

## Jared Van Kirk

Principal

1111 Third Avenue  
Suite 3000  
Seattle, WA 98101

T 206.816.1372  
F 206.464.0125  
jared.vankirk@foster.com



As a counselor to Pacific Northwest and national employers, Jared helps his clients achieve productive relationships with union represented workforces and negotiate quality labor agreements. He strives to provide his clients with practical advice on complying with the intricate and overlapping network of federal, state and local employment laws.

Jared provides counsel to public and private employers, with a special emphasis on health care and senior living. He understands that employers want to manage employees and comply with labor and employment laws in a way that is consistent with their goals and operational needs, and they want to work to reduce their risk of liability. He applies these principals every day when negotiating labor agreements, addressing disputes and providing advice on a wide variety of complex laws and regulations from anti-discrimination and harassment to navigating the network of laws regulating employee leave, accommodation of disabilities, and drug use and drug testing in the workplace.

Jared received his law degree from Harvard Law School and was a clerk for The Honorable Jerome Farris of the U.S. Court of Appeals for the 9th Circuit. Prior to practicing law, Jared received his degree in Human Biology from Stanford University and engaged in genetic research concerning human evolution and complex diseases.

### Services

Labor, Employment & Immigration  
Labor Advice  
Health Care  
Cannabis

### Admissions

Washington, 2005  
U.S. District Court, Western District of Washington, 2006  
U.S. Court of Appeals for the 9th Circuit, 2006  
U.S. Court of Appeals for the Federal Circuit, 2010  
U.S. Court of Federal Claims, 2007

## Education

J.D., Harvard Law School (*cum laude*) 2005

- *Harvard International Law Journal*, Managing Editor
- First Year Moot Court Competition, Best Brief

B.A., Stanford University (with distinction) Human Biology, 2000

- Phi Beta Kappa

## Honors & Recognition

Rising Star, Washington Super Lawyers, 2011-2012 and 2015-2018

## Community Activities

Seattle Children's Theatre, Board of Trustees, 2018-present

- Board Operations Committee, 2020-present

## Experience

Labor negotiations for two affiliated hospitals

Represented two affiliated hospitals in simultaneous negotiations with two unions for three separate bargaining units under difficult and contentious conditions, resulting in a very favorable outcome for the client. Successfully navigated negotiations lasting a full year, through federal mediation and a joint picketing action. Spearheaded complex compensation proposals involving the establishment of wage scales for over 60 positions.

Labor negotiations for a regional hospital

Led labor negotiations for a regional hospital with a bargaining unit of the hospital's nurses, which resulted in a successful resolution within the client's initial negotiating parameters and in a limited number of bargaining sessions. Secured a favorable modification of the hospital's leave and time off benefits.

Labor negotiations for a hospital and clinic group

Led labor negotiations for a large hospital and clinic group for successor collective bargaining agreements with three bargaining units and a fourth agreement with a newly represented unit. Resulted in a mutually satisfactory settlement without significant labor action or public pressure campaign from the union.

## News

Jared Van Kirk Quoted in *GeekWire* About Future of Employer Marijuana Testing Policies  
*GeekWire*, 6.9.21

## Speaking Engagements

"HB 1155 – The Second Wave," Washington Rural Health Collaborative Presentation  
Panel Discussion  
Virtual Event, 4.8.21

"Defensible Just Cause in a Public Sector Labor Relations Environment," WAPELRA Webinar  
Series  
Speaking Engagement  
Virtual Event, 3.25.21

"2017 National Association of Unemployment Insurance Appeals Professionals Annual  
Conference," National Association of Unemployment Insurance Appeals Professionals  
Panel Discussion  
Seattle, WA, 6.18.17-6.22.17

Drug Policies, Testing, and Employee Relations in the Era of State-Legal Marijuana  
Speaking Engagement  
Seattle, WA, April 6-7, 2017

"Marijuana Law: Changes in Regulation and Best Practices," WSBA CLE  
Seminar  
Seattle, WA, 4.12.16

Moving Forward Under Measure 91: A Marijuana Industry Seminar  
Seminar  
Portland, OR, 4.10.15

"Update: Challenges to Recreational Marijuana and the Legal Horizon," Cannabis in  
Washington State & Implications for Other Markets, The Seminar Group  
Speaking Engagement  
Seattle, WA, 12.3.14

"What Washington Hoteliers Should Know About Marijuana," Washington Lodging Association,  
Annual Convention  
Speaking Engagement  
Semiahmoo, WA, 11.11.14

"Employers' Guide to I-502," Passenger Vessel Association, Western Region  
Speaking Engagement  
Seattle, WA, 10.29.14

"Seattle Criminal History Ordinance Workshop," Hospitality Human Resources Association  
Speaking Engagement  
Seattle, WA, 8.21.13

"Healthcare Employers' Guide to I-502," Washington State Society of Healthcare Attorneys  
Speaking Engagement  
Seattle, WA, 2.27.13

How to Manage the Minefield of Wage and Hour Regulations as a Healthcare Employer  
Seminar  
Garvey Schubert Barer, Seattle, WA, 6.20.11

"Family Medical Leave, Down the Rabbit Hole, Encore Presentation!," Western Washington  
Rural Health Care Collaborative  
Speaking Engagement  
Seattle, WA, 5.20.11

"Family Medical Leave, Down the Rabbit Hole," Western Washington Rural Health Care  
Collaborative  
Speaking Engagement  
Seattle, WA, 1.25.11

"DOL Releases New Regulations - It's Time to Learn the FMLA All Over Again," Garvey  
Schubert Barer - Labor & Employment Seminar Series  
Speaking Engagement  
Seattle, WA, 1.7.09

## **Legal Alerts**

Borrowers Beware: Some CARES Act Loans Require a Union Neutrality Pledge  
4.1.20

Updates on the New Federal Paid Sick Leave and Paid Child Care Leave Laws  
4.1.20

COVID-19 and the Workplace: What an Employer Should Know About the New Federal Leave  
Laws  
3.24.20

Update on Seattle Wage Theft Prevention and Harmonization Ordinance  
3.8.16

Seattle Job Assistance Ordinance Update  
6.12.13

I-502 and You, Washington's New Marijuana Laws and Your Drug Policies  
11.20.12

Seattle's Mandatory Paid Sick/Safe Leave Law: Are You Ready for September 1, 2012?  
7.5.12

New Federal Law: Unpaid Breaks and Private Locations Required for Nursing Mothers  
4.15.10

Voter Approved Domestic Partnership Rights: Are You Prepared for Changes to Your Employee  
Benefits and Policies?  
12.2.09

## **Publications**

Foster Garvey COVID-19 Resource Center  
3.18.20

Prospective I-502 marijuana retail licensee sues city over local ban on marijuana businesses  
*Northwest Law Law Forum Blog*, 6.6.14