

Steven R. Peltin

MEMBER



SEATTLE

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SERVICES

Business (Chair)

Employment & Labor
(Chair)

Financial Institutions

Litigation & Dispute
Resolution

Nonprofit & Tax-Exempt
Organizations

PRACTICE OVERVIEW

Steve chairs the firm’s Business and Employment & Labor practices. His work 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 litigation experience 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.

REPRESENTATIVE WORK - Cases

- Won jury trial for an employer accused of age discrimination by laid-off union employee.
- Prevailed in hearing before the U.S. 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 U.S. Department of Labor collective actions claiming that employees worked off the clock; summary judgment obtained in one case, and the other settled favorably.
- Won summary judgment on discrimination / harassment claims for financial services companies.
- Obtained temporary restraining orders in two cases where employees refused to return computerized documents and information.
- Won summary judgment on sex bias claim by male employee of performing arts client.

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- 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 cases brought by former executive seeking payments under a Supplemental Executive Retirement Plan and by pension funds seeking payment of withdrawal liability.

REPRESENTATIVE WORK – Transactions

- Employment and labor counsel in sales of business, including due diligence 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 threat of workplace violence.
- Creation of documentation for background investigations, hiring, leaves of absence, requests for disability accommodation, last chance agreement and severance agreements.
- Preparation of 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.

RECOGNITION

- *The Best Lawyers in America*®
 - + Labor Law – Management, 2012-2019
 - + Litigation – Labor & Employment, 2013-2019
- Best in the Business: Leading Lawyers in the Puget Sound Region, *Seattle Business* magazine
 - + Labor – Management, 2013
 - + Litigation – Labor & Employment, 2013

ACTIVITIES

- Seattle Theatre Group
 - + Board of Directors, Vice President
- University Preparatory Academy
 - + Board of Directors, 2011-2012
 - + Chair of Personnel Committee, 2011-2012

QUOTED

- [“Overseeing the CEO: Part 5 in a Series,”](#) Quoted in CUToday.info, September 2017
- [“Court Overturns Loan Officer Overtime Ruling in ‘Win’ for MBA,”](#) Quoted in *Reverse Mortgage Daily*, July 2013
- [“‘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

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PUBLICATIONS

- [“Wash. Noncompete Reform: What Employers Need to Know,”](#) Co-author, Law360.com, June 2019
- [“New Washington Law Restricts Use and Enforcement of Noncompete Agreements,”](#) Co-author, Foster Pepper News Alert, May 2019
- [“NLRB Permits Employers to Impose Stricter Workplace Rules,”](#) Co-author, Foster Pepper News Alert, August 2018
- [“U.S. Department of Labor Issues New Guidelines for For-Profit Corporate Internship Programs,”](#) Co-author, Foster Pepper News Alert, February 2018
- [“Family and Medical Leave Guide for Washington Employers,”](#) Author, July 2017
- [“Department of Labor Targets Use of Independent Contractors,”](#) Author, Foster Pepper News Alert, July 2015
- [“NLRB: Employers Cannot Ban Employees from Using Company’s Email System for Union-Related Communications,”](#) Co-Author, Foster Pepper News Alert, December 2014
- [“Paralegal Students Must Be Paid for Practical Job Experience at Law Firms,”](#) Author, Foster Pepper News Alert, December 2014
- [“Washington Supreme Court Recognizes Joint Employer Liability Under the Washington Minimum Wage Act,”](#) Author, Foster Pepper News Alert, August 2014
- [“Seattle Police Officer Claims Hostile Working Environment After Refusing to Hand Out Doritos at Marijuana Festival,”](#) Author, Foster Pepper News Alert, February 2014
- [“Are Payroll Debit Cards Right for Your Organization?”](#) Author, Foster Pepper News Alert, November 2013
- [“Is BYOD Right for Your Workplace?”](#) Author, Foster Pepper News Alert, September 2013
- [“Employers Should Confront Threats of Workplace Violence,”](#) Author, Foster Pepper News Alert, August 2013
- [“Many Employers Out of Compliance with Seattle Sick and Safe Leave Ordinance,”](#) Author, Foster Pepper News Alert, July 2013
- [“New Decision Continues Uncertainty Over Exempt Status of Mortgage Loan Officers,”](#) Author, Foster Pepper News Alert, July 2013
- [“The Seattle Office for Civil Rights Clarifies its Interpretation of ‘Occasional Employee,’”](#) Author, Foster Pepper News Alert, November 2012
- [“#1 Again: Washington State Raises Minimum Wage for 2013,”](#) Author, Foster Pepper News Alert, November 2012
- [“Employee or Independent Contractor? Washington Supreme Court Changes the Rules – Part Two,”](#) Author, Foster Pepper News Alert, July 2012
- [“Employee or Independent Contractor? Washington Supreme Court Changes the Rules,”](#) Author, Foster Pepper News Alert, July 2012
- “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
- [“Can’t I Require a Job Applicant to Have a High School Diploma?”](#) Author, Foster Pepper News Alert, January 2012
- [“Hidden Threats – There are steps you can take to prevent violence in the workplace,”](#) Co-author, *Washington CEO* magazine
- [“Interns & Volunteers: Do We Really Have to Pay Them?”](#) Author, Foster Pepper News Alert, July 2011
- [“Letting Someone Else Dig for the Dirt: Hiring Vendors to Assist in Social Media Searches,”](#) Author, Foster Pepper News Alert, July 2011
- [“Some Things Don’t Have to Be in Writing: Supreme Court Protects Employees Against Retaliation After Making Verbal Complaints of Wage and Hour Violations,”](#) Author, Foster Pepper News Alert, March 2011
- [“Unsafe at Any Speed: Unauthorized Passengers in Employer-Owned Vehicles May Sue Employer for Driver’s Negligence,”](#) Author, Foster Pepper News Alert, February 2011

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

PRESENTATIONS

- [NASCUS State System Summit 2019](#), Speaker, National Association of State Credit Union Supervisors State System Summit 2019, August 2019
- “Effective Strategies for Performance Management,” Speaker, Association of Washington Housing Authorities, May 2019
- [“Where Governance and Employment Law Meet,”](#) Speaker, NASCUS Michigan Directors’ College, April 2019
- [“Where Governance and Employment Law Meet,”](#) Speaker, Credit Union Association of the Dakotas Directors College, April 2019
- “Progressive Discipline: Pitfalls to Avoid,” Speaker, Lorman Education Services Webinar, April 2019
- [“Workplace Investigations in the Age of #MeToo,”](#) Speaker, Foster Pepper Client Briefing, November 2018
- [“Interviewing and Hiring,”](#) Speaker, 21st Annual Labor & Employment Law Conference, The Seminar Group, August 2018
- “Top New Employment Law Developments Affecting Washington Housing Authorities,” Speaker, Association of Washington Housing Authorities, May 2018
- [“Is Your Workplace Ready for Washington State’s New Employment Laws?”](#) Speaker, Foster Pepper Client Briefing, May 2018
- [“Symposium on Current Issues in Credit Union Board Governance,”](#) Speaker, Foster Pepper Client Briefing, September 2017
- [“Seattle Ordinances Affecting Employers – Hear From the City,”](#) Co-Speaker, Foster Pepper Client Briefing, May 2017
- “Reasonably Accommodating Employees with Disabilities: Fulfilling Legal Duties and Addressing Management Challenges,” Speaker, International Association of Venue Managers Region Conference, May 2017
- [“Top 3 Employment Law Issues That Should Keep You Up at Night,”](#) Speaker, Northwest Credit Union Association, MAXX Annual Convention, October 2016
- [“Politics and the Workplace,”](#) Speaker, Foster Pepper Client Briefing, October 2016
- “Employment Law Considerations for New U.S. Employers,” Speaker, Chinese Chamber of Commerce of Washington State, October 2016
- [“Evaluating Potential Employee Violence: Protecting the Employer and Co-Workers,”](#) Speaker, Lorman Education Services, September 2016
- “Bullying and Violence in the Workplace: Legal and Practical Considerations,” Speaker, Washington Housing Authorities Accounting Professionals Conference, September 2016
- [“FMLA and Leave Law Update,”](#) Speaker, 19th Annual Labor & Employment Law Conference, The Seminar Group, August 2016
- [“Legalization of Marijuana: Impact on the Washington Workplace,”](#) Speaker, Foster Pepper Client Briefing, June 2016
- “Bullying and Violence in the Workplace: Legal and Practical Considerations,” Speaker, Association of Washington Housing Authorities, April 2016

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- [“My Ex-Employee Did WHAT? – Preventing and Addressing Post-Employment Misconduct,”](#) Moderator and Speaker, Foster Pepper Client Briefing, October 2015
 - [“Top Emerging Issues in Employment and Labor Law,”](#) Speaker, 2015 WHAAP Annual Conference, October 2015
 - [“Employee Handbooks: 2015 and Beyond,”](#) Speaker, American Public Power Association, September 2015
 - [“FMLA and Leave Law Update,”](#) Speaker, 18th Annual Labor & Employment Law, The Seminar Group, August 2015
 - [“Top 3 Employment Law Issues for 2015 That Should Keep You Up at Night,”](#) Speaker, Foster Pepper’s 10th Annual Bankers Briefing, May 2015
 - [“Thriving Through Legal Resilience,”](#) Speaker, Washington State Nonprofit Conference, May 2015
 - [“Association of Washington Housing Authorities Spring Meeting,”](#) Speaker, April 2015
 - [“Is Your Employee Handbook Ready for Prime Time?”](#) Speaker, Foster Pepper Client Briefing, April 2015
 - [“Privacy in the Workplace: Managing Employees in the Digital Age,”](#) Moderator and Speaker, Foster Pepper Client Briefing, November 2014
 - “The Alphabet Soup of Federal Employment Law,” Speaker, Tribal Employment Rights & Law: Sovereignty, Jurisdiction and Best Practices, July 2014
 - [“Social Media and the Workplace - Protecting the Hospital in the Digital Age,”](#) Speaker, Washington State Hospital Association’s NW Council’s Hot Topics Meeting, June 2014
 - “Filling the Empty Chairs: Legal and Effective Hiring,” Presenter, Northwest Marine Trade Association - Professional Development Series
 - “What You Should Know About Executive Director Employment Agreements,” Speaker, Association of Washington Housing Authorities
 - [“Bullying and Violence in the Workplace: Prevention and Intervention Strategies,”](#) Speaker, Foster Pepper Client Briefing, March 2014
 - “Legalization of Marijuana - The Impact on Washington Employers”
 - + Speaker, South King County Human Resources Association December Meeting, 2013
 - + Speaker, Employee Assistance Professionals Association Pacific Northwest Chapter November Meeting, 2013
 - [“Employment Discrimination Law – Hear From The Agencies,”](#) Speaker/Moderator, Foster Pepper Client Briefing
 - [“Managing Employee Performance While Reducing Legal Risks,”](#) Speaker, Northwest Marine Trade Associations
 - [“Wage & Hour Compliance – Beyond the Basics \(Part I\),”](#) Speaker/Moderator, Foster Pepper Client Briefing
 - [“Wage & Hour Compliance – Beyond the Basics \(Part II\),”](#) 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, 15th and 16th 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,” Speaker, SURF Incubator
 - “Employment Law Challenges for Public Employers and Current Developments under the Public Employees Collective Bargaining Act,” Speaker, 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,” Speaker, Foster Pepper and Washington State Chapter of ACC America
 - [“Conducting Effective Workplace Investigations,”](#) Speaker/Moderator, Foster Pepper Client Briefing

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- “Managing the Process of Labor Negotiations,” Speaker, 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

EXPERIENCE

- Foster Pepper PLLC, Member, 2010-Present
- K&L Gates LLP (formerly 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 the Hon. John C. Shabaz, 1982-1983

BAR ADMISSIONS

- Washington, 1999
- Illinois, 1983 (Inactive)

EDUCATION

- J.D., Cornell Law School (*cum laude*), 1983
- B.A., University of Wisconsin-Madison (with distinction), 1978
 - + Phi Beta Kappa