

## Susan K. Fitzke

Shareholder

1300 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402  
main: +1 (612) 630-1000  
direct: (612) 313-7642  
fax: +1 (612) 630-9626  
sfitzke@littler.com



---

## Practice Areas

Class Action  
Discrimination and Harassment  
Leave and Accommodation  
Business Restructuring and M&A  
Whistleblowing, Compliance and Investigations  
Drugs and Alcohol

## Overview

Susan K. Fitzke has dedicated her career to partnering with employers to identify practical and effective solutions to their employment challenges. She represents employers in all stages of litigation in state and federal court and before administrative agencies on both a class-wide and individual basis. She has specific experience litigating claims arising under:

- Title VII of the Civil Rights Act
- The Americans with Disabilities Act
- The Age Discrimination in Employment Act
- The Family and Medical Leave Act
- The Sarbanes-Oxley Act
- The Federal Railroad Safety Act
- State anti-discrimination, leave, and whistleblower statutes
- Various state law contract and tort theories

Susan also routinely counsels and provides training to employers regarding a wide range of issues, including hiring, nondiscrimination, whistleblowing, accommodations, family and medical leave, managing problem employees, reductions in force, and workplace policies.

Susan previously served as the Office Managing Shareholder for the Minneapolis office. Her clients range from companies in the railroad and banking industries, to companies in technology design and manufacturing, along with service providers.

## Professional and Community Affiliations

- Member, American Bar Association
- Member, Minnesota State Bar Association
- Member, Hennepin County Bar Association
- Member, Employment Law Committee, Minnesota Defense Lawyers Association
- Member, Minnesota Women Lawyers
- Co-Editor, Minnesota Employment Law Newsletter, HR Specialist

## Events & Speaking Engagements

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

Minneapolis, MN

November 14, 2024

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

January 25, 2024

### **What's Old is New Again: The Boomer Boom and Age Discrimination in the Workplace**

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

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

Minneapolis, MN

November 3, 2022

### **Back to School and Another Hybrid Approach: Sustaining Women's Leadership While Educating and Caring for Children**

August 27, 2020

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

Minneapolis, MN

August 22, 2019

### **Get Ready! Minnesota's Wage Theft Law is Effective July 1**

July 10, 2019

### **Get Ready! Minnesota's Wage Theft Law is Effective July 1**

July 2, 2019

**Retail Industry Roundtable**

The 2016 Executive Employer® Conference, Scottsdale, AZ  
May 6, 2016

**Mental Illness and the ADAAA**

Society for Human Resource Management Rochester, MN  
October 13, 2015

**Minnesota Labor and Employment Law Specialist Certification “And More” – Including Benefits Law, Immigration Law, Military Leave Rights, Drug Testing, Background Checks & Eight Other Significant Topic Areas**

Minneapolis, MN  
October 12, 2015

**Mental Illness and the ADAAA**

On Behalf of Clear Law Institute  
August 27, 2015, February 6, 2015, December 5, 2014

**ADA, FMLA, and Worker’s Comp: I’m hurt, I’m sick, I’m injured – so what now?**

Littler Mendelson, Minneapolis, MN  
November 6, 2014

**When the Whistle Blows, Will You Be Ready?**

2014 State Conference - SHRM Minnesota State Council  
October 13, 2014

**Mental Illness Under the ADA and FMLA: Avoiding and Defending Claims**

Strafford Publications Inc.  
July 9, 2014

**Job Applicant Screening Crash Course**

2014 Upper-Midwest Employment Law Institute - Minnesota State Bar CLE, St. Paul, MN  
May 19, 2014

**The Hiring Games What You Need to Know to Keep the Odds in Your Favor**

Littler Mendelson, Minneapolis, MN  
October 30, 2013

**2012 Midwest Employer Conference**

Minneapolis, MN  
October 11, 2012

## **Managing Mental Health Issues: The Impact Of The ADA, W.C. And FMLA**

Littler Mendelson, Minneapolis, MN

October 11, 2012

## **Two-Part FMLA CLE Series: Managing Intermittent FMLA Leave and Post-FMLA Accommodation**

Minneapolis, MN

June 7, 2012

## **Recognition**

- Named, The Best Lawyers in America© , 2024-2025
- Named, Rising Star in Employment Litigation *Minnesota Law & Politics*

## **Education**

J.D., University of Minnesota Law School, 1999, *cum laude*

B.A., Michigan State University, 1995, *With Honors*

## **Bar Admissions**

Minnesota

Wisconsin

Iowa

## **Courts**

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 8th Circuit

U.S. District Court, Northern District of Iowa

U.S. District Court, Southern District of Iowa

U.S. District Court, Northern District of Illinois

U.S. District Court, Eastern District of Michigan

U.S. District Court, District of Minnesota

U.S. District Court, District of North Dakota

U.S. District Court, Eastern District of Wisconsin

U.S. District Court, Western District of Wisconsin

## **Publications & Press**

### **Many Changes Made to Minnesota's Employment Laws**

*External Publication*

August 2, 2024

**More Changes to Minnesota’s Employment Laws are Imminent**

*Littler ASAP*

June 7, 2024

**As employers consider strategies for adapting the size of their workforces to meet changing business demands and technologies, what guidance should be top-of-mind?**

*Littler 2 the Point Video*

November 13, 2023

**Big Changes to Minnesota’s Employment Laws Are Coming Soon**

*Littler ASAP*

May 18, 2023

**Minnesota Prohibits Discrimination Based on Hairstyles**

*External Publication*

February 15, 2023

**Minnesota Enacts the CROWN Act Prohibiting Discrimination Based on Natural Hair**

*Littler ASAP*

February 9, 2023

**Minnesota Expected to Pass CROWN Act Prohibiting Discrimination Based on Natural Hair**

*Littler ASAP*

January 17, 2023

**Minnesota Legalizes THC Products, Germinates New Drug-Free Workplace Issues**

*Littler ASAP*

August 19, 2022

**Iowa Supreme Court Clarifies Requirements for Employee Drug Testing**

*Littler ASAP*

July 15, 2021

**Severe or Pervasive Remains the Standard to Evaluate Claims of Sexual Harassment in Minnesota**

*Littler ASAP*

June 5, 2020

**Littler Appoints Susan Fitzke as Minneapolis Office Managing Shareholder**

*Press Release*

October 9, 2019

**Minneapolis Follows the State's Lead and Enacts its Own Wage Theft Ordinance**

*Littler ASAP*

August 12, 2019

**Is Your Arbitration Agreement in an Employee Handbook? The Eighth Circuit Issues a Reminder: Arbitration Agreements Must be Contracts**

*Littler ASAP*

July 22, 2019

**Restoring Decades-Old Precedent, the DOL Blows the Whistle on Fordham's "Fundamental Error"**

*Littler ASAP*

October 13, 2016

**The Mailbag**

*External Publication*

August 1, 2015

**NLRB's Relentless Attack On Employment Policies Continues**

*External Publication*

July 10, 2015

**NLRB's Relentless Attack On Employment Policies Continues**

*External Publication*

July 1, 2015

**Pregnancy Accommodations in Light of Young v. UPS Decision**

*External Publication*

June 1, 2015

**Is Early Termination OK When Employee Who is on FMLA Submits Her Resignation?**

*External Publication*

May 19, 2015

**The MWA: More Time - and More Protection - For Whistleblowers**

*External Publication*

May 1, 2015

**What Counts - And Doesn't - As Part of a "Personnel Record"**

*External Publication*

April 1, 2015

**Weigh EEOC Guidance When Considering Criminal Histories**

*External Publication*

March 1, 2015

**NLRB Narrows Employer Limitations on Workplace Communications**

*External Publication*

February 3, 2015

**NLRB Narrows Employer Limitations on Workplace Communications**

*External Publication*

February 1, 2015

**Job Applicant Screening: A Practical Guide**

*Minnesota State Bar Association*

May 2014

**How To: Background checks may be best left to the pros**

*In the News*

March 24, 2014

**Minnesota Enacts "Ban the Box Law" Prohibiting Employment Application Criminal History Checkmark Boxes and Restricting Criminal Record Inquiries Until After Interviews or Conditional Job Offers**

*Littler ASAP*

May 17, 2013