

EMMA J. SULLIVAN, Partner

Emma J. Sullivan is a partner in Jenner & Block's Chicago office and serves as the firm's associate general counsel. She also serves as co-chair of the Labor and Employment Practice and co-chair of the firm's Positive Work Environment Committee.

Employers seek her counsel in a wide range of employment matters, including employment discrimination, harassment, retaliation, wage/hour, employment contracts and severance agreements, and restrictive covenants. She has represented clients before federal, state and appellate courts, in arbitrations, and in administrative proceedings held before various federal and state agencies, including the Equal Employment Opportunity Commission and the Department of Labor. She provides counsel to employers on sensitive personnel matters, such as hiring, promotion, performance evaluation, compensation, leaves of absence, accommodations, drug and alcohol issues, discipline, and discharge. She counsels employers on reductions in force, exit incentive programs, statistical analyses of employment practices, and employment policies and practices. She assists with sensitive internal investigations, including investigations into claims of harassment, discrimination, and employee wrongdoing. She also provides training on topics including harassment, discrimination, retaliation, wage and hour issues, and managing workforces. Additionally, she advises employers on the labor and employment aspects of mergers and acquisitions.

Ms. Sullivan has an active pro bono practice, which includes providing employment counsel to non-profit entities.

Ms. Sullivan has authored numerous articles and publications related to her practice, including on the topics of waivers, employee background checks, discrimination, retaliation, employment class actions, and mandatory arbitration.

Community

- Chicago Cares
Volunteer, 2001-2002

Publications

- Co-Author, "May an Employer Require the Use of a Contact Tracing App?" *Westlaw*, May 27, 2020
- Co-Author, *Consumer Finance Observer* – Spring 2020, May 14, 2020
- Co-Author, Client Alert: May an Employer Require Its Employees to Use a Contact Tracing App?, April 27, 2020
- Co-Author, Client Alert: COVID-19 Workplace Impact – DOL Issues Additional Guidance on Employee Leave Rights Under the FFCRA, March 28, 2020



EMMA J. SULLIVAN Partner

PRONOUNS

She / Her

CHICAGO

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PRACTICE GROUPS

Aviation and Aerospace
Education
Labor and Employment
Litigation
Professional Responsibility
Trade Secrets and Restrictive Covenants

EDUCATION

University of Illinois College of Law, JD, 1999; *magna cum laude*; Order of the Coif; Winner, Rickert Scholarship Award; *Law Review*; Editor, University of Illinois School of Law Legislative Update, section of the *Illinois Bar Journal*

University of Illinois, BS, 1996; Cohn Scholar; James Scholar; Dean's List 1993-1996

ADMISSIONS

Illinois, 1999

COURT ADMISSIONS

US District Court, Northern District of Illinois

- Co-Author, Client Alert: COVID-19 Workplace Guidance – DOL Issues Guidance Regarding Expanded Family and Medical Leave and Sick Leave Under Families First Response Act, March 25, 2020
- Co-Author, COVID-19: "EEOC Updates Guidance on Disability Discrimination", March 21, 2020
- Co-Author, Client Alert: Financial Relief in Response to COVID-19, So Far... Episode I., March 20, 2020
- Co-Author, Guidance for Employers Addressing the Workplace Impact of COVID-19, March 19, 2020
- Co-Author, COVID-19 – "Employer Guidance for Addressing Possible Layoffs and Closures", March 18, 2020
- Client Alert: Seventh and Ninth Circuits Find That Class Action Waivers in Arbitration Agreements Violate National Labor Relations Act, Creating Circuit Split, August 25, 2016
- Recent Illinois Laws to Impact Employers: A Review of the Illinois Firearms Concealed Carry Act and Compassionate Use of Medical Cannabis Pilot Program Act, October 10, 2013
- Client Alert: Eighth Circuit Court Of Appeals Affirms Dismissal Of EEOC's Class Action Sexual Harassment Case Against CRST Van Expedited, Inc., March 7, 2012
- "Avoid Credit History Pitfalls When Making Employment Decisions," *Law.com*, March 17, 2011
- "Employees Bringing Disparate-Impact Claims Under the ADEA Continue to Face an Uphill Battle Despite the Supreme Court's Decisions in *Smith v. City of Jackson* and *Meacham v. Knolls Atomic Power Laboratory*," *ABA Journal of Labor & Employment Law*, March 2011
- "When Are Employees' Online Postings Fair Game?" *Law.com*, January 24, 2011
- Client Advisory: Sixth Circuit Reverses Lower Court's Finding That Releases Were Facially Retaliatory, November 1, 2006
- "The Pitfall of Releases," *The National Law Journal*, October 23, 2006
- "The Fall-Out from *Dukes v. Wal-Mart Stores, Inc.* — the Extent to Which Subjective Decision-Making Processes Are Susceptible to Class Treatment and How Employers Can Minimize Their Risk," *The Labor Lawyer*, July 29, 2006
- Client Advisory: Health Plan's Exclusion of Coverage for Contraceptives Violated Title VII and the Pregnancy Discrimination Act, July 4, 2006
- Client Advisory: Supreme Court Broadens Anti-Retaliation Standards, July 3, 2006
- Client Advisory: NLRB Rules That Mandatory Arbitration Clause Constituted Unfair Labor Practice, July 2, 2006
- Client Advisory: Court Confirms Arbitration Award Allowing Violent Employee To Return To Work, May 14, 2006
- Client Advisory: OFCCP Recovers Record \$45.2 Million In Benefits In 2005, February 10, 2006
- Congress Orders Bureau of Labor Statistics To Reinstate Data On Women's Workers In Payroll Survey, January 20, 2006
- California Jury Orders Wal-Mart To Pay \$172 Million For Meal Break Violations, January 1, 2006
- Termination Of Executive After Bankruptcy Sale Triggers Change In Control Provision In Employment Contract, August 14, 2004

Speaking Engagements

- Competitive Carriers Association Annual Convention, October 03, 2018
- American Liver Foundation, Leadership Conference, January 23, 2017
- NSLC Conference, Diversity & Inclusion Programs, February 19, 2016
- American Liver Foundation, Leadership Conference, February 09, 2016
- Annual Meeting of Credit Union General Counsel, Chicago, IL, May 02, 2012 to May 03, 2012
- Fleet Feet Leadership Conference, Managing Your Workforce, February 2011
- AgeOptions Conference, Employment Law Implications of Cutting Hours, Pay & Jobs, June 23, 2010