

Jessica L. Marinelli

Shareholder

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Focus Areas

Investigations
Training - Compliance, Ethics, Leadership
Discrimination and Harassment
Hiring, Performance Management and Termination
Arbitration
Policies, Procedures and Handbooks
Audit Services
Leaves of Absence and Disability Accommodation

Overview

Jessica L. Marinelli has been in-house employment counsel and seconded to multinational publicly-traded corporations, which gives her unique insight into clients' goals and the many legal, practical and strategic interests they must often balance. She partners with employers of all sizes, nationwide, to create streamlined human resources (HR), legal and employment processes and proactively manage workforce issues throughout the lifecycle of employment, including:

- Advice and counsel on issues related to workplace investigations, attorney-client privilege, hiring, performance management, discipline and separation of employment, disability accommodation and leave of absence administration, Colorado Paid Sick Leave under the Healthy Families and Workplaces Act (HFWA)
- Organizational effectiveness/legal operations consulting and HR/legal program development designed to help companies not only achieve compliance with applicable employment laws, but also scale and grow efficiently, break down silos between internal stakeholders, and strategically use information learned through company compliance processes to drive value
- Innovation, including authoring Littler's Investigation Toolkit for Employers

- In-house compliance training for supervisors, managers and employees on conducting internal investigations, ethics and attorney-client privilege, harassment, discrimination, retaliation, bystander intervention, the Americans with Disabilities Act (ADA), and the Family and Medical Leave Act (FMLA)
- Multistate employment templates, agreements and communications for use throughout the employment relationship, such as offer letters, policies, handbooks, arbitration agreements, separation agreements, reduction in force documents, internal investigation resources and interactive process templates
- Discrimination, harassment and retaliation claims under federal, California and Colorado state law (including administrative agency charges before the EEOC, California CRD (formerly DFEH) and CCRD), including claims based on race, national origin, age, religion, pregnancy, sex, sexual orientation and disability
- California state wage and hour issues and DLSE claims, including claims involving minimum wage obligations, overtime wage compensation obligations, meal and rest break issues, reporting time pay, final wages and waiting time penalties

Jessica collaborates with clients to understand their goals and thinks strategically, practically and holistically to realize those goals. Her advice is not limited to what the law permits or requires – she also considers public relations, employee morale, and how her clients can make legal/HR operations more efficient and drive value. She crafts real-world solutions to workplace issues before they become litigation matters. However, when litigation does occur, she has represented clients in administrative complaint proceedings, arbitration, mediation and in court. She often works with clients in healthcare, senior living, Fintech, outdoor/recreation/sports, property management, transportation, hospitality, retail, and food and beverage, but she has experience in a wide array of industries.

An endearing and effective public speaker, Jessica regularly leverages her improv background to present fun, engaging and interactive in-house training sessions to managers and employees and bring employment law compliance concepts to life.

Prior to joining Littler, Jessica was a legal fellow for the U.S. House of Representatives in Washington, D.C., and she was a judicial extern for the Superior Court of California in Los Angeles. In law school, Jessica served as a senior editor of the *Washington University Law Review*.

Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2022-2025
- Winner, Innovate 100 Competition, *Littler*, 2021
- Finalist, Wes Fastiff Ingenuity Award, *Littler*, 2020
- Dean's List, *Washington University in St. Louis School of Law*

Education

J.D., Washington University in St. Louis, School of Law, 2010

B.A., University of Wisconsin, Madison, 2007, *With Honors and Distinction*

Bar Admissions

California

Colorado

Courts

U.S. Court of Appeals, 9th Circuit

U.S. District Court, District of Colorado

U.S. District Court, Northern District of California

U.S. District Court, Eastern District of California

Publications & Press

How can companies conduct investigations more efficiently?

Littler 2 the Point Video

July 12, 2022

Littler Elevates 33 Attorneys to Shareholder

Littler Press Release

January 6, 2022

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Littler Press Release

August 19, 2021

Risky Business: EEOC Interprets ADA Coverage for Individuals at Higher Risk of Contracting COVID-19

Littler ASAP

May 8, 2020

EEOC Says Employers Can Administer COVID-19 Tests Before Employees Can Come to Work

Littler ASAP

April 25, 2020

Colorado Enters Its “Safer At Home” Phase of the COVID-19 Pandemic, But Many Municipalities Remain on Lockdown

Littler ASAP

April 25, 2020

Littler Announces Winner of First Annual Wesley J. Fastiff Ingenuity Award

Littler Press Release

January 22, 2020

California AB 51 Bans Mandatory Employment Arbitration Agreements

ACC Docket

November 12, 2019

California AB 51 Bans Mandatory Employment Arbitration Agreements

Littler ASAP

October 16, 2019

Speaking Engagements

2024 Rocky Mountain Regional Employer Conference

Denver, CO

October 18, 2024

Protecting the Attorney-Client Privilege for In-House Counsel

Association of Corporate Counsel National Conference, Nashville, TN

October 7, 2024

Conducting Lawful Investigations in the New Workplace

Littler Executive Employer Conference, Phoenix, AZ

May 8, 2024

2023 Rocky Mountain Regional Employer Conference

Denver, CO

October 27, 2023

Conducting Lawful Investigations in the Evolving Workplace

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2023

The Enduring Value of Employment Arbitration Agreements Under Attack

Littler Executive Employer Conference

May 5, 2022

Conducting Lawful Investigations in the Evolving Workplace

Littler Executive Employer Conference

May 4, 2022

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar

May 20, 2021

Investigation Workshop Parts I and II

Client Webinar
May 20-21, 2021

Pay Equity and Related Gender Inequalities in the Workplace

Client Webinar
May 17, 2021

Conducting Efficient Remote Investigations in the COVID-19 Era

Denver, CO
May 5, 2021

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar
April 30, 2021

Maintaining a Respectful Workplace: An Employee's and Manager's Guide to Understanding and Preventing Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation

Client Webinar
April 29, 2021

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar
March 31, 2021

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar
March 18, 2021

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar
March 4, 2021

Arbitration Clauses in Other Agreements; and E-signature Considerations

Littler Training
February 24, 2021

Understanding FMLA, ADA, and the Accommodation Process

Client Webinar
February 16, 2021

Maintaining a Respectful Workplace: An Employee's and Manager's Guide to Understanding and Preventing Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation

Client Webinar

January 13, 2021

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar

December 1, 2020

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar

November 11, 2020

Understanding FMLA, ADA, and the Accommodation Process

Client Webinar

November 9, 2020

Understanding FMLA, ADA, and the Accommodation Process

Client Webinar

October 26, 2020

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar

October 9, 2020

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar

September 2, 2020

#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM

Client Webinar

August 25, 2020

Internal Investigations in the COVID-19 Era

June 11, 2020

#NotYouToo: Conducting Investigation Interviews in the Aftermath of #MeToo

Client Webinar

June 10, 2020

Compassionate and Compliant Downsizing: Critical Steps in COVID-19-Related Layoffs

ICC Webinar
May 14, 2020

**The Compassionate Outplacement Series: Compliance Considerations for Human-Centered Layoffs and Furloughs:
Episode 5**

ICC Webinar
May 14, 2020

**Maintaining a Respectful Workplace: An Employer's Guide to Understanding and Preventing Abusive Conduct, Sexual and
Unlawful Harassment, Discrimination and Retaliation**

Client Training Sessions, Centennial, CO
February 25-26, 2020

**Maintaining a Respectful Workplace: An Employer's Guide to Understanding and Preventing Abusive Conduct, Sexual and
Unlawful Harassment, Discrimination and Retaliation**

Client Training Session, Broomfield, CO
February 4, 2020

Joint Representation Jitters: Ethical Concerns for In-House and Outside Counsel in Representing Multiple Clients

13th Annual Colorado ACC Ethics Day, Denver, CO
December 4, 2019

#NotYouToo: Conducting Investigation Interviews in the Aftermath of #MeToo

Client Workshop, Amelia Island, FL
November 5, 2019

"Can We Fire 'Em?" Making Compliance Part of the Journey, Not the Destination

DisruptHR, Denver CO
October 30, 2019

Understanding FMLA, ADA, and the Accommodation Process

Client Training Session, Oakland, CA
October 24, 2018

Advanced Investigation Workshop: Parts 1 and 2

Rocky Mountain Employer Conference, Denver, CO
October 4, 2019

Understanding Disabilities and Reasonable Accommodations

Client training session/Webinar

June 24, 2019

Making Sure Your Cross-Border Internal Investigations Don't Get Lost In Translation

Client training session, Boulder, CO

June 11, 2019

Maintaining a Respectful Workplace: An Employer's Guide to Understanding and Preventing Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation

Client Training Session, Englewood CO

June 6, 2019

#NotYouToo: Conducting Investigation Interviews in the Aftermath of #MeToo

Client Training Sessions, California

April 24 and 26, 2019

Conducting Legal Investigations in the Wake of #MeToo

Denver, CO

April 18, 2019

Internal Investigations, Burning Questions and Lessons Learned

Client Training Session, San Ramon, CA

April 11, 2019

What Every Employee Should Know About a Workplace Free of Harassment and Retaliation

Client Training Sessions, San Francisco, CA

November 2016

A Supervisor's Guide to Understanding, Preventing and Correcting Bullying, Harassment, Discrimination and Retaliation

Client Training Sessions, San Francisco, CA

March - November 2016

What Every Employee Should Know About a Workplace Free of Harassment, Retaliation and Racial Insensitivity

Client Training Sessions, San Francisco, CA

September 20, 2016

A California Supervisor's Guide to Understanding, Preventing and Correcting Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation

Client Training Sessions, San Francisco, CA

2014, 2016

How to Conduct a Workplace Investigation

Client Training Sessions, San Ramon, CA

April 9, 2015

Legal Specialties: Labor and Employment Law

1L Professional Conference - Washington University School of Law, St. Louis, MO

January 8-9, 2013

Books & Book Chapters

- The National Employer, *Littler Mendelson and LexisNexis*, Collective Bargaining, Chapter 32, Chapter Editor, 2011