

## Paul E. Cirner

Associate

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## Focus Areas

Litigation and Trials  
Discrimination and Harassment  
Arbitration  
Wage and Hour  
Contractors, Staffing and Contingent Workers  
Healthcare  
Higher Education

## Overview

Paul Cirner proactively counsels clients on all legal aspects of the employer-employee relationship from hire through separation. Paul is sought after for his experience guiding clients through the legal complexities of remote work, return to office, multi-state compliance, layoffs and reductions in force, leave and accommodation, wage and hour, and performance management. Paul often counsels clients on independent contractor and staffing arrangements as well to develop contracts and methods to mitigate the risk of misclassification and joint employment claims.

Paul litigates employment disputes throughout the courts and administrative agencies of Oregon, Washington, Idaho, and New York. A true advocate, Paul relishes stepping into the courtroom to defend clients before judge and jury. With tenacity, responsiveness, and diligent preparation at the center of each case, clients feel safeguarded with Paul in their corner when a legal dispute arises. Paul has successfully defended public and private employers in discrimination, wrongful discharge, harassment, retaliation, wage and hour, and various other disputes brought under federal and state statutes and the common law. An experienced negotiator, Paul also leverages a case's strengths and weaknesses to reach an early cost-effective resolution when warranted.

Paul began his career in the courts of New York City defending New York's iconic building owners and constructors against high-stakes personal injury and workplace safety lawsuits brought by carpenters, electricians, glaziers, and other members of New York's most powerful trade unions. Upon moving to Oregon, Paul practiced management-side employment litigation and counsel throughout the Pacific Northwest with an international employment law firm in Portland prior to joining Littler.

## Selected Matters

- Complete defense verdict in 14-day trial on behalf of hospital defending against defamation claim related to termination of respiratory therapist for disclosing PHI.
- Summary judgment affirmed in Ninth Circuit Court of Appeals on behalf of hospital defeating high-level management employee's Title VII retaliation claim.
- Secured summary judgment dismissal in favor of timber company against staffing company employee's claims of joint employment, discrimination, and failure to accommodate.
- Secured summary judgment dismissal in favor of manufacturing company against machinist's claims of disability discrimination/retaliation.
- Secured dismissal of individual defendant's pay discrimination claim at pleading stage.
- Secured dismissal of various administrative agency charges alleging claims of independent contractor misclassification, discrimination, harassment, leave law violations, and retaliation.
- Secured summary judgment dismissal of former employee's breach of contract and estoppel claims in favor of hospital.
- Secured summary judgment dismissal of customer's negligently trained employee claim against recreational vehicle company in traumatic brain injury case.
- Secured summary judgment dismissal of construction worker's New York Labor Law claim against contractor arising from alleged defective safety equipment.

## Professional and Community Affiliations

- CLE Committee Member, Multnomah County Bar Association
- Member, American Bar Association
- Member, New York State Bar Association
- Member, Portland Human Resources Management Association
- Member, Society for Human Resources Management

## Recognition

- Named, Rising Star, *Super Lawyers*, 2023-2024
- Named, Charles H. Revson Public Interest Fellow, 2014

## Education

J.D., Pace University Law School, 2016, *cum laude*

B.S., St. Thomas Aquinas College, 2013, *magna cum laude*

## Bar Admissions

Oregon

Washington

New York

Idaho

## Courts

U.S. Court of Appeals, 2nd Circuit

U.S. Court of Appeals, 9th Circuit

U.S. District Court, District of Oregon

U.S. District Court, Eastern District of Washington

U.S. District Court, Western District of Washington

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

U.S. District Court, District of Idaho

## Publications & Press

### **Oregon DOJ Ramps up Child Support Reporting Requirements for Payments to Independent Contractors**

*Littler ASAP*

May 6, 2024

### **Joint Employment and the Cat's Paw: Oregon Court of Appeals Sets Precedent**

*Littler Insight*

April 23, 2024

### **New Oregon Law (Mostly) Aligns OFLA and Paid Leave Oregon to Prevent Employees from Stacking Leave Benefits**

*Littler Insight*

March 18, 2024

### **Key Considerations for Employers as the Public Sector Grapples with Return to Office**

*Littler ASAP*

January 2, 2024

**Oregon Enacts Protections for Registered Apprentices and On-The-Job Training Program Participants**

*Littler ASAP*

August 15, 2023

**How Oregon Employers Can Prepare for Wildfire Season**

*Littler Insight*

June 12, 2023

**Remote Workforce Management: Complying with Multistate Tax and Employment Laws**

*Multnomah Bar Association*

November 2022

**Oregon Equal Pay Act's Bonus Provisions Set to Expire**

*SHRM Online*

August 25, 2022

**Beware The Risks in Laying Off Out-Of-State Remote Workers**

*Law360*

July 13, 2022

**The Hazards of Remote Employee Layoffs**

*SHRM Online*

June 30, 2022

**Update on Oregon's COVID-19 Vaccination and Masking Rules**

*SHRM Online*

February 22, 2022

**Oregon OSHA Announces Stance on Federal Vaccine-or-Testing Standard**

*SHRM Online*

January 28, 2022

**Oregon OSHA Delays Adopting COVID-19 Vaccine-or-Test Rule**

*SHRM Online*

December 6, 2021

**Multistate Compliance for Employers With Out-of-State Remote Employees**

*JD Supra*

April 26, 2021

**Oregon Decriminalizes Certain Narcotics and Legalizes Psilocybin Therapy**

*SHRM Online*

November 30, 2020

**Oregon Modifies Noncompete Law for 2020**

*Portland Business Journal*

June 4, 2019

**Speaking Engagements**

**2024 Pacific Northwest Regional Employer Conference**

Portland, OR

September 12, 2024

**Addressing Politics in the Workplace Ahead of The 2024 Election**

Portland Human Resources Management Association - Executive Leaders Career Catalyst Collective

August 20, 2024

**Navigating Oregon's Evolving Leave Laws**

Oregon Council For Behavioral Health Spring Webinar Series

April 9, 2024

**PDX Breakfast Briefing: Paid Leave Oregon and 2023 Oregon Employment Law Legislative Update**

Portland, OR

September 13, 2023

**Exception Making Hiring Bonuses Easier to Give Has Now Expired in Oregon**

KATU 2

October 5, 2022

**Multistate Compliance for Employers with Out-of-State Remote Employees**

Multnomah Bar Association Webinar

September 21, 2022

**Oregon OSHA Aims To Prevent Heat Illness, Death With New Requirements For Employers**

KGW8-TV

July 27, 2022

**New Oregon OSHA Heat Rules Put To The Test With Rising Temperatures**

KOIN 6 News

July 25, 2022

**Multistate Compliance for Employers with Out-of-State Remote Employees**

CUPA-HR Spring Conference

April 7, 2022

**Oregon Employment Law Changes in 2022: New Year, New Laws**

MyLawCLE

February 16, 2022

**Oregon Employment Law: COVID-19 Vaccine Mandates – What Oregon Employers Need to Know**

MyLawCLE

December 2, 2021