



## Cliff Godiner

Partner

St. Louis  
314 552 6433 direct  
314 552 7000 fax  
cgodiner@thompsoncoburn.com

### PRACTICES

- Employment Litigation
- Federal Railroad Safety Act
- National Labor Relations Act
- Railway Labor Act

### EDUCATION

- University of Michigan Law School, J.D., magna cum laude, 1986, Order of the Coif
- Wesleyan University, B.S., honors, 1983, Phi Beta Kappa

### EMPLOYMENT

- Thompson Coburn LLP Partner, 1997-Present
- Peper, Martin, Jensen, Maichel and Hetlage Partner, 1994-1997 Associate, 1986-1993

### AFFILIATIONS

- American Bar Association
- The Missouri Bar
- The Bar Association of Metropolitan St. Louis

Cliff is a nationally recognized labor and employment attorney who advises executives and HR leaders on all aspects of employment litigation and labor disputes. He has carved out a special niche in the area of the Railway Labor Act and is one of a limited number of practitioners nationwide who represent carriers in labor disputes under that law.

As the co-chair of Thompson Coburn's Human Resource practice, Cliff has 30 years of experience advising employers and representing them in state and federal courts across the country. He helps employers respond to claims involving discrimination, wage and hour violations, wrongful discharge, and non-compete actions, and has defeated numerous class actions through decertification or summary judgment. Cliff strives to provide the best possible value in each matter and determine early in the litigation process the most effective course of action, be it a compelling trial strategy or the early resolution of claims by settlement.

Cliff represents employers under the National Labor Relations Act, including the handling of unfair labor practice charges, grievance arbitrations, and related litigation. He has stepped in during strikes and contentious union disputes, providing clear, thoughtful guidance during high-stakes conflicts between labor and management. In one case, he secured a rare court-ordered payment from a union for damages caused by a violent union protest. Cliff also assists employers during union election campaigns, providing a unique approach that helps employers identify and address the key issues behind union organization activities.

Cliff's Railway Labor Act practice focuses on preventing unlawful strikes and handling lawsuit seeking to overturn arbitration decisions. In one case, Cliff successfully overturned an award that would have provided over \$10 million in relief to a class of claimants. Cliff also successfully arbitrated the first case in which a rail union was ordered to pay damages to a carrier for breach of the collective bargaining agreement.

### Recognitions

## ADMISSIONS

- Missouri
- Illinois USDC, Central District
- Illinois USDC, Northern District
- Illinois USDC, Southern District
- Missouri Supreme Ct
- Missouri USDC, Eastern District
- Missouri USDC, Western District
- US Ct Appeals, 5th Circuit (Covers LA, MS, TX)
- US Ct Appeals, 7th Circuit (Covers IL, IN, WI)
- US Ct Appeals, 8th Circuit (Covers AR, IA, MN, MO, NE, ND, SD)
- US Ct Appeals, 9th Circuit (AZ, CA, HI, ID, MT, NV, OR, WA, Guam, M. Isles)
- US Ct Appeals, 10th Circuit (Covers CO, KS, NM, OK, UT, WY)
- US Ct Appeals, DC Circuit
- Listed in Chambers USA as a leading lawyer, 2009-Present
- Listed in The Best Lawyers in America, 2006-2024
- Listed in Missouri & Kansas Super Lawyers, 2006-Present
  - Top 50 in St. Louis, 2011-2014
- "The Nation's Most Powerful Employment Attorneys" - Top 20 in Traditional Labor & Employment Law, 2013-Present
  - Lawdragon/Human Resource Executive Magazine
- Named Lawyer of the Year for Litigation-Labor and Employment in St. Louis by Best Lawyers, 2013, 2015
- Named Lawyer of the Year for Employment Law-Management in St. Louis by Best Lawyers, 2013

## Presentations

- "Current Developments in Litigation Under the Railway Labor Act"; National Association of Railroad Referees, Chicago, Illinois, 2007-Present
- "Surviving the Avalanche: New Rules on Union Organizing and Their Consequences"; Thompson Coburn HR Seminar, March 2015
- "Farrow vs. St. Francis Medical Center: A Defendant's Perspective"; Missouri Bar CLE, 2015
- "Social Media: Communication From All Directions"; Thompson Coburn HR Seminar, March 2014
- "A Portrait of a Modern Labor Dispute"; Society for Human Resource Management (SHRM) Annual Conference, Chicago, 2013
- "Workplace Investigations and Retaliation Claims"; Thompson Coburn HR Seminar, March 2012
- "Managing Your Ailing Workforce"; Thompson Coburn HR Seminar, March 2012
- "Union-Management Relations During the Obama Administration"; Thompson Coburn HR Seminar, March 2011

## Experience

- **Representative cases under the Railway Labor Act refusing to allow union strikes**
  - SMART v. Terminal R.R. Ass'n, 2016 WL 375038 (S.D. Ill. 2016)
  - Brotherhood of R.R. Signalmen v. Union Pac. R.R. Co., 2013 WL 6506317 (D. Nev. 2013)
  - BMWED v. Union Pac. R.R., 460 F.3d 1277 (10th Cir. 2006)
- **Representative arbitration review cases under the Railway Labor Act or Interstate Commerce Act**
  - Bradford v. Union Pac. R.R. Co., 767 F.3d 865 (9th Cir. 2014)

Brotherhood of Locomotive Engineers and Trainmen v. Union Pac. R.R. Co., 2011 WL 5828129 (N.D. Ill. 2011)

McClendon v. Union Pac. R.R. Co., 640 F.3d 800 (8th Cir. 2011)

Brotherhood of Ry. Carmen v. Kansas City S. Ry., 2005 WL 2600435 (W.D. Mo. 2005)

Union Pacific R.R. Co. v. Surface Transportation Bd., 358 F.3d 31 (D.C. Cir. 2004)

- **Employment discrimination summary judgments**

Strong v. America's Center, 2006 WL 1975996 (8th Cir. 2006)

Curby v. Solutia, 351 F.3d 868 (8th Cir. 2003)

Dorsey v. Pinnacle Automation Co., 278 F.3d 830 (8th Cir. 2002)

Sturgeon v. Monsanto Co., 2001 WL 66279 (8th Cir. Jan. 29, 2001)

Jones v. Union Pacific Motor Freight, 1999 WL 34803757 (W.D. Mo 1999)