

FRED B. JACOB

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EXPERIENCE

SOLICITOR, NATIONAL LABOR RELATIONS BOARD, (2018 – present)
Washington, D.C.

Chief legal advisor and consultant to the five-member National Labor Relations Board. Provide legal and strategic support on complex matters concerning the National Labor Relations Act and the Board's operations, including federal court litigation, administrative law and procedure, rulemaking, Congressional relations, federal ethics laws, and open government.

SOLICITOR, FEDERAL LABOR RELATIONS AUTHORITY, (2014 – 2018)
Washington, D.C.

Counseled FLRA Presidential leadership, including Authority Members, the Federal Service Impasses Panel, and the General Counsel, on substantive labor and procedural issues arising under the Federal Service Labor-Management Relations Statute. Represented the agency in all mission-related labor litigation in the federal courts, including the Supreme Court and courts of appeals, defending against statutory, regulatory, and Constitutional challenges. Served as the agency's chief in-house counsel.

DEPUTY ASSISTANT GENERAL COUNSEL, (1997 – 2014)
NATIONAL LABOR RELATIONS BOARD,
Appellate and Supreme Court Litigation Branch, Washington, D.C.

As Deputy Assistant General Counsel, Supervisor, and Attorney in the NLRB's appellate litigation branch, managed, supervised, and drafted hundreds of briefs, motions, and pleadings and presented dozens of oral arguments in circuit court cases running the full gamut of federal labor law under the NLRA. Wrote petitions for (and oppositions to) rehearing and rehearing *en banc*, filed motions for injunctive relief in the courts of appeals, prepared memoranda to the Board recommending whether to seek *certiorari*, and contributed to briefs before the United States Supreme Court in opposition to petitions for *certiorari*.

UNITED STATES SENATE, COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,
Labor Policy Office, Senator Edward M. Kennedy (2004)
Temporary Detail from the NLRB, Washington, D.C.

MORGAN, LEWIS & BOCKIUS, LLP, Washington, D.C. (1995 – 1996)
Associate, Labor and Employment Section

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT (1994 – 1995)
Law Clerk to the Honorable Karen J. Williams, Orangeburg, S.C.

ACADEMIC APPOINTMENTS

GEORGE WASHINGTON UNIVERSITY LAW SCHOOL, (2022 – present)
Professorial Lecturer in Law, Washington, D.C.

COLLEGE OF WILLIAM AND MARY SCHOOL OF LAW, (2014 – 2019, 2001 – 2006)
Adjunct Professor of Law,
Washington, D.C., Williamsburg, Virginia

GEORGETOWN UNIVERSITY LAW CENTER, (2011 – 2013)
Adjunct Professor of Law, Washington, D.C.

COURSES TAUGHT

Labor Law, Law 6266, George Washington University Law School
(Fall 2022, 2023, Spring 2025-present)

Independent Legal Writing, Law 6656, George Washington University Law School (Fall 2024)

DC Externship Seminar, College of William & Mary School of Law (Fall 2014-2019)

Low Wage and Excluded Workers: Their Rights and Challenges (Experiential Learning Seminar),
Georgetown University Law Center (Fall 2011-2013)

Labor Law, Law 407, College of William & Mary School of Law (Spring 2001-2006)

EDUCATION

COLLEGE OF WILLIAM AND MARY, J.D. (May 1994)

- Executive Board, Research Editor, *William and Mary Law Review*
- Founding Board Editor, *William and Mary Journal of Women and the Law* (now known as *William and Mary Journal of Race, Gender, and Social Justice*)
- Staff Member, 1 *William and Mary Bill of Rights Journal* (Spring 1992)
- Honor Council, Associate Justice; Chair, Honor Code Revision Committee

BRANDEIS UNIVERSITY, B.A., Politics and American Studies (May 1991)

- Vice-President & Junior Class Senator, Student Senate
- Student Member, Committee on the Use of Firearms by Campus Police

LAW REVIEW ARTICLES (PUBLISHED AND FORTHCOMING)

Zones of Independence at the National Labor Relations Board After Humphrey's Executor, [68 ADMIN. L. REV.](#) -- (forthcoming Fall 2026).

Beyond Loper Bright: Iterative Construction at the National Labor Relations Board (with Anne Marie Lofaso), [77 U.C.L.J.](#) 37 (2025) (formerly HASTINGS L.J.).

The National Labor Relations Act, the Major Questions Doctrine, and Labor Peace in the Modern Workplace, [65 B.C. L. REV.](#) 1381 (2024).

Black Hole of Administrative Law: The Threat of an Ever-Expanding Major Questions Doctrine to the Judiciary, [98 ST. JOHN'S L. REV.](#) 567 (2025) (symposium essay).

Even the Federal Government Can't Beat the Bluebook, [27 GREEN BAG 2D](#) 117 (2024).

BOOK CHAPTERS, BLOG POSTS, AND TREATISE CONTRIBUTIONS

The Nanny's Labor Activism: Fran Fine, Fran Drescher, and Worker Solidarity, in "SO LONG, DENTAL PLAN!" UNIONS, LABOR RELATIONS AND CLASS STRUGGLE... AS SEEN ON TV (SUNY Press, Shaun Richman, ed. forthcoming 2027).

Administrative Agencies and the People Who Love Them, JOTWELL (JOURNAL OF THINGS WE LIKE (LOTS)) (forthcoming 2026) (reviewing Anya Bernstein & Christina Rodriguez, *Working With Statutes*, 103 TEX. L. REV. 921 (2025)).

[The Major Questions Doctrine and Legislative Experimentation](#), NOTICE AND COMMENT BLOG, YALE JOURNAL ON REGULATION (Mar. 3, 2023).

THE DEVELOPING LABOR LAW (9th ed., 2025, Associate Editor; 8th ed., 2022-2024 Supp.; 7th ed., 2020 & 2021 Supp., Contributing Editor).

NATIONAL LABOR RELATIONS BOARD: 80 YEARS OF PROTECTING EMPLOYEE RIGHTS (1935-2015), Co-Editor and Contributor (2015).

SELECTED PRESENTATIONS AND SPEECHES

State Attempts to Regulate Private Sector Labor Relations to Fill the NLRB "Gap," National Labor and Employment Relations Association (LERA) Conference, Minneapolis, MN (Moderator, May 30, 2026).

The Role of Unions and Labor-Management Relations in Promoting American Democracy,

- National Labor and Employment Relations Association (LERA) Conference, Minneapolis, MN (Panelist, May 30, 2026).
- Labor and Employment Relations Association (LERA) Chicago Chapter, Webinar (Panelist, Oct. 23, 2025).

Zones of Independence at the National Labor Relations Board After Humphrey's Executor,

- American Bar Association Section on Administrative Law and Regulatory Practice, Spring Conference Academic Workshop, Washington, DC (Panelist, May 7, 2026).
- Presentation at Annual Colloquium on Scholarship in Employment and Labor Law (COSELL), Seton Hall Law School, Newark, NJ (Sept. 19, 2025).

NLRB Update, Virginia Bar Association, Section on Labor and Employment Law Annual Meeting, Richmond, VA (Sept. 13, 2025).

American Bar Association Section on Administrative Law and Regulatory Practice, Spring Conference, Academic Workshops, Washington, DC (Commenter, May 8, 2025).

46th Annual Kenneth M. Piper Lecture by Anne Marie Lofaso, *Loper Bright's Judicial Review Void and Its Effect on the Law of the Workplace*, Martin H. Malin Institute for Law and the Workplace, Chicago-Kent College of Law, Chicago, IL (Commentor, Apr. 1, 2025).

Perspectives from the Solicitor's Office: Practice Tips for Litigating Expedited Matters Before the NLRB, Midwinter Meeting of the ABA Section on Labor and Employment Law, Committee on Practice and Procedure Under the NLRA, Clearwater, FL (Feb. 27, 2025).

The Impact of Loper Bright on the National Labor Relations Act, Midwinter Meeting of the ABA Section on Labor and Employment Law, Committee on the Development of the Law Under the NLRA, Clearwater, FL (Moderator, Feb. 25, 2025).

A Funny Thing Happened on the Way to the Forum: Venue and Case Assignment Battles in the Modern Administrative State, American Bar Association Section on Administrative Law and Regulatory Practice, Fall Conference, Virtual Conference (Moderator, Nov. 7, 2024).

[*A Discussion of Labor Law: Is the Taft-Hartley Act Being Interpreted as Written?*](#), The Federalist Society, Labor and Employment Law Practice Group, Webinar (Panelist, Aug. 1, 2024).

[*Worker Protections at Risk: The Supreme Court Abandons Chevron Deference*](#), Cornell School of Industrial and Labor Relations, Center for Applied Research on Work, Webinar (Panelist, July 24, 2024).

American Bar Association Section on Administrative Law and Regulatory Practice, Spring Conference, Academic Workshops, Washington, DC (Commenter, May 9, 2024).

The Black Hole of Administrative Law, St. John's University Law School, Symposium on *West Virginia v. EPA* and the Future of the Administrative State, Queens, NY (Oct. 13, 2023).

NLRB Update, Virginia Bar Association, Section on Labor and Employment Law Annual Meeting, Reston, VA (Sept. 23, 2023).

Litigation Trends at the NLRB, Labor Relations Advisory Committee, Washington, D.C. (Nov. 4, 2022).

NLRB Update, Virginia Bar Association, Section on Labor and Employment Law Annual Meeting, Charlottesville, VA (Sept. 10, 2022).

Update from NLRB Solicitor and Executive Secretary, Midwinter Meeting of the ABA Section on Labor and Employment Law, Committee on Practice and Procedure Under the NLRA, San Juan, P.R. (Mar. 6, 2020).

FLRA Case Law Update, Department of Defense Employee Labor Relations Symposium, Southbridge, MA (July 31 – Aug. 1, 2018).

FLRA Case Law Update, Society of Federal Labor & Employment Relations Professionals 45th Annual Symposium on Federal Labor & Employee Relations, Arlington, VA (May 18, 2018).

FLRA Case Law Update, Society of Federal Labor & Employment Relations Professionals 43rd Annual Symposium on Federal Labor & Employee Relations, Arlington, VA (Apr. 29, 2016).

SCOTUS and Federal Courts Update, Midwinter Meeting of the ABA Section on Labor and Employment Law, Federal Sector Committee, Washington, D.C. (Feb. 17, 2016).

The Benefit of Your Bargain: When Can an Employer Take Unilateral Action?, Robert Fuchs Boston Labor Law Conference, Boston, MA, Moderator (Oct. 19, 2006).

The Employee Free Choice Act: Union Organizing in the 21st Century, American Constitution Society, D.C. Lawyer Chapter, Washington, D.C., (Moderator, Mar. 25, 2004).

LAW AND POPULAR CULTURE PRESENTATIONS

Look for the Union Label: Comics as Instruments of Organized Labor in Mid-Century America

- Philadelphia Labor and Employment Relations Association (May 19, 2026)
- Association of Labor Relations Agencies, Webinar (Mar. 17, 2026)
- National Labor Relations Board, Webinar (Sept. 12, 2023)
- Comic-Con International, Comics Arts Conference, San Diego, CA (July 20, 2023)

Labor Law in Popular Culture: A Historical Perspective, American Bar Association, Section on Labor and Employment Law, 18th Annual Labor and Employment Law Conference, New York, NY (Nov. 15, 2024).

[Matewan](#), Law on Film Podcast, Featured Guest (Dec. 2024).

[Norma Rae](#), Law on Film Podcast, Featured Guest (Jan. 2024).

PROFESSIONAL MEMBERSHIPS

Fellow, COLLEGE OF LABOR AND EMPLOYMENT LAWYERS
Member, D.C. Circuit Credentials Committee (2024, 2025)

AMERICAN BAR ASSOCIATION,
Section of Administrative Law and Regulatory Practice
Section on Labor and Employment Law
Member, Committee on Practice and Procedure under the NLRA, Committee on the
Development of the Law under the NLRA
Public Co-Chair, Federal Sector Committee (2015-2019)
Track Coordinator for the 2017 and 2018 Section Annual Meetings

SMALL AGENCY COUNCIL, General Counsel Forum, Co-Chair (2017-2018)

SELECTED SERVICE AND ACTIVITIES

National Labor Relations Board: Member, Diversity, Equity, Inclusion, and Accessibility Labor Management Forum (2022-2024); Member, DEIA Retention Subcommittee (2023-2024); Presenter, NLRB New Field Agents' Training (2023); Speaker, Summer Intern Orientation Program (2018-present; 2009-2014); Member, Committee on the Use of Videoconference Technology in NLRB Hearings During the Pandemic (2020-2022); Member, Senior Executive Service Performance Review Board (2020-2021); Speaker, Honors Attorney Orientation Program (2018-present); Presenter, NLRB Administrative Law Judges' Conference (2019); Speaker on Employee Engagement, NLRB Supervisors & Managers Conference (2019); Instructor on Recent NLRB Developments, NLRB Field Examiners' Conference (2019); Appellate and Supreme Court Litigation Branch Liaison to the Office of the Chief Information Officer (2010-2014); Co-Chair, Appellate and Supreme Court Litigation Branch Internship Program (2005-2014); Union Representative, Technology Partnership (1997-2004); Organizer, Appellate Court Branch Bluebook Project (1997).

Federal Labor Relations Authority: Member, Chairman's Leadership Team (2014-2018); Chair, FLRA Washington, D.C. Summer Internship Program (2016-2017); Member, Office of Personnel Management, Senior Executive Service Qualifications Review Board (2016, 2017); Member, FLRA Technology Committee; Presenter, FLRA Ethics Training (2015-18); Presenter, FLRA Privacy Training (2016-2018); Organizer, FLRA Brown Bag Speakers' Lunches (2014-2018).

BAR MEMBERSHIPS

District of Columbia Bar, Active Member; Virginia State Bar, Associate Member; Member, Bars of the U.S. Supreme Court, and the Courts of Appeals for the Second, Fourth, Fifth, Seventh, Ninth, Tenth, and District of Columbia Circuits