

## Kirsten G. Daniels

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### Introduction

In her employment counseling and litigation practice, Kirsten works hand-in-hand with businesses to help them navigate the often-turbulent waters of employment law compliance. Kirsten advises employers on all manner of federal, state, and local employment laws across jurisdictions, including paid sick leave, other forms of protected leave (such as FMLA and ADA leave), minimum wage and wage/hour compliance, worker classification, performance management and termination, WARN Act compliance, and myriad discrimination and harassment laws.

Her practice also includes drafting employment handbooks, personnel policies, employment and confidentiality agreements, and separation and release agreements. Kirsten advises federal contractors on OFCCP compliance and assists employers during OFCCP audits and in preparing and implementing Affirmative Action Programs.

In her employment litigation practice, Kirsten defends clients against wrongful and constructive discharge claims, discrimination, harassment and hostile work environment allegations, and wage and hour violations, both in court and in front of the Washington Human Rights Commission and EEOC. Kirsten counsels and conducts internal workplace investigations. As an expert in her field, Kirsten has written articles in a variety of employment law and human resources publications, and she speaks locally and nationally on topics including FLSA, ADA and FMLA issues and compliance. Kirsten also teaches seminars addressing a number of topics, including workplace policies, best practices for new supervisors and managers, as well as how to cultivate a respectful workplace.

### Experience & Results

- Defended national retailer against disability and religious discrimination claims brought by pro se plaintiff under both federal and Oregon state law
- Plaintiff's failure to accommodate and workers' compensation discrimination and retaliation claims dismissed on summary judgment; case dismissed prior to trial (Ninth Circuit appeal by plaintiff pending)
- Litigated disability failure to accommodate and race discrimination claim on behalf of national oil company
- Defended local health and fitness organization against discrimination and wrongful discharge claim brought in front of EEOC; claim dismissed by EEOC within 48 hours
- Mediated failure to accommodate and FLMA claim on behalf of local software company

### Education

- University of Puget Sound (B.A., 1995)
- Seattle University School of Law (J.D., magna cum laude, 2005)

## Admissions

- Washington
- US District Court, Western District of Washington
- US District Court, Eastern District of Washington

## Awards/Honors and Organizational Memberships

- Named on the Washington Rising Stars list by *Super Lawyers® Magazine*
- Recognized as one of the "Top Women Attorneys in Washington" by *Seattle Met Magazine*
- Society for Human Resources Management, Member
- King County Bar Association, Labor and Employment Section, Member
- American Bar Association, Member
- Lake Washington Human Resources Association, Member
- CH& Diversity Team, Member

## Publications/Speaking Engagements

- Speaker, "Risky Business: Navigating the Ever-Changing Landscape of Employment Law," Construction Financial Management Association Meeting (January 9, 2020)
- Speaker, "Risky Business: Navigating the Ever-Changing Landscape of Employment Law," Washington Society of CPAs' Construction Industry Conference (November 13, 2019)
- Speaker, "Sexual Harassment in the Workplace," Woods Creek Consulting's CFO Roundtable (May 9, 2019)
- Speaker, "Sexual Harassment in the Workplace," Woods Creek Consulting's Technology Executive Peer Group (November 14, 2018)
- Speaker, "It's a 'Me Too' Climate: Navigating the Sexual Harassment Storm," CEO Masters Forum (August 16, 2018)
- Speaker, "Developing Your Strengths & Most Productive Work Style," Women in Law & Leadership Summit (June 13, 2018)
- Speaker, "Workplace Behavior Policies," Center for Advanced Manufacturing Puget Sound (CAMPS) (March 22, 2018)
- Speaker, "It's a 'Me Too' Climate: Navigating the Sexual Harassment Storm," CEO Masters Forum (December 21, 2017)
- Speaker, "Employer-Employee Relations Best Practices," CleanSpace Northwest Inc./Remodeler's Council (October 4, 2017)
- Speaker, "Sex, Drugs, and Rock & Roll," at King County Bar Association Business Law Section, "Employment Law Updates and New Developments" (January 25, 2017)
- Author, "It's an "Economic Reality": Your Independent Contractors May Actually Be Employees," *eat-drink-shop-stay.com* (August 14, 2015)
- Speaker, "Reducing the Potential for Discrimination and Harassment Liability," at NBI Seminar, "Advanced Employment Law: Working Through Common Problems" (December 17, 2014)
- Author, "You Are Not Your Employees' "Friend": New Washington Law Restricts Employer Access to Employees' Social Media Activity," *eat-drink-shop-stay.com* (August 22, 2013)

- Speaker, "Risk and Litigation Management" Washington Health Care Association Webinar (August 22, 2013)
- Speaker, "Performance Management" Washington Health Care Association Webinar (August 15, 2013)
- Speaker, "Handbook Policies and Workplace Procedures" Washington Health Care Association Webinar (August 8, 2013)