

**THE 2021
STATE BAR OF MICHIGAN
LABOR AND EMPLOYMENT
LAW SECTION**

**DISTINGUISHED
SERVICE AWARD**

presented to

DANIEL SWANSON



The State Bar of Michigan Labor and Employment Law Section Distinguished Service Award is presented to persons who, for a period of 20 years or more

- have made major contributions to the practice of labor and employment law;
- reflect the highest ethical principles, including principles of civility and professionalism;
- have advanced the development of labor and employment law;
- have a long-established commitment to excellence; and
- are recognized and respected by all constituents in the labor and employment community.

Past Recipients

1997 Theodore Sachs	2010 Leonard D. Givens
1998 William M. Saxton	2011 Thomas J. Barnes
1999 George T. Roumell, Jr.	2012 George N. Wirth
2000 Theodore J. St. Antoine	2013 Joseph A. Golden
2001 Erwin B. Ellman	2014 Janet C. Cooper
2002 James E. Tobin	2015 Richard Mittenthal
2003 John E. Brady	2016 Kathleen L. Bogas
Joseph C. Marshall III	John R. Runyan, Jr.
2004 Gordon A. Gregory	2017 Michael Pitt
2005 Carl E. Ver Beek	David Calzone
2006 Robert J. Battista	2018 Stuart M. Israel
2007 H. Rhett Pinsky	Timothy H. Howlett
2008 Leonard R. Page	2019 Megan P. Norris
2009 Sheldon J. Stark	2020 Barry Goldman

AWARD PRESENTATION TO DANIEL SWANSON

Tad T. Roumayah

Over his 42-year-plus career, Dan Swanson has made significant and enduring contributions to the practice of labor and employment law. Dan has also done the difficult, but necessary, work of actively mentoring younger members of the Section, including your truly. In short, Dan is a pillar of the Section and is well deserving of this honor.

Dan has practiced in the area of employment law for virtually his entire career. Although he initially represented employers, over the past twenty-five years, his practice has evolved to a majority plaintiff-side practice. Today, he is one of the most respected and successful plaintiff-side employment lawyers in the Section. He routinely represents employees in breach of employment contract, Title VII, Elliot-Larsen Civil Rights Act, Americans with Disabilities Act, Family and Medical Leave Act, Whistleblowers' Protection Act, and other employment-related claims.

A longtime member of the Section and Council, Dan served as Chair of the Council from 2014 to 2015. During his tenure as Council member and officer, he was instrumental in efforts to improve communication with Council members and to prepare and implement the Section's strategic plan. He has remained a valuable resource to the Council even after his term ended. Over his career, Dan has also chaired the Oakland County Bar Association Labor & Employment Section, served on the Board of Directors of the American Constitution Society, and served on the Michigan Association for Justice Executive Board. A consummate professional, Dan has also served on the Thomas M. Cooley Law School Professionalism Advisory Committee.

In addition to his service to the practice, Dan has served the broader community through his time as Chairperson and Member of the Board of Directors of Cass Community Social Services, a Detroit-based agency dedicated to providing food, housing, health services, and job programs. Dan has also served as an officer and member of the Board Directors of Birmingham Country Club.

Dan speaks and writes extensively on employment law topics. He has shared his expertise on "The Today Show," "Good Morning America," as well as CNN Headline News, and Fox Business and News Networks. His writings have been featured in the Michigan Lawyers Weekly, Detroit Legal News, and the Institute of Continuing Legal Education.

Dan has received numerous accolades including Michigan Lawyers Weekly "Leaders in the Law," Best Lawyers—Employment Law, DBusiness Top Lawyer, Super Lawyers, AV Preeminent Lawyer—Martindale-Hubbell, and most recently, LawDragon's 500 Leading Plaintiff Employment Lawyers. Dan has also received a Recognition for Pro Bono Service from the U.S. District Court for the Eastern District of Michigan.

Dan was honored to receive the Michigan Defense Trial Counsel 2019 Respected Advocate Award. Each year, the MDTC honors a member of the plaintiff's bar with this award, which recognizes that lawyer's history of successfully representing clients and adhering to the highest standards of ethics, mutual respect, and civility.

Perhaps one of the most important ways that Dan has served the Section is that he has been instrumental in mentoring and training several young lawyers who have gone on to become respected and productive members of the Section in their own right. As one of Dan's mentees, I know firsthand that Dan invests significant time and effort in developing young attorneys and sets a concrete example of how to practice employment law in a competent, ethical, and professional manner. His peers in the Section, both on the plaintiff and defense sides, can attest to Dan's legal acumen and professionalism.

I am honored and privileged to present the 2021 Distinguished Service Award to Dan Swanson. ■

REMARKS OF DAN SWANSON

I am honored, humbled and gratified by being selected to receive the Distinguished Service Award.

At the outset, I want to thank the Section for selecting me for the award and most importantly, I want to thank my friend and partner, Tad Roumayah, for nominating me for the award.

They say it takes a village to raise a child. Well it also takes a village for a person to become a successful attorney. My village consists of my wife, Leslie, my children, Marc and Heather, my many law partners (past and present) including my good friend, former partner Don Gasiorek, and my many friends in the Labor and Employment Law Section. In addition, I can't forget to mention my assistant for the past 30 years, Annette DeCoste, who is the best. I thank all the members of my village who have supported, educated and put up with me during my 43 years of practicing law.

I am humbled by receiving this award. The criteria for the award are very tough and set very high standards. Those criteria include making major contributions to the practice, demonstrating the highest ethical principles, advancing the development of labor and employment law, being committed to excellence and finally, being recognized and respected by the labor and employment law community. The only criterion left off that list is an ability to walk on water. Needless to say, I don't walk on water and while I have worked hard achieve those other criteria, at best, I remain a work in progress.

The past recipients of this award are giants in our profession. I consider those past recipients to be the all-star team of the Labor and Employment Law Section and I feel privileged to become a member of that team.

The past recipients of this award are men and women who I have admired for achieving the award criteria. Whether at Section seminars and meetings, the court room or a local watering hole, many of those past recipients taught me by example how to practice law and what it takes to meet those award criteria. I will be forever grateful to all of them including, John Brady, Shel Stark, Joe Golden, Mike Pitt, Kathy Bogas, Megan Norris, David Calzone and Tim Howlett.

Professor Ted St. Antoine was the recipient of this award in 2000. Professor St. Antoine is a great teacher, writer and lecturer. It took all those attributes and more, for him to teach me labor and

employment law at the University of Michigan Law School. I enjoyed Professor St. Antoine's course so much, that I took his labor and employment seminar. As I look back, it was Professor St. Antoine who inspired me to pursue a career in employment law and I will remain forever thankful for the opportunity to have been his student.

As I have thought about this award, I reflect back on a statement Dr. Martin Luther King made shortly before his death in 1968. Dr. King said "The arc of the moral universe is long, but it bends toward justice."

Over the years, those words have inspired me as a lawyer in good times and bad times. Those words continue to inspire me today.

I consider it a privilege to practice labor and employment law.

As lawyers, all of us in our own way, every day, have an opportunity and obligation to contribute toward making this a more just society and country. This opportunity is not limited to just our law practice. We all have an obligation to give back to our profession and community by way of public service and volunteer work including being involved in the Labor and Employment Law Section, donating our time and talent to social and community organizations dedicated to feeding and housing the poor, educating kids and helping others in need.

I urge everyone in these challenging times to remember Dr. King's words and to continue to fight the good fight as lawyers to achieve the lofty professional standards established for this award and equally as important, to promote justice for all in our country. ■

LAWNOTES AUTHOR APPOINTED AS MAGISTRATE

Kevin P. Kales has become a member of the Michigan Workers' Compensation Board of Magistrates. Kales was appointed by the governor and confirmed by the senate in January 2021. Magistrates hear cases filed with the Workers' Disability Compensation Agency. Kales was a long-time member of Legghio & Israel, P.C. He began service as a magistrate on February 1, 2021. He is expected to hear cases in Detroit, Traverse City, and Gaylord.

Lawnotes congratulates Magistrate Kales, but warns that being a judge means you never know if your jokes are actually funny.

Two weeks before his appointment, Kales' article on the lawyer's role in presenting medical expert evidence appeared in *Lawnotes*. See, Kales, "Influencing Expert Opinions," Vol., 30, No. 4 *Labor and Employment Lawnotes* 10 (Winter 2021). Is there a cause-effect relationship between publishing in *Lawnotes* and professional recognition? That is a rhetorical question, of course. ■