

## Jessica L. Marinelli

Shareholder

1900 Sixteenth Street  
Suite 800  
Denver, CO 80202  
main: (303) 629-6200  
direct: (303) 362-2841  
fax: (303) 629-0200  
jmarinelli@littler.com



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### Focus Areas

Investigations  
Training - Compliance, Ethics, Leadership  
Discrimination and Harassment  
Hiring, Performance Management and Termination  
Arbitration  
Policies, Procedures and Handbooks  
Audit Services  
Leaves of Absence and Disability Accommodation

### Overview

Jessica L. Marinelli has been in-house employment counsel and seconded to multinational publicly-traded corporations, which gives her unique insight into clients' goals and the many legal, practical and strategic interests they must often balance. She partners with employers of all sizes, nationwide, to create streamlined human resources (HR), legal and employment processes and proactively manage workforce issues throughout the lifecycle of employment, including:

- Advice and counsel on issues related to workplace investigations, attorney-client privilege, hiring, performance management, discipline and separation of employment, disability accommodation and leave of absence administration, Colorado Paid Sick Leave under the Healthy Families and Workplaces Act (HFWA)
- Organizational effectiveness/legal operations consulting and HR/legal program development designed to help companies not only achieve compliance with applicable employment laws, but also scale and grow efficiently, break down silos between internal stakeholders, and strategically use information learned through company compliance processes to drive value
- Innovation, including authoring Littler's Investigation Toolkit for Employers

- In-house compliance training for supervisors, managers and employees on conducting internal investigations, ethics and attorney-client privilege, harassment, discrimination, retaliation, bystander intervention, the Americans with Disabilities Act (ADA), and the Family and Medical Leave Act (FMLA)
- Multistate employment templates, agreements and communications for use throughout the employment relationship, such as offer letters, policies, handbooks, arbitration agreements, separation agreements, reduction in force documents, internal investigation resources and interactive process templates
- Discrimination, harassment and retaliation claims under federal, California and Colorado state law (including administrative agency charges before the EEOC, California CRD (formerly DFEH) and CCRD), including claims based on race, national origin, age, religion, pregnancy, sex, sexual orientation and disability
- California state wage and hour issues and DLSE claims, including claims involving minimum wage obligations, overtime wage compensation obligations, meal and rest break issues, reporting time pay, final wages and waiting time penalties

Jessica collaborates with clients to understand their goals and thinks strategically, practically and holistically to realize those goals. Her advice is not limited to what the law permits or requires – she also considers public relations, employee morale, and how her clients can make legal/HR operations more efficient and drive value. She crafts real-world solutions to workplace issues before they become litigation matters. However, when litigation does occur, she has represented clients in administrative complaint proceedings, arbitration, mediation and in court. She often works with clients in healthcare, senior living, Fintech, outdoor/recreation/sports, property management, transportation, hospitality, retail, and food and beverage, but she has experience in a wide array of industries.

An endearing and effective public speaker, Jessica regularly leverages her improv background to present fun, engaging and interactive in-house training sessions to managers and employees and bring employment law compliance concepts to life.

Prior to joining Littler, Jessica was a legal fellow for the U.S. House of Representatives in Washington, D.C., and she was a judicial extern for the Superior Court of California in Los Angeles. In law school, Jessica served as a senior editor of the *Washington University Law Review*.

## Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2022-2025
- Winner, Innovate 100 Competition, *Littler*, 2021
- Finalist, Wes Fastiff Ingenuity Award, *Littler*, 2020
- Dean's List, *Washington University in St. Louis School of Law*

## Education

J.D., Washington University in St. Louis, School of Law, 2010

B.A., University of Wisconsin, Madison, 2007, *With Honors and Distinction*

## **Bar Admissions**

California  
Wisconsin  
Colorado

## **Courts**

U.S. Court of Appeals, 9th Circuit  
U.S. District Court, District of Colorado  
U.S. District Court, Northern District of California  
U.S. District Court, Eastern District of California

## **Publications & Press**

### **How can companies conduct investigations more efficiently?**

*Littler 2 the Point Video*

July 12, 2022

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

*Littler Press Release*

January 6, 2022

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

*Littler Press Release*

August 19, 2021

### **Risky Business: EEOC Interprets ADA Coverage for Individuals at Higher Risk of Contracting COVID-19**

*Littler ASAP*

May 8, 2020

### **EEOC Says Employers Can Administer COVID-19 Tests Before Employees Can Come to Work**

*Littler ASAP*

April 25, 2020

### **Colorado Enters Its “Safer At Home” Phase of the COVID-19 Pandemic, But Many Municipalities Remain on Lockdown**

*Littler ASAP*

April 25, 2020

### **Littler Announces Winner of First Annual Wesley J. Fastiff Ingenuity Award**

*Littler Press Release*

January 22, 2020

**California AB 51 Bans Mandatory Employment Arbitration Agreements**

*ACC Docket*

November 12, 2019

**California AB 51 Bans Mandatory Employment Arbitration Agreements**

*Littler ASAP*

October 16, 2019

**Speaking Engagements**

**Conducting Lawful Investigations in the New Workplace**

Littler Executive Employer Conference, Phoenix, AZ

May 8, 2024

**2023 Rocky Mountain Regional Employer Conference**

Denver, CO

October 27, 2023

**Conducting Lawful Investigations in the Evolving Workplace**

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2023

**The Enduring Value of Employment Arbitration Agreements Under Attack**

Littler Executive Employer Conference

May 5, 2022

**Conducting Lawful Investigations in the Evolving Workplace**

Littler Executive Employer Conference

May 4, 2022

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

May 20, 2021

**Investigation Workshop Parts I and II**

Client Webinar

May 20-21, 2021

**Pay Equity and Related Gender Inequalities in the Workplace**

Client Webinar

May 17, 2021

**Conducting Efficient Remote Investigations in the COVID-19 Era**

Denver, CO

May 5, 2021

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

April 30, 2021

**Maintaining a Respectful Workplace: An Employee's and Manager's Guide to Understanding and Preventing Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation**

Client Webinar

April 29, 2021

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

March 31, 2021

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

March 18, 2021

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

March 4, 2021

**Arbitration Clauses in Other Agreements; and E-signature Considerations**

Littler Training

February 24, 2021

**Understanding FMLA, ADA, and the Accommodation Process**

Client Webinar

February 16, 2021

**Maintaining a Respectful Workplace: An Employee's and Manager's Guide to Understanding and Preventing Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation**

Client Webinar

January 13, 2021

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

December 1, 2020

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

November 11, 2020

**Understanding FMLA, ADA, and the Accommodation Process**

Client Webinar

November 9, 2020

**Understanding FMLA, ADA, and the Accommodation Process**

Client Webinar

October 26, 2020

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

October 9, 2020

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

September 2, 2020

**#NotYouToo: Conducting Investigation Interviews In The Aftermath of #MeToo and BLM**

Client Webinar

August 25, 2020

**Internal Investigations in the COVID-19 Era**

June 11, 2020

**#NotYouToo: Conducting Investigation Interviews in the Aftermath of #MeToo**

Client Webinar

June 10, 2020

**Compassionate and Compliant Downsizing: Critical Steps in COVID-19-Related Layoffs**

ICC Webinar

May 14, 2020

**The Compassionate Outplacement Series: Compliance Considerations for Human-Centered Layoffs and Furloughs:**

**Episode 5**

ICC Webinar

May 14, 2020

**Maintaining a Respectful Workplace: An Employer's Guide to Understanding and Preventing Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation**

Client Training Sessions, Centennial, CO

February 25-26, 2020

**Maintaining a Respectful Workplace: An Employer's Guide to Understanding and Preventing Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation**

Client Training Session, Broomfield, CO

February 4, 2020

**Joint Representation Jitters: Ethical Concerns for In-House and Outside Counsel in Representing Multiple Clients**

13th Annual Colorado ACC Ethics Day, Denver, CO

December 4, 2019

**#NotYouToo: Conducting Investigation Interviews in the Aftermath of #MeToo**

Client Workshop, Amelia Island, FL

November 5, 2019

**"Can We Fire 'Em?" Making Compliance Part of the Journey, Not the Destination**

DisruptHR, Denver CO

October 30, 2019

**Understanding FMLA, ADA, and the Accommodation Process**

Client Training Session, Oakland, CA

October 24, 2018

**Advanced Investigation Workshop: Parts 1 and 2**

Rocky Mountain Employer Conference, Denver, CO

October 4, 2019

**Understanding Disabilities and Reasonable Accommodations**

Client training session/Webinar

June 24, 2019

**Making Sure Your Cross-Border Internal Investigations Don't Get Lost In Translation**

Client training session, Boulder, CO

June 11, 2019

**Maintaining a Respectful Workplace: An Employer's Guide to Understanding and Preventing Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation**

Client Training Session, Englewood CO

June 6, 2019

**#NotYouToo: Conducting Investigation Interviews in the Aftermath of #MeToo**

Client Training Sessions, California

April 24 and 26, 2019

**Conducting Legal Investigations in the Wake of #MeToo**

Denver, CO

April 18, 2019

**Internal Investigations, Burning Questions and Lessons Learned**

Client Training Session, San Ramon, CA

April 11, 2019

**What Every Employee Should Know About a Workplace Free of Harassment and Retaliation**

Client Training Sessions, San Francisco, CA

November 2016

**A Supervisor's Guide to Understanding, Preventing and Correcting Bullying, Harassment, Discrimination and Retaliation**

Client Training Sessions, San Francisco, CA

March - November 2016

**What Every Employee Should Know About a Workplace Free of Harassment, Retaliation and Racial Insensitivity**

Client Training Sessions, San Francisco, CA

September 20, 2016

**A California Supervisor's Guide to Understanding, Preventing and Correcting Abusive Conduct, Sexual and Unlawful Harassment, Discrimination and Retaliation**

Client Training Sessions, San Francisco, CA

2014, 2016

**How to Conduct a Workplace Investigation**

Client Training Sessions, San Ramon, CA

April 9, 2015

**Legal Specialties: Labor and Employment Law**

1L Professional Conference - Washington University School of Law, St. Louis, MO

January 8-9, 2013



## **Books & Book Chapters**

- The National Employer, *Littler Mendelson and LexisNexis*, Collective Bargaining, Chapter 32, Chapter Editor, 2011