

Breanne Sheetz Martell

Shareholder

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Focus Areas

Wage and Hour
Class Action
Littler Pay Equity Assessment
Discrimination and Harassment
Litigation and Trials
Appellate

Overview

Breanne Martell advises and represents employers in many industries, including healthcare, transportation, restaurant, retail, technology, manufacturing, financial services, security, and franchising. She focuses her practice on defending employers in class and collective actions under federal and Washington state law, and providing practical advice and conducting audits on compliance with wage-and-hour and pay equity laws, and drafting incentive compensation plans including commissions and bonuses. She also regularly represents employers who are facing audits and investigations by government agencies. In addition, Breanne has significant experience defending employers in discrimination, equal pay, and wrongful termination lawsuits.

Breanne's creativity and dedication have achieved positive results for her clients in numerous settings, including:

- Obtaining complete dismissal of nationwide class action allegations in a case asserting claims for misclassification and unpaid commissions under 48 states' laws
- Winning summary judgment in a case challenging a company's nationwide bonus practices with respect to calculation of the regular rate
- Obtaining complete dismissal of nationwide claims under the FLSA related to off-the-clock work for security screening on the grounds that the time was not compensable
- Obtaining dismissal of nationwide collective action allegations in an FLSA case asserting regular rate claims

- Defeating conditional certification of multiple FLSA collective actions asserting off-the-clock and regular rate claims
- Defeating class certification of employees and volunteers in multiple Washington state and federal court wage-and-hour class actions
- Prevailing on an appeal to a federal Court of Appeals in a precedent-setting win regarding a class action settlement
- Securing a complete defense verdict in a federal disability discrimination trial
- Obtaining a dismissal with prejudice on the pleadings in a federal discrimination case
- Winning summary judgment in a high-stakes race and gender discrimination case
- Winning summary judgment in a wage-and-hour case brought by a volunteer
- Persuading a state agency to dismiss a child labor citation on appeal
- Obtaining a determination of compliance from a federal agency regarding independent contractors
- Obtaining a determination of compliance from a Washington state agency regarding allegations of unpaid wages

Breanne is a member of Littler's Pro Bono Committee and Associates Committee.

Professional and Community Affiliations

- Member, Washington State Bar Association
- Member, King County Bar Association
- Member, American Bar Association
- Chair, Legal Voice Senior Workgroup

Recognition

- Named, Rising Star, Washington, *Super Lawyers*, 2014-2019
- Recipient, Special Contributions to Legal Voice, *Legal Voice*
- Recipient, Pro Bono Publico Service Commendations, *Washington State Bar Association*
- Recipient, Civic Service Award, *Seattle Jaycees*
- Recipient, E. Blythe Stason Award, *University of Michigan Law School*
- Recipient, Jeffrey Lehman Legal Practice Award, *University of Michigan Law School*
- Recipient, Yeoman Service Award, *University of Michigan Law School*

Education

J.D., University of Michigan Law School, 2007, *cum laude*

B.A., University of Puget Sound, 2001, *summa cum laude*

Bar Admissions

Washington

Courts

U.S. Court of Appeals, 9th Circuit
US District Court: Western District of Washington
U.S. District Court, Eastern District of Washington
U.S. District Court, District of Colorado
U.S. District Court, Northern District of Florida

Publications & Press

Pro Bono Week Podcast – Nonpartisan Election Activities

Littler Podcast

October 22, 2024

Washington State Legislative Updates

Littler Insight

March 27, 2024

Pro Bono Week Podcast – Seeking Justice for a Neurodiverse Individual on Death Row

Littler Podcast

October 24, 2023

Pro Bono Week Podcast – Adoption in Alaska

Littler Podcast

October 25, 2022

Minding the Pay Gap: What Employers Need to Know as Pay Equity Protections Widen

Littler Report

September 2, 2022

Washington Becomes Third Jurisdiction to Require Wage Disclosures in Job Postings

Littler ASAP

May 2, 2022

Top W&H Developments For Women In The Workforce In 2021

Law360 Employment Authority

December 15, 2021

Pro Bono Week Podcast – Eight Million Stories: Appellate Work in Criminal Law

Littler Podcast

October 27, 2021

Equal Pay Act's 'Other Than Sex' Defense Meaning Still Murky

Law360 Employment Authority

July 27, 2021

Washington Amends its Equal Pay Law to Enact Salary History Ban and Require Disclosure of Salary Ranges

Littler ASAP

May 16, 2019

Seattle Passes Ordinance to Expand Employment Rights to Domestic Workers

Littler ASAP

August 27, 2018

10 Seattle Women Business Leaders Discuss the Power of Mentors

Seattle Business Magazine

April 25, 2018

New Pay Equity Law in Washington State

Littler ASAP

April 16, 2018

Littler Elevates 28 Attorneys to Shareholder

Littler Press Release

January 3, 2018

The Current State of Meal and Rest Break Law in Washington State

Littler Insight

October 4, 2017

New Minimum Wage and Paid Sick Leave Laws for Washington Employers

Littler Insight

December 22, 2016

Seattle's Updated Labor Standards Requirements

Littler ASAP

March 29, 2016

Washington Piece-Rate Workers to Receive Separate Rest Breaks

Littler ASAP

July 23, 2015

Seattle's New Wage Theft Ordinance Imposes Notice Requirements and Civil Penalties

Littler Insight

April 15, 2015

New Mexico Supreme Court Creates Additional Protections for Physicians Participating in Peer Review

Littler ASAP

March 3, 2015

California Appellate Court Refuses to Certify Meal and Rest Break Class Action

Littler ASAP

June 13, 2014

Seattle Increases Minimum Wage to \$15 Per Hour Over Several Years

Littler Insight

June 5, 2014

Challenges and Best Practices for Home Care Employers Following the Elimination of the Companionship Exemption

Littler Report

November 7, 2013

California Increases Regulation of Home Care Agencies

Littler ASAP

October 17, 2013

False Claims Act Whistleblowers Continue to Collect Large Settlements

Littler ASAP

July 24, 2013

Hospital Defeats Class Certification of Meal and Rest Break Claims

Littler ASAP

April 12, 2013

Hot Wage and Hour Issues for Home Healthcare Employers

Littler Report

March 19, 2013

Defamation Claims by Medical Providers

Littler ASAP

February 5, 2013

Washington State Supreme Court Orders Overtime Payment for Missed Breaks

Littler Insight

November 15, 2012

Washington State Supreme Court Orders Overtime for Missed Breaks

Littler ASAP

November 15, 2012

Another Automatic Meal-Break Deduction Class Action Decertified

Littler ASAP

October 18, 2012

Hospitals Face Increasing Religious Discrimination Claims

Littler ASAP

August 2, 2012

Dismissing Hospital FLSA Collective Action, Court Rejects “Integrated Healthcare System” Claim

Littler ASAP

February 27, 2012

DOL Targets Home Health Care Provider for Payment of Flat Daily Rates

Littler ASAP

February 6, 2012

Two More FLSA Collective Actions Against Hospitals Decertified

Littler ASAP

December 29, 2011

Littler Bolsters Pacific Northwest Presence with a Group of Four New Attorneys

Littler Press Release

September 13, 2011

The Choice to Limit Choice

40 U. Mich. J. L. Reform 401

2007

Speaking Engagements

To 2025 Compensation...and Beyond!

Southwest Washington SHRM Annual Conference, Vancouver, WA

September 10, 2024

Show Me the Money! Incentivizing the Workforce of the Future

October 24, 2023

Show Me the Money: Incentivizing the Workforce of the Future

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

Show Me the Money! Incentivizing the Workforce of the Future

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

Equal Justice and the Law: Diversity & Inclusion and Equal Pay Initiatives in the Workplace

December 4, 2020

Understanding Pay Equity

Seattle, WA

November 7, 2019

Predictive Scheduling: 5 Tips to Stay Compliant

Deputy Webinar

August 6, 2019

Top Wage and Hour Compliance Tips

2019 PAC West Retailer Summit

July 18, 2019

Home Care in the Trump Era: A Practical Guide to Building Compliance

Home Care Association of Washington

April 25, 2018

Top 10 HR Strategies to Mitigate Risk & Ensure Compliance

2018 Washington State Employment Law & HR Conference - Washington State SHRM

April 20, 2018

Bring Your "A" Game: Arbitration Agreements with Class Waivers

Association of Corporate Counsel of Washington

January 25, 2018

Preparing for Change: An FLSA Seminar on the New Overtime Rule

Accounting Principals

August 10, 2016

DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?

Seattle, WA

February 25, 2016

The \$50,440 Question

LWHRA Symposium

February 9, 2016

Top 10 Wage and Hour Compliance Tips

Seattle, WA

April 23, 2015

Conducting Lawful Investigations Workshop

Seattle, WA

September 12, 2013

Wage & Hour Boot Camp

Seattle, WA

April 9, 2013

Wage & Hour Boot Camp

Seattle, WA

March 20, 2013

Employment Law Update

Seattle, WA

January 24, 2013

Top 10 Wage and Hour Compliance Tips

August 24, 2012

2012 Wage & Hour Boot Camp – A Guide to Combating Wage & Hour Liability

Seattle, WA

March 20, 2012

New FLSA Initiatives and Issues Under the Obama Administration

Association of Washington Business

May 18, 2011

Books & Book Chapters

- *Washington State, Wage and Hour Laws: A State-by-State Survey*, BNA, co-authors: Thieme and Subit, 2011-2024
- *Handbook for Washington Seniors: Legal Rights and Resources*, *Legal Voice*, editor-in-chief, 2012
- *The FLSA – A User's Manual, 5th Edition*, *FLSA, LRIS*, co-author, 2010