

## Emily A. McNee

Shareholder

1300 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402  
main: +1 (612) 630-1000  
direct: (612) 313-7644  
fax: +1 (612) 630-9626  
emcnee@littler.com



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## Practice Areas

Leave and Accommodation  
Appellate

## Overview

Emily A. McNee is a strategic advisor and litigator who routinely works with employers on a broad range of employment law issues arising under federal, state, and local law. She has specific experience with matters involving:

- Medical leaves and disability accommodation under the Americans with Disabilities Act, the Family and Medical Leave Act, and similar state leave laws
- Allegations of discrimination, harassment, and retaliation
- Claims of defamation and tortious interference
- Employment policies and handbooks

Emily has experience handling all stages of pretrial litigation, including discovery management, briefing and arguing dispositive motions, taking and defending depositions, and mediation and settlement negotiations.

Emily has also conducted training programs and seminars on topics such as preventing harassment in the workplace, and compliance with the ADA and the FMLA.

Prior to joining Littler, Emily was a judicial law clerk for the Hon. Louise Dovre Bjorkman at the Minnesota Court of Appeals.

## Professional and Community Affiliations

- Member, American Bar Association
- Member, Minnesota State Bar Association
- Member, Hennepin County Bar Association

## **Events & Speaking Engagements**

### **Minnesota's New Paid Family Medical Leave Law**

Minneapolis, MN

March 20, 2025

### **2024 Midwest Regional Employer Conference**

Minneapolis, MN

November 14, 2024

### **New Year, New Us! Resolutions for You and Your Organization**

January 25, 2024

### **2023 Midwest Regional Employer Conference**

Minneapolis, MN

November 9, 2023

### **After the Ball Drops: Employment Law Updates and Hot Topics for the Year Ahead**

Twin Cities Compensation Network, Minneapolis, MN

January 17, 2023

### **Mental Health Matters: Complying with the ADA, FMLA, and Minnesota Law in Challenging Times**

CLE Webinar

November 28, 2022

### **2022 Midwest Regional Employer Conference**

Minneapolis, MN

November 3, 2022

### **The New Normal of Virtual Litigation**

Minnesota Association of Litigation Support Professionals Presentation

August 18, 2022

### **COVID-19 in the Workplace: Recent Developments and Compliance Challenges**

TCSHRM Webinar

October 21, 2021

### **2021 Upper Midwest Virtual Regional Employer Conference**

Minneapolis, MN

October 20, 2021

**Supporting Mental Health in the Post-Pandemic Workplace**

TCSHRM Webinar

July 29, 2021

**Land of 10,000 Laws? – A Minnesota Legislative Update**

TCSHRM Webinar

July 21, 2021

**Navigating Difficult FMLA and ADA Issues in the Middle of a Pandemic**

Minneapolis, MN

June 10, 2021

**Moving Diversity, Equity, and Inclusion Programs Forward**

2021 TCSHRM Legal Summit

February 4, 2021

**Key Developments in Employment Law from 2020: Answers to 10 of the Biggest Employment Law Questions Facing Employers in 2020 & 2021 – Including Implications of COVID-19**

TCSHRM Webinar

October 21, 2020

**Employment Law for Human Resource Practice: Work-Life Conflicts and Other Diversity Issues**

St. Mary's University

October 12, 2020

**Answers to 10 of the Biggest Employment Law Questions Facing Startups and Emerging Companies**

Twin Cities Startup Week

September 24, 2020

**Is it Really Time to Return to Work? So Soon?**

June 4, 2020

**HR's Role in COVID-19: Part 1 - The Legal Side**

TCSHRM Web Series

April 6, 2020

**Issues and Insights Legislative Breakfast Series**

TwinWest Chamber of Commerce

March 13, 2020

**Answers to 10 of the Biggest Employment Law Questions Facing Startups and Emerging Companies**

The Coven

August 28, 2019

### **Disabilities Accommodations Bootcamp: Mastering the Interactive Process**

Minneapolis, MN

August 22, 2019

### **Sex, Drugs, & Doctor's Notes: Addressing Emerging Issues in Pay Equity, Drug Testing, and Handling Accommodations related to Prescription and Recreational Drug Use During the Hiring Process**

TCSHRM Legal Summit

February 14, 2019

### **EEOC Charges from A to Z**

Twin Cities SHRM Chapter (TCSHRM) Webinar

October 18, 2017

## **Recognition**

- Named, Ones to Watch *The Best Lawyers in America*®, 2021-2025

## **Education**

J.D., University of Minnesota Law School, 2013, *magna cum laude*

B.A., St. Olaf College, 2010, *magna cum laude*, *Phi Beta Kappa*

## **Bar Admissions**

Minnesota

Iowa

## **Courts**

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 8th Circuit

Minnesota Supreme Court

U.S. District Court, District of Minnesota

U.S. District Court, Eastern District of Wisconsin

U.S. District Court, Western District of Wisconsin

U.S. District Court, Northern District of Illinois

U.S. District Court, District of North Dakota

U.S. District Court, District of Colorado

U.S. District Court, Northern District of Iowa

U.S. District Court, Southern District of Iowa

## **Languages**

French

## **Publications & Press**

### **Appellate Practice Group Roundtable: Do's and Don'ts of Oral Argument**

*External Publication*

January 18, 2024

### **Big Changes to Minnesota's Employment Laws Are Coming Soon**

*Littler ASAP*

May 18, 2023

### **McDonnell Douglas Lives Another Day: A Win for Employers at the Minnesota Supreme Court**

*Littler ASAP*

April 14, 2022

### **Littler Elevates 33 Attorneys to Shareholder**

*Press Release*

January 6, 2022

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

*Press Release*

August 19, 2021

### **Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Press Release*

August 20, 2020

### **The Mansfield Rule**

*External Publication*

June 11, 2020

### **Federal Court Chooses Reliable Attendance and Rejects Suit Claiming ADA Requires Accommodation of Unpredictable and Unplanned Absences**

*Littler ASAP*

March 31, 2020

### **Minnesota Employment Law Update on the Novel Coronavirus (COVID-19)**

*Littler ASAP*

March 20, 2020

### **Workers' Comp Doesn't Preclude Discrimination Claim**

*In the News*

April 10, 2019

**Minnesota Supreme Court Reverses Course: Employees May Assert Claims Both for Workers' Compensation Benefits and for Disability Discrimination**

*Littler ASAP*

March 18, 2019

**Littler Names New Leadership to Its Affinity Groups and Diversity & Inclusion Council**

*Press Release*

February 14, 2019

**10 Tips for Developing an Appellate Practice as a Young Lawyer**

*External Publication*

May 30, 2017

**Supreme Court Upholds Consideration of Race in a College Admissions Program – What Does This Mean for Employer Diversity Efforts?**

*Littler ASAP*

June 24, 2016

**Minnesota Supreme Court Holds Six-Year Statute of Limitations Applies to Reporting Claims under the Minnesota Whistleblower Act**

*Littler ASAP*

January 22, 2016

**NLRB Narrows Employer Limitations on Workplace Communications**

*External Publication*

February 3, 2015

**Pregnancy Discrimination in Higher Education: Accommodating Student Pregnancy**

*20 Cardozo J.L. & Gender 63*

2013

**Note, Disrupting the Pickering Balance: First Amendment Protections for Teachers in the Digital Age**

*97 Minn. L. Rev. 1818*

2013