FOSTER PEPPER PLLC

Steven R. Peltin

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STEVEN R. PELTIN LISTED IN Best Lawyers® THE WORLD'S PREMIER GUIDE

Practices

Employment and Labor Relations CHAIR

Industries

Emerging Companies and Venture Capital

Retail

Practice Summary

Steve chairs the firm's Employment and Labor Relations practice and his practice covers the gamut of employment and labor law. His advice practice is dedicated to helping employers solve problems such as employee discipline and discharge, leaves of absence, discrimination and harassment claims, and threats of employee violence. Steve enhances employee handbooks and prepares and negotiates employment, confidentiality, and non-compete agreements. He also counsels executives and professionals on employment and separation agreements, and assists with corporate transactions such as purchases and sales of businesses.

Steve has extensive experience in litigation and represents public and private employers in lawsuits claiming discrimination, harassment, wrongful discharge and violations of wage and hour, employee benefits, trade secrets, and non-compete obligations. He also appears before local, state, and federal administrative agencies and arbitrators in employment and labor matters.

Experience

Foster Pepper PLLC
Member, 2010-Present

K&L Gates LLP / Preston Gates & Ellis, LLP
Partner, 1998-2010

Georgia-Pacific Corporation
Senior Counsel, 1996-1998

Altheimer & Gray, Chicago, IL
Associate and Partner, 1986-1996

Isham Lincoln & Beale, Chicago, IL
Associate, 1983-1986

U.S. District Court for the Western District of Wisconsin
Law Clerk for Hon. John C. Shabaz, 1982-1983

Bar Admissions

Washington, 1999

Illinois, 1983 (Inactive)

Representative Cases

Won a jury trial for an employer accused of age discrimination by laid-off union employee.

Prevailed in a hearing before the United States Department of Labor brought by a union business agent who claimed that the company conspired with the union to discharge him.

Co-counsel in class action claiming pay for commuting in company vehicle; certification defeated and individual claim resolved promptly.

Co-counsel for large employers in two US Department of Labor collective actions claiming that employees worked off the clock; summary judgment obtained in one case, and the other was settled favorably.

Won summary judgment on discrimination / harassment claim for financial services company.

Obtained temporary restraining orders in two cases where employees removed and refused to return computerized documents and information.

Won summary judgment on sex bias claim by male employee of performing arts client.

Convinced OSHA that a safety whistleblower on a construction site was not subject to a hostile work environment.

Obtained anti–harassment orders against former employees.

Defended company in ERISA case brought by former executive seeking payments under a Supplemental Executive Retirement Plan.

Representative Transactions

Employment and labor counsel in sales of business, including drafting of purchase agreement language, preparation of offer letters, executive employment agreements and employee communications.

Assistance to client in reductions in force.

Counseling of clients facing threats of workplace violence.

Creation of documentation for background investigations, hiring, leaves of absence, requests for disability accommodation, last chance agreements and severance agreements.

Preparation on policies such as travel pay, use of cell phones and social media.

Management training on employment law topics, including avoiding harassment and discrimination, performance management and hiring.

Activities

Seattle Theatre Group
- Board of Directors
- Executive Committee

University Preparatory Academy
- Board of Directors 2011-2012

Chair of Personnel Committee 2011-2012

Foster Pepper Pro Bono
Featured in 2012 Pro Bono Annual Report, "Empowering Mothers and Strengthening Families Through Enterprise and Creativity - Haitibabi"

Publications

Steve Peltin is a frequent contributor to Foster Pepper's Washington Workplace Law blog.
Check out the latest news in this fast-changing area at: www.washingtonworkplacelaw.com.

- Employee or Independent Contractor? Washington Supreme Court Changes the Rules (Parts 1 and 2)
- Employee or Independent Contractor? Washington Supreme Court Changes the Rules
- Not So Fast III: NLRB Employer Posting Requirement Again Delayed
- Back to Basics: Family and Medical Leaves (Parts 1, 2, 3 and 4)
- Can't I Require a Job Applicant to Have a High School Diploma?
- Not So Fast II: NLRB Again Delays Employer Posting Requirements
- Court Rejects Arbitration Award Reinstating Employee Who Hung Noose at Work
- Interns & Volunteers: Do We Really Have to Pay Them?
- Letting Someone Else Dig for the Dirt: Hiring Vendors to Assist in Social Media Searches
- Some Things Don't Have to Be In Writing: Supreme Court Protects Employees Against Retaliation After Making Verbal Complaints of Wage and Hour Violations
- Unsafe at Any Speed: Unauthorized Passengers in Employer-Owned Vehicles May Sue Employer for Driver's Negligence

Effective Negotiation of Executive Employment Agreements
Author, *Inside the Minds: Negotiating and Employment Agreements, Leading Lawyers on Constructing Effective Employment Contracts*, 2012 Edition

Employers: Beware of High School Diploma Requirements
Author, *WIB HR & Training Digest* - February 2012

Bad Acts: Smaller Employers Should Confront Threats of On-The-Job Physical Assaults
Author, *Washington Journal*

Telecommuting: Legal and Management Risks For Employers
Author, *Corporate Counsel Magazine*

Reducing Telecommuting Management Risks
Author, *National Underwriter Magazine*

How To Reduce Workplace Violence
Author, *National Underwriter Magazine*

Whose Workforce Is It Anyway? The Worker Adjustment and Retraining Act in the M&A Context
Author, *Preston Gates & Ellis LLP E-Alert*

50-State Survey of Employment Libel and Privacy Law, Washington Chapter
Author, *Media Law & Resource Center*

Hiring Employees: Disability Questions and Medical Exams
Author, *Realty & Building*

Workplace Sexual Harassment
Author, *Realty & Building*

Department of Labor Expands FMLA Leave Rights for Non-traditional Families
Author, *K&L Gates Labor and Employment Alert*

Hidden Threats - There are steps you can take to prevent violence in the workplace
Co-Author, *Washington CEO* magazine, September 2008

News

"In Person" Feature - Best Practices for Employers to Comply with the City of Seattle's Paid Sick and Safe Time Ordinance
Interviewed in *Puget Sound Business Journal* - November 2012

It's Not Just Paid Time Off -- It's the Law: Attorneys explain what Seattle's new sick leave ordinance means for employers
Quoted in *Puget Sound Business Journal* - September 2011

Your Office Away from the Office
Quoted in *Utah CEO Magazine*

Keeping violent employees out of the workplace
Quoted in *Risk Management Magazine*

10 Considerations in Developing Telecommuting Policies and Agreements
Quoted in HR.COM

Presentations

Wage & Hour Compliance - Beyond the Basics (Part II)
Speaker/Moderator, Foster Pepper Client Briefing

Wage & Hour Compliance - Beyond the Basics (Part I)
Speaker/Moderator, Foster Pepper Client Briefing

Filling the Empty Chairs: Legal and Effective Hiring
Speaker/Moderator, Foster Pepper Client Briefing

Out of Sight But Not Out of Mind: *Untangling Leave of Absence Requirements*
Speaker, 14th Annual Labor & Employment Law Seminar, The Seminar Group

Understanding Seattle Paid Sick and Safe Time
Speaker, Washington Trucking Associations
Speaker, Northwest Marine Trade Association

Seattle Paid Sick and Safe Time: Practical Guidance Employers Need to Know
Speaker/Moderator, Foster Pepper Client Briefing

Legal Issues for Startups: Employment Law
Presenter, SURF Incubator

Employment Law Challenges for Public Employers and Current Developments under the Public Employees Collective Bargaining Act
Panelist, 2012 Association of Washington Housing Authorities (AWHA) Meeting

Reasonably Accommodating Employees with Disabilities
Speaker/Moderator, Foster Pepper Client Briefing

High-Stakes Employment and IP Protections: Protect your Company from Increasing Employment Risks and Shield your Valuable Intellectual Property

Panelist, Foster Pepper and Washington State Chapter of ACC America

Conducting Effective Workplace Investigations
Speaker/Moderator, Foster Pepper Client Briefing

Managing the Process of Labor Negotiations
Panelist, Washington Fire Commissioners Association 63rd Annual Conference

Out of Sight but Not Out of Mind: Untangling Employer Obligations under FMLA and Other Leave Statutes
Speaker/Moderator, Foster Pepper Client Briefing

Social Media in the Workplace
Speaker/Moderator, Foster Pepper Client Briefing

Payroll Management
Speaker, Lorman Educational Services

Time Off: State and Federal Laws on Employee Leave, Vacations and Holidays
Speaker, Lorman Educational Services

Recent Developments under the Family and Medical Leave Act
Speaker, National Council of State Housing Agencies

10 Scary Issues You Need to Know About Your Employees
Speaker, ASTRA Women's Business Alliance

New Developments in Employment Law
Speaker, Seattle CFO Arts Roundtable

Best Practice in FMLA Administration
Speaker, Council on Education in Management

Conducting Effective Investigations Into Employee Complaints
Speaker, PUD and Municipal Attorneys Association

Cyberstalking: The Washington Employer's Perspective
Speaker, King County Bar Association

Workplace Investigations
Speaker, Council on Education in Management

Email and the Internet – Legal Challenges for Employers
Speaker, PUD and Municipal Attorneys Association

Honors & Awards

The Best Lawyers in America®
Labor Law – Management, 2012-2013
Litigation – Labor & Employment, 2013

Best in the Business: Leading Lawyers in the Puget Sound Region, *Seattle Business* magazine
Labor: Management, 2013
Litigation: Labor & Employment, 2013

Education

Cornell Law School, J.D., *cum laude*, 1983

University of Wisconsin-Madison, B.A., *with distinction*, 1978

Phi Beta Kappa

Personal / Interests

Raised in Milwaukee, Wisconsin

Investor and part-time employee in *Nena*, Steve's wife's gift and vintage shop in Seattle's Madrona neighborhood

Enthusiastic traveler, dog owner, and poker player