

HOWARD B. TARKOW

Senior Counsel

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OVERVIEW

Howard Tarkow has practiced law at Maslon LLP for over 40 years. His focus since 1986 has been almost exclusively on issues and concerns for employers in their relationships with their employees, and in their dealings with unions that represent their employees. Howard has obtained favorable results for many of Maslon's business and nonprofit clients in tough employment law lawsuits, administrative complaints, union grievance arbitrations, and collective bargaining. Howard also has assisted Maslon's clients in their efforts to maintain positive employee relations. Howard regularly provided creative interactive training programs for employers and their supervisors, and he has been a frequent speaker at continuing legal education conferences.

Representing clients in workplace law can test Supreme Court Justice Ruth Bader Ginsburg's famous teaching, "You can disagree without being disagreeable." The clients hire the lawyers to win emotional disputes over perceived fairness and unfairness, and about right and wrong. Complaints about discrimination, arguments over wages and hours, grievances, retaliation, tough positions in collective bargaining, and countless other contentious matters can feature feelings of anger, hurt, indignation, entitlement, and even outrage. The clients want to win, and they expect their advocates to do whatever it takes to get it done. Howard has derived great satisfaction from achieving considerable success for Maslon clients in many cases over the years and doing so without sacrificing civility.

Howard retired from the Maslon partnership at the end of 2017 and has continued to enjoy working part-time at the firm and with his excellent colleagues.

SELECTED EXPERIENCE

- *Todd v. Ortho Biotech Inc.*, 949 F. Supp. 724 (D. Minn. 1996), *rev'd* 138 F.3d 733 (8th Cir. 1998), *cert. granted and judgment vacated*, 525 U.S. 802 (1998).

AREAS OF PRACTICE

Labor & Employment

- Counseling Employers
- Defending Employers
- Labor-Management Relations

Litigation

BAR ADMISSIONS

Minnesota

U.S. District Court

- Minnesota

U.S. Court of Appeals

- Eighth Circuit

EDUCATION

Washington University School of Law
J.D., 1982

University of Wisconsin-Madison
B.A., *with distinction*, 1975
Journalism

- *Rhinehart et al. v. S.E. Rykoff & Co. et al.*, Unpublished (E.D. Cal.). Successful defense of employer in class action under Section 301 of Labor Management Act of 1947.
- Numerous successful defenses of employers in unfair labor practice proceedings before Regional Directors of the National Labor Relations Board.
- Numerous successful defenses of employers in grievance cases decided by arbitrators.
- Numerous successful defenses of employers in discrimination cases before governmental agencies.

Advice and Counsel

- Drafting and review of employer policies and procedures, non-competition agreements, and other employment materials.
- Daily advice to clients needing prompt and practical advice to work through difficult and potentially risky and expensive workplace issues and disputes.
- Workplace training on the prevention of harassment, understanding workplace law, and for employers that prefer to deal directly with employees rather than through unions and other labor organizations.

LEADERSHIP & COMMUNITY

- Jewish Community Relations Council of Minnesota and the Dakotas: Director
- MAZON: A Jewish Response to Hunger: Board of Directors
- Hennepin County Bar Association: Bar Memorial Committee, Chair and Continuing Member
- Maslon LLP: Governance Committee Member and Chair 1999-2003
- Jewish Family and Children's Service of Minneapolis: Director 2012; continued as outside legal advisor
- Minneapolis Jewish Federation: Past Director
- Sabes Jewish Community Center: Past Officer and Director
- Minnesota State Bar Association
- Arthritis Foundation, Minnesota Chapter: Past Director

SELECTED HONORS

- **Sidney Barrows Lifetime Commitment Award**, Twin Cities Cardozo Society, 2016. This award is given annually to one or two senior attorneys or judges in the Twin Cities who exemplify excellence in their practice, community service in the Jewish and general communities, and commitment to lifelong learning.
- **Selected for inclusion in *The Best Lawyers in America*®**, 2018-2021
- **Recognized in *Chambers USA: America's Leading Lawyers for Business***, Labor & Employment, Minnesota, 2009-2017; cited by *Chambers* as "wise, measured and widely respected" (2017); and "highly regarded for his versatile labor and employment practice" (2016)
- **Recognized on Minnesota Super Lawyers® list**, 1994, 1997-2018 (*Minnesota Super Lawyers® is a designation given to only 5 percent of Minnesota attorneys each year, based on a selection process that includes the recommendation of peers in the legal profession.*)
- **AV Preeminent**, Martindale-Hubbell®

SELECTED PRESENTATIONS

- "How (and Why) to Be a 'Civil' Litigator," panelist, Minnesota State Bar Association, 2024
- "Drafting Separation Agreements and Releases (Including an Annotated Document)," The 2017 Upper Midwest Employment Law Institute, Minnesota CLE, 2017
- "What Happens to Legal Support for Workplace D&I in the New National Administration? " The Forum of Workplace Inclusion, 2017
- "Violence on Campus and in the Workplace & Simpson Housing Sandwich Build," panel member, Risk Insurance Management Society Minnesota Chapter, 2016

- "Drafting Separation Agreements and Releases (Including an Annotated Document)," 2016 Upper Midwest Employment Law Institute, Minnesota CLE, 2016
- "Bold Conversations on New Directions in Sex Discrimination Employment Law," The Forum on Workplace Inclusion, 2016
- "The Myth of At Will Employment," Contracts In Context, ACC Minnesota, 2016
- "How to Respond When the Government Serves a Charge of Discrimination," 2015 Upper Midwest Employment Law Institute, Minnesota CLE, 2015
- "LGBT-Related Issues Under Title VII," The Forum on Workplace Inclusion, 2015
- "Pregnancy Accommodations: Implications of the New EEOC Guidance and the Minnesota Women's Economic Security Act," The Forum on Workplace Inclusion, 2015
- Maslon Sponsors 27th Annual Conference for The Forum on Workplace Inclusion®; Attorney Howard Tarkow to Present on Workplace Law Developments
- "How to Tell the Government That You Did Not Discriminate or Retaliate," 2014 Upper Midwest Employment Law Institute, Minnesota CLE, 2014
- 26th Annual Forum on Workplace Inclusion, University of St. Thomas Opus College of Business, 2014
- "Do's and Don'ts of an Independent Contractor Arrangement," Employment Practices, Documents & Contracts, Minnesota CLE, 2013
- "How to Respond When the Government Serves a Charge of Discrimination," Upper Midwest Employment Law Institute, Minnesota CLE, 2012-2013
- "Employment Law Issues in the Workplace," Sixth Annual Best Practices in Labor & Employment Law, Sterling Education Services, 2013
- "FLSA/Wage and Hour Compliance," Sixth Annual Best Practices in Labor & Employment Law, Sterling Education Services, 2013
- "Important Workplace Law Developments: What Leaders Need to Know," 25th Annual Multicultural Forum on Workplace Diversity, University of St. Thomas Opus College of Business, 2013
- "Smart Ideas When Negotiating Severance Benefits and Non-Compete Obligations in Your Next Employment Agreement," Executive Forum, Navigate Forward, 2013
- "Multicultural Forum on Workplace Diversity," University of St. Thomas in Partnership with the Twin Cities Chapter of the National Black MBA Association, 2006, 2008-2012
- "2011 Wage and Hour Forecast: A Look at Key Trends, Challenges and Opportunities for Employers in 2011," Maslon Speaker Series, 2011
- "Employment Arbitration: What's (Earth-) Shaking?" 37th Annual Labor and Employment Law Institute, Minnesota CLE, 2010
- "Creating an Employee Brand: Successful Strategies for Engaging and Retaining Your Valued Employees Through a Challenging Economy," Maslon Speaker Series, 2010
- "Hiring Best Practices to Minimize Your Legal Risk," webinar, Verifications, Inc., 2010
- "Bridging Troubled Waters: Getting Internal Investigations Right," Maslon Speaker Series, 2007
- "Labor-Management Relations Arising from Minnesota Citizens' Personal Protection Act of 2003," Labor and Employment Law Institute, Minnesota CLE, 2003
- "Compensation Law," University of Minnesota, Employer Education Service, 1988-1999
- "Injunctions and Jurisdictional Disputes, Sections 10(j), 10(k) of the National Labor Relations Act," American Bar Association, Section of Labor and Employment Law, 1999
- "Employment Issues in a Union Setting," Upper Midwest Employment Law Institute, Minnesota CLE, 1998
- "Employment and Labor Law in Minnesota," Lorman Education Services, 1997
- "Managing Managers and Avoiding the 10 Top Legal Problems They Can Cause," Council on Education in Management, 1996
- "Do's and Don'ts of Summary Judgment Practice," Labor and Employment Law Institute, Minnesota State Bar Association, 1995

- "Union Organizing Is Back in Business," Council on Education in Management, 1994
- "Sexual Harassment by Co-workers," Labor and Employment Institute, Minnesota CLE, 1992
- "U.S. Immigration Laws - Immigration Reform and Control Act," Minnesota Institute of Legal Education, 1989
- Numerous customized training classes for employers and their supervisors.

SELECTED PUBLICATIONS

- Featured in "Breaking the Ice: Sustaining the Bar Memorial tradition," *Minnesota Lawyer*, 2025
- "A Lasting Tribute: Carrying on the Timeless Tradition of the Hennepin County Bar Memorial," Hennepin Lawyer, 2025
- "New Minnesota Court Decision Underscores Importance of Complying with State Wage Laws," Maslon Whitepaper, August 2003
- "Punitive Damages in Minnesota: The Common Law and Developments Under Section 549.20 of the Minnesota Statutes," co-author, 11 *Wm. Mitchell L. Rev*. 353 (1985)
- "Low Power Television: A New Opportunity for Broadcasting in the Public Interest," 23 *Urban Law Annual* 189 (1982)