



## Brenda S. Kasper

### *Partner*

bkasper@paulplevin.com

#### PROFESSIONAL EXPERIENCE

- Paul, Plevin, Sullivan & Connaughton LLP, Partner, January 2010 - Present; Associate, March 2007 - December 2009
- Viejas Enterprises, Director, Human Resource Business Operations, 2005 - 2007
- Godfrey & Kahn, S.C., Milwaukee, Associate, Labor & Employment Team Wisconsin 2000 – 2005
- Michael Best & Friedrich LLP, Milwaukee, Wisconsin, Associate, Labor & Employment Practice Group, 1997 – 2000

#### EDUCATION

- University of Wisconsin – Madison Law School, J.D. 1997, *cum laude*
- Purdue University, B.A. 1994, *highest distinction, Phi Beta Kappa*

#### ADMISSIONS

- All California State Courts
- United States District Court; Central and Southern Districts
- All Wisconsin State Courts
- Eastern District Court of Wisconsin
- Seventh Circuit Court of Appeals
- Ninth Circuit Court of Appeals

Brenda Kasper has exclusively practiced management-side labor and employment law for over twelve years. She specializes in representing employers in all aspects of employment law, including litigation and providing counseling and transactional service to management and human resources professionals. Ms. Kasper has experience with both traditional labor law as well as all aspects of general employment law.

Ms. Kasper advises multi-state employers on a wide range of legal topics, including wage and hour compliance, agency audits, independent contractor issues, managing leaves of absence, ensuring compliance with disability discrimination laws, managing complex reductions in force and WARN Act compliance, in-house investigations, occupational safety and background checks, and advising on a myriad of issues under various state employment laws.

Ms. Kasper also provides management training on a wide variety of topics, including preventing workplace harassment, general management principles and best practices, managing employee leaves and disability issues, avoiding wage and hour claims, and the differences between California and federal employment laws for multi-state employers. She is a frequent speaker for the San Diego Employers Association, and she has traveled throughout the country speaking for various professional associations, including SHRM, and multi-state clients.

During her career, she has also litigated matters in state and federal court, as well as in administrative hearings. She has presented cases before the federal Occupational Safety and Health Commission, the Wisconsin Department of Workforce Development, and the National Labor Relations Board. She has extensive experience working with the EEOC to successfully mediate discrimination claims. She has also worked on a number of matters that became published decisions, including one before the Wisconsin Supreme Court.

She has also tried union arbitrations and NLRB unfair practice proceedings with excellent results. She has engaged in labor negotiations and has counseled multi-state employers on general union avoidance issues.

Ms. Kasper has authored a variety of legal and professional articles and has updated state bar publications.

#### SELECTED SPEAKING ENGAGEMENTS

- "Working Together to Prevent Workplace Harassment" (PPS&C seminars and customized client presentations) – ongoing
- "The 7 Habits of Frequently Sued Managers: How to Avoid Employee Lawsuits by Managing within the Law" (for several local employers) – ongoing
- "Time Off: Managing Employee Absences" (for several local employers) – ongoing
- "Equal Employment Affirmative Action Training" (for large San Diego-area health care employer) – July 2011
- "2011" Employment Law Update" (for East County Personnel Association) – June 2011
- "Managing within the Law and Employee Leaves and Absences" (for San Diego-based identity fraud protection company) – June 2011
- "Avoiding a Million-Dollar Mistake: Do You Understand the Brave New World of Disability Discrimination Law?" (for North California Chapter of the International Public Management Association) – March 2011
- "Employment Law Seminar" (for Vantaggio HR Ltd.) – March 2011
- "2011 Employment Law Update" (for San Diego Industry Liaison Group) – February 2011
- "Accommodating Mental Disabilities" (for San Diego Society for Human Resource Management) – January 2011
- "Leave and Attendance Modifications: When is a Leave Extension Required as a Reasonable Accommodation?" (for large San Diego-area health care employer) – November 2010
- "The Latest and Greatest in Employment Law 2010" (for San Diego County Bar Association) – November 2010
- "A Practical Guide to Reasonable Accommodation" (for Business Leadership Network) – November 2010
- "Avoiding a Million-Dollar Mistake: Do You Understand the Brave New World of Disability Discrimination Law?" (for California Public Employers Labor Relations Association) – November 2010
- "Beautiful Minds: Navigating Mental Disabilities in the Workplace" (for California Public Employers Labor Relations Association) – November 2010
- "A Primer on the Disability Discrimination Laws" (for large Southern California public sector employer) – November 2010 and December 2009
- "Hiring for the New Economy" (for PPS&C Annual Employment Law Update) – October 2010
- "Disability Discrimination: Avoiding a Million-Dollar Mistake" (for PPS&C 2010 Sizzling Summer Training Set) – September 2010
- "Independent Contractor? Volunteer? Understanding the Perils of Misclassification" (for PPS&C 2010 Sizzling Summer Training Set) – August 2010
- "HIPAA Training" (for locally-based wireless telecommunications research and development corporation) – July 2010
- "ERISA Round Table" (for MERCER, LLC) – June 2010
- "Successful Hiring: Legal Guidance and Best Practices for Identifying and Hiring the Best Candidate" (for locally-based leader in web, data and email security) – May 2010
- "Exempt? Independent Contractor? Understanding the Perils of Misclassification" (for Association of Corporate Counsel, San Diego Chapter) – April 2010
- "Speed Dating with a Lawyer" (for San Diego Society for Human Resources Management) – February 2010
- "Effective Habits of Successful Human Resource Professionals" (for locally-based leader in web, data and email security) – December 2009
- "Conducting Effective Workplace Investigations" (for major West Coast ship construction yard) – November and December 2009
- "A New Era of FMLA in 2009: Are You in Compliance?" (for California Public Employer Labor Relations Association) – November 2009
- "Managing Medical Crisis in the Workplace" (for PPS&C Annual Employment Law Update) – October 2009
- "LOA Booster Shot: Managing Leaves and Accommodating Requests" (for large San Diego-area health care employer) – July 2009

#### RECENT PUBLICATIONS

- "United States Supreme Court Permits Mandatory Arbitration of Federal Age Claims in the Union Context" – *Bender's California Labor & Employment Bulletin*, April 2009
- "Stimulus Package Creates New Employer Obligations Under COBRA" – *Bender's California Labor & Employment Bulletin*, March 2009
- Several PPS&C Employment Law E-Update articles

#### PROFESSIONAL ACTIVITIES

- Member, State Bar of California Labor and Employment Section
- Member, San Diego County Bar Association Labor and Employment Section
- Member, Society for Human Resource Management
- Member, San Diego Society for Human Resource Management
- Senior Human Resource Professional Certification, including California designation (SPHR-CA)