently lives in the City of Chicago with his wife and two children. He is a certified U8 and U10 soccer coach for the American Youth Soccer Organization (AYSO) and enjoys coaching as well as playing soccer, playing tennis and squash, and playing a variety of musical instruments in his spare time. In 2019, Mr. Caffarelli joined the Board of Directors for the Northwind Soccer Club, one of Chicago’s premier youth soccer organizations.

Hispanic Lawyers’ Association of Illinois -  
Former Officer and Board Member

ARISE-Chicago Legal Advisory Board

National Association of Consumer Advocates

## Speaking Engagements

### RECENT PANELS AND SEMINARS

ABA L&E ADR Committee, Mid-Winter Meeting:  
The Media and ADR, 2020

CBA/LE Panel: The Biometric Information  
Privacy Act after Rosenbach – A Survey of the  
Legal Landscape, 2019

ILW Panel at Chicago-Kent Law School: The  
Growth of State and Local Employment Laws:  
Protecting Workers or Complicating Things?,  
2019

ABA L&E ADR Committee, Mid-Winter Meeting:  
Class Action Waivers Update, Where Does it go  
From Here?, 2019

NELA National Conference Moderator: The  
FMLA at 25 - where have we been and where  
do we go from here, 2018

CBA Spring Seminar: Technology in the  
Workplace (Biometrics Panel), 2018

CBA/YLS Panel: Employers v. the First  
Amendment, 2018

NELA/American Constitution Society Joint  
Panel: Impact of Epic v. Lewis Sys. at the  
Supreme Court, 2017

ABA L&E ADR Committee, Mid-Winter Meeting:  
Class Action Waivers, 2017

CBA Panel: Labor and Employment Law  
Committee Lunch Seminar on New Sick Leave  
Laws and Ordinances, 2016

Ogletree Deakins National Workplace  
Strategies Seminar Panel: My Favorite Mistake  
- Perspectives from the Plaintiffs’ Bar, 2016

7th Circuit Bar Association: Settling a  
Settlement Assistance Program Referral in the  
U.S. District Court, 2015

Alliance for Justice Panel: Forced Arbitration,  
featuring Gov. Pat Quinn at the Loyola  
University Law School, 2015

CBA Panel: Best Practices for Technology in the  
Workplace, 2014



NELA/IL 7th Circuit Conference Panel: What Every Employment Lawyer Needs to Know About Criminal and Immigration Law, 2014

Federal Bar Association: EEOC Enforcement Litigation Priorities and Trends, 2014

NELA/National Panel: Effectively Representing Immigrants in Employment Cases, 2013

DePaul University Panel: Exploring Workers' Rights, 2013

## Caffarelli & Associates Ltd.

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View my profile on [LinkedIn](#)

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