



Denise M. Visconti

Shareholder

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Practice Areas

Inclusion, Equity and Diversity
Discrimination and Harassment
Handbooks and Policies

Overview

Denise M. Visconti has litigated hundreds of matters – from class action litigation, representative actions, and private attorney general matters, to single-plaintiff actions – over the last 20 years. Currently, Denise spends the bulk of her time advising organizations and their human resources teams in all aspects of the employment relationship. Denise has extensive experience conducting pay equity audits for all types of employers, from start-ups to Fortune 50 companies, and helped develop the Littler Pay Equity Assessment™. She regularly provides counseling to employers on a broad range of state and federal issues related to pay equity, from compliance, to updating policies and job descriptions, to training managers and recruiters, and more.

Denise also regularly provides advice and counseling to clients regarding gender identity and gender expression-related issues, gender transitions in the workplace, and various issues relating to domestic partnerships and same-sex couples. She also has given a number of presentations to human resource professionals, managers, and employees on valuing diversity and creating and maintaining a diverse workplace.

Denise serves on Littler’s firm-wide Management Committee. She previously served as the San Diego Office Managing Shareholder and, prior to that, served as the San Diego Office representative of the Associates Committee.

Prior to joining Littler Mendelson in January 2004, Denise was a judicial clerk to the Honorable Louisa S. Porter, Presiding Magistrate Judge, Southern District of California and judicial clerk to the Honorable Peter A. Nowinski, Eastern District of California. She spent her third year of law school working in the Immigration and Human Rights Legal Clinic helping newly-arriving immigrants obtain political asylum. She also was student director for the *Legislative Journal*.

Professional and Community Affiliations

- Member, Labor and Employment Section, San Diego County Bar Association
- Past Co-President, Board of Directors, Tom Homann LGBT Law Association
- Board Member and Past Chair, North San Diego Business Chamber

Events & Speaking Engagements

2024 Southern California Regional Employer Conference

November 7, 2024

Littler Hawaii Breakfast Briefing

Honolulu, HI

June 21, 2024

Boards, HR, and Legal: Developing and Organizational Approach to Equal Pay

Littler Executive Employer Conference, Phoenix, AZ

May 9, 2024

My Rights Versus Yours: Human Rights Protection in Tension with Religious Freedoms

Littler Executive Employer Conference, Phoenix, AZ

May 8, 2024

2024 Southern California Breakfast Briefing Series - San Diego

San Diego, CA

January 11, 2024

Transgender Healthcare Benefits and Exclusions: Is Your Benefits Plan Compliant?

June 7, 2023

Show and Tell: Pay Transparency and Disclosure Requirements Go Primetime

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

Inclusion, Equity & Diversity 2.0 – A Panoramic View and Update of IE&D's Hot Issues

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2023

California Pay Data Reporting: What You Need to Get Your Workforce Data Submitted

February 13, 2023

New California Law Will Set Groundbreaking Pay Transparency & Reporting Requirements

December 6, 2022

A Practical Primer on Inclusion, Equity & Diversity Programs

Littler Executive Employer Conference

May 4, 2022

California Mandates Employee Pay Reporting by March 31

February 12, 2021

2020 Virtual California Employer

November 19, 2020

Pay Equity: EEO-1s, the EEOC and the States - Where Do We Go From Here?

November 22, 2019

2019 Southern California Employer Conference

October 23, 2019

Is Your Plan Affected by the Proposed Changes to Section 1557's Nondiscrimination Rules?

July 11, 2019

Pay Equity Goes Global: How U.S. employers can tackle EMEA gender pay laws

May 29, 2019

Tech Talk – Minding the Pay Gap: A Technological Solution for Pay Equity Compliance

2019 ACC Xchange

April 30, 2019

2018 Canada Conference

Toronto, ON

November 16, 2018

Pay Equity as a Legal and Business Imperative | Compensation Auditing

November 8, 2018

Toward Equal Pay: A Guide for Federal Contractors Dealing with Federal, State, and Local Requirements

September 24, 2018

ACC Exclusive Webinar – Pay Equity as a Legal and Business Imperative

August 15, 2018

Pay Equity

Littler Executive Employer, Phoenix, AZ

May 4, 2018

Balancing LGBTQ Issues in an Ever-Evolving Workplace

Littler Executive Employer, Phoenix, AZ

May 3, 2018

The Pay Equity Wave Rolls On: What You Need to Know to Stay Afloat

Littler Executive Employer, Phoenix, AZ

May 3, 2018

Pay Equity as a Legal and Business Imperative

April 4, 2018

Moving Through the Fog: Handling Complex Issues in Workplace Accommodations Involving "Invisible" Disabilities, Gender Identity and Religious Preferences

May 12, 2017

LGBT Issues in the Workplace: What to Expect from the Trump Administration

March 23, 2017

Don't Be Fooled: Significant New Anti-Discrimination and Harassment Policy Requirements Start April 1 for California Employers

May 11, 2016

Closing the Gender Pay Gap: The Role of State Fair Pay Laws

The 2016 Executive Employer® Conference

May 5, 2016

Same-Sex Marriage, Religion and the Workplace: Accommodating Constitutionally Protected (and Potentially Competing) Rights

The 2016 Executive Employer® Conference, Scottsdale, AZ

May 5, 2016

Don't Be Fooled: Significant New Anti-Discrimination and Harassment Policy Requirements Start April 1 for California Employers

March 25, 2016

Food and Beverage Industry Employers: Four Current Employment Law Challenges

October 27, 2015

California Passes Sweeping New Law Aimed to Bridge the Gender Wage Inequality Gap

October 19, 2015

Obergefell: What Does Same-Sex Marriage Mean for Employers?

July 21, 2015

A Primer on the OFCCP's Final Rule Prohibiting Discrimination Based on Sexual Orientation and Gender Identity

February 19, 2015

Building a Diverse Workplace: Best Practices for Making Your Workplace LGBT Inclusive

March 4, 2014

Out & About: LGBT Issues and the Globally Mobile Workforce

Littler Mendelson, Washington D.C.

November 9, 2012

Diversity in the Workforce: Thinking Beyond Locally and Acting Globally

Workplace Summit - Out & Equal

November 1, 2012

Transgender Issues in the Workplace

August 21, 2012

Creating a LGBT-Diverse Global Workforce: Overcoming Internal and External Challenges to Creating An Inclusive Workplace

Global LGBT Workplace Summit - Out & Equal

July 2012

It Gets Better: Breaking Down Barriers To Advancement for LGBT Professionals

Catalyst and Littler Mendelson

June 2012

Transgender 101: Keys To An Open and Inclusive Workplace

Diversity Presentation

August 2011

Best Practices for Building a GLBT Inclusive Workplace: Perspectives from Outside and In-House Counsel

National LGBT Bar Association

August 2010

Gender Identity and Expression: Legal Implications In the Workplace in 2010 and Beyond

Contra Costa County Bar Association

July 2010

New Sexual Orientation & Gender Identity Protections in 2010? Managing the Impact on Your Workplace

ELT

February 2010

Valuing Diversity: Keys to Creating an Open, Respectful and Inclusive Workplace

Diversity presentation

December 2009

Diversity 101: Creating an Open and Inclusive Workplace

Diversity presentation

May 2009

Recognition

- Named, The Best Lawyers in America® , 2022-2025
- Named, Women of Influence *SD Metro*, 2023-2024

Education

J.D., Seton Hall University School of Law, 2000, *magna cum laude*

M.S., Carnegie Mellon University, 1991

B.S., Carnegie Mellon University, 1989

Bar Admissions

California

Courts

U.S. Supreme Court

U.S. Court of Appeals, 9th Circuit

U.S. District Court, Southern District of California

U.S. District Court, Central District of California

U.S. District Court, Eastern District of California

U.S. District Court, Northern District of California

Publications & Press

Supreme Court's Transgender Case May Affect Travel Benefits

In the News

January 2, 2025

The Littler Annual Employer Survey 2024

Littler Report

May 8, 2024

Employers Expect Increased Regulatory Enforcement Amid Legislative Slowdown in Election Year, Littler Survey Finds

Press Release

May 8, 2024

Gov't Enforcement Concerns Employers, Littler Report Finds

In the News

May 8, 2024

Guiding Companies Toward Pay Equity Compliance

External Publication

March 1, 2024

California Civil Rights Department Issues Clarifications on California Pay Data Reports

Littler ASAP

February 23, 2024

Progressive Legislative W&H Push Set To Continue In 2024

In the News

December 8, 2023

Nonbinary Employees: Invisible on Many EEO-1 Forms

In the News

November 29, 2023

Massachusetts Poised to Become Next State to Pass Pay Transparency Legislation

In the News

October 11, 2023

Transparency in Sales Compensation

In the News

September 1, 2023

Women's World Cup 2023 – Equal Pay for Women in and Out of Sports

Littler ASAP

August 4, 2023

Hawaii Enacts Pay Transparency Law and Broadens Equal Pay Law

Littler ASAP

July 21, 2023

The Littler Annual Employer Survey 2023

Littler Report

May 10, 2023

Littler Survey: Economic Volatility, AI Adoption and Heightened Regulatory Activity Pose New Challenges for Employers

Press Release

May 10, 2023

Pay Transparency Goes Primetime: Sweeping New Federal Legislation Proposed in Congress

Littler ASAP

April 13, 2023

Pay transparency and salary history rules aim to close gender wage gap for women

In the News

March 7, 2023

California Releases Guidance on Pay Transparency Law

External Publication

January 3, 2023

California Labor Commissioner Releases Limited Guidance on Pay Transparency Law

Littler ASAP

December 28, 2022

Show Me the Money: California Enacts New Pay Disclosure Requirements

Littler ASAP

October 5, 2022

4 Ways To Prepare For New Calif. Pay Transparency Duties

In the News

September 14, 2022

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

Littler Report

September 2, 2022

Misgendering Nonbinary Employees on EEO-1 Form Is Common

In the News

May 27, 2022

Labor of Law: 'Equal Pay for Equal Work' Doesn't Fix All Pay Disparities

In the News

April 21, 2022

Wage Transparency: How Can Multi-State Employers Manage the Compliance Minefield of Wage Disclosure Laws Nationwide?

Littler ASAP

January 26, 2022

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

Press Release

August 19, 2021

4 Tips to Help Employers Attack the Wage Gap

In the News

June 8, 2021

California Provides Additional Guidance on Employee Pay Data Reporting

Littler ASAP

November 25, 2020

California Offers Limited Guidance on New Pay Data Reporting Requirements; Further Guidance Expected

Littler ASAP

November 3, 2020

California Poised to Enact Law Requiring Compensation Data Collection

Littler ASAP

August 31, 2020

High Court Declines to Resolve Circuit Split on Whether Prior Salary is “A Factor Other Than Sex” that Can Justify a Pay Disparity Under the Federal Equal Pay Act

Littler ASAP

July 10, 2020

Annual Report on EEOC Developments – Fiscal Year 2019

Littler Report

March 5, 2020

Secretary Scalia

In the News

September 27, 2019

EEOC Explains How to Report Nonbinary Individuals on EEO-1 Form

In the News

August 27, 2019

Keeping Compliant with Expanding State and Local Equal Pay Laws

Littler ASAP

August 19, 2019

EEOC Provides Guidance on EEO-1 Filing for Non-Binary Employees

Littler ASAP

August 15, 2019

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

Littler Report

August 1, 2019

HHS Proposed Regulations Remove Protections from the Affordable Care Act for Transgender Patients

Littler ASAP

July 11, 2019

Pay Equity Shines Spotlight on Compensation Alignment

In the News

July 10, 2019

Fair Pay Audits Can Help in the Event of Litigation

External Publication

July 4, 2019

Pay Equity Laws: What's the Risk of Non-Compliance?

External Publication

July 3, 2019

How to Comply with New State and Local Laws

In the News

May 31, 2019

Littler Survey Finds Employers Responding to Robust Federal Enforcement, Active State Legislatures and Ongoing #MeToo Movement

Press Release

May 8, 2019

EEO-1 Pay Data Due Sept. 30

In the News

April 25, 2019

The 'paycheck fairness' bill would ban companies from asking about salary history

In the News

March 28, 2019

Dear Littler: Can We Add New Categories to Our Employment Self-Identification Forms for Sex and Race?

Dear Littler

March 5, 2019

What Employers Need to Know About Pay Gap Laws

In the News

October 26, 2018

Dear Littler: Will Recent Equal Pay Legislation Affect Our Annual Comp Reviews?

Dear Littler

October 16, 2018

How Companies Are Grappling With Pay-Data Disclosures, Audits

In the News

October 1, 2018

'They' Are on the Way: What Employers Should Know About Non-Binary Gender Markers

External Publication

July 18, 2018

Masterpiece Cakeshop: Workplaces Will be Healthier if Employers Fully Understand the Decision, the Law and the Complexities of the Issues

External Publication

June 22, 2018

Visconti to Lead NSD Business Chamber Board

In the News

June 22, 2018

Important Considerations in Pay Equity Audits

External Publication

June 18, 2018

Three Tips For Businesses Looking To Root Out Pay Gaps

In the News

June 13, 2018

Denise Visconti Named Board Chair of the North San Diego Business Chamber

Press Release

June 4, 2018

Littler Survey: Employers Reeling from Regulatory Shifts, New Forces Impacting Workplace

In the News

May 18, 2018

Harassment, Pay Equity Top the Minds of Employer Concerns

In the News

May 16, 2018

Bloomberg Law's VIDEO Coverage of the 2018 Littler Executive Employer Conference

In the News

May 4, 2018

Employers Vexed as States Shift On Equal Pay, Leave

In the News

May 2, 2018

Littler Survey Finds Employers Reeling from Regulatory Shifts and New Forces Impacting the Workplace

Press Release

May 2, 2018

Companies Are Warned About Compliance 'Minefields' for Pay Equity

In the News

April 5, 2018

Federal Appeals Court Finds Title VII Precludes Discrimination Based On Transgender Status

Littler ASAP

March 14, 2018

EEOC's Trans Bias Win Exposes Shakiness of RFRA Defense

In the News

March 8, 2018

Littler Expands Pay Equity Audit Capabilities with New Offering

Press Release

February 14, 2018

Dear Littler: How Should I Handle Customer Concerns about a Transgender Employee?

Dear Littler

March 21, 2017

OSHA Transgender Restroom Guidance in Doubt

In the News

February 23, 2017

Telework Under The ADA & Other Nondiscrimination Laws

Littler Report

October 20, 2016

HHS Final Rule Finds Categorical Exclusions for Health Services Related to Gender Transition Are Generally Unlawful

Littler ASAP

June 21, 2016

What Does North Carolina's New Public Facilities Law Mean for Employers?

Littler ASAP

March 28, 2016

Don't be Fooled: Significant New Anti-Discrimination and Harassment Policy Requirements Start April 1 for California Employers

Littler ASAP

March 4, 2016

How to Address Transgender Employment Issues in the Workplace

External Publication

February 18, 2016

EEOC's data collection proposal could spike litigation against employers

In the News

February 2, 2016

Annual Report on EEOC Developments – Fiscal Year 2015

Littler Report

January 12, 2016

California Employers Need To Comply With New Fair Pay Act

In the News

January 6, 2016

The Controversy Behind California's Fair Pay Act

In the News

October 22, 2015

Accommodating Attorneys in the Process of Transitioning Their Gender

External Publication

October 14, 2015

California Passes Law Aimed to Bridge the Gender Wage Inequality Gap

Littler ASAP

October 6, 2015

From Pronouns to Restrooms – Accommodating Transgender Employees in the Workplace

Association of Corporate Counsel North Florida Chapter, Fourth Quarter Newsletter 2015

EEOC: Bias based on sexual orientation is illegal

In the News

July 21, 2015

EEOC Rules Discrimination Based on Employee's Sexual Orientation Is Sex Discrimination Under Title VII

Littler ASAP

July 20, 2015

What Do Employers Need to Know About Providing Restroom Access To Transgender Employees?

In the News

July 9, 2015

Marriage with a Capital "M": What Employers Need to Know About the Supreme Court's Decision in Obergefell v. Hodges

Littler ASAP

June 26, 2015

OSHA Issues Guidelines for Providing Restroom Access to Transgender Employees

Littler ASAP

June 2, 2015

Supreme Court provides no indication of ruling during same-sex marriage arguments

In the News

April 29, 2015

"Utah Compromise" Prohibits Employment Discrimination Based on Sexual Orientation and Gender Identity

Littler ASAP

March 15, 2015

Supreme Court gives hint how it may rule later this year on gay marriage case

In the News

February 10, 2015

Transitioning to Better Treatment of Transgender Workers

In the News

January 20, 2015

Attorney General Holder moves to protect transgendered under Civil Rights Act

In the News

December 19, 2014

A Difficult Transition

In the News

October 16, 2014

Legal Tide Favors EEOC Stance On Transgender Bias

In the News

September 29, 2014

Presidential executive order solidifies rights for LGBT individuals

In the News

July 23, 2014

Executive Order Gives LGBT Workers New Protections

In the News

July 22, 2014

Supreme Court Rules in Favor of Hobby Lobby, Opens Door to Religious Objections to Statutes Covering Employers

Littler ASAP

July 7, 2014

Making an Inclusive Workplace for the LGBT Workforce

In the News

March 12, 2014

Legal record clashes with warning on U.S. gay job-discrimination ban

In the News

November 6, 2013

ENDA's Chances of Passage Better Than Ever, Lawyers Say

In the News

September 26, 2013

Ninth Circuit Makes It Easier for Employers to Remove State Court Class Actions to Federal Court

Littler ASAP

September 24, 2013

Supreme Court Narrowly Defines ‘Supervisor’ In Discrimination Case

In the News

July 10, 2013

The Supreme Court Clarifies Who Is a Supervisor Under Title VII

Littler ASAP

June 25, 2013

Attys Weigh In On Justices’ Ruling In Harassment Suit

In the News

June 24, 2013

The 2012 Global Employer: Highlights of Littler's Fifth Annual Global Employer Institute

Littler Report

February 21, 2013

Supervisors on the line: The case of Vance v. Ball State

In the News

December 26, 2012

The IC Top 20: The most important news stories of 2012

In the News

November 28, 2012

Littler's Denise M. Visconti Named Office Managing Shareholder in San Diego

Press Release

October 2, 2012

Transgender employees protected under Title VII

In the News

July 1, 2012

Littler attorney named co-president of LGBT law group

In the News

May 24, 2012

Discrimination: EEOC Decision That Title VII Protects Transgender Workers Could Have Big Impact

Bloomberg BNA Human Resources Report

May 2012

The EEOC Opens the Door to Title VII Protection for Transgender Employees

Littler ASAP

April 25, 2012

The Littler Ten: Employment, Labor and Benefit Law Trends for Navigating the New Decade

Littler Report

September 30, 2010

Littler Mendelson Announces Twenty-Seven Newly Elevated Shareholders

Press Release

January 8, 2009

Gender Identity And Expression: The Next Frontier

Employment Law 360

September 2007

Littler Mendelson Attorney Appointed to CA Bar's Committee on Sexual Orientation & Gender Identity Discrimination

Press Release

July 11, 2006