

Penelope J. Phillips

pPhillips@felhaber.com | (612) 373-8428 | Minneapolis Office



Ms. Phillips was a shareholder at Felhaber, Larson, Fenlon & Vogt through 2006 when she became Labor & Employment counsel for SUPERVALU INC., a national grocery and distribution chain. She rejoined the firm in September 2008.

Since 1990, Ms. Phillips has focused exclusively on counseling and representation of employers in all areas of employment law, including FMLA, wage and hour, discrimination (including gender, age, religion, disability, national origin, and race), defamation, whistleblower, breach of contract and wrongful discharge. Ms. Phillips also investigates complaints of employee misconduct (including harassment and offensive behavior). She has worked with and practiced before the state and federal courts, various state and federal agencies, including the Department of Labor, the Equal Employment Opportunity Commission, and state and local fair employment practices agencies.

Ms. Phillips is also a frequent teacher and trainer on employment issues. She provides ongoing training to employers, managers, human resource personnel and other lawyers on matters such as the FMLA, ADA, wage and hour laws, hiring and firing, sexual and unlawful harassment, discrimination, conducting investigations, alcohol and drug testing, and reductions-in-force. Ms. Phillips has spoken to companies and organizations throughout Minnesota, the Midwest, and the United States. Ms. Phillips is the author of the *2007 Wage & Hour Answer Book*, a guide for human resource professionals. Aspen Publishers is a leading information provider for attorneys, business professionals and law students.

Education:

- J.D., William Mitchell College of Law (magna cum laude), 1989
- B.A., St. John's College, Santa Fe, New Mexico, 1985

Related Experience:

- Labor & Employment Counsel, SUPERVALU INC. (2006-2008)
- Law Clerk to the Honorable Rosalie E. Wahl, Associate Justice, Minnesota Supreme Court (1989-1990)
- Staff Writer, William Mitchell Law Review, 1987-1988, Editor 1988-89

Bar Admissions:

- Minnesota State Bar, 1989
- North Dakota State Bar, 2004
- United States District Court, District of Minnesota, 1990
- United States Court of Appeals for the Eighth Circuit, 1991
- United States District Court, District of North Dakota, 1997
- United States Court of Appeals for the Sixth Circuit, 1999

Professional Activities and Memberships:

- Member, Hennepin County Bar Association, 1989-present
- Member, Minnesota State Bar Association, 1989-present
- Governing Council of the Labor & Employment Law Section, 1999-2006, Chair, 2005-2006
- Chair, Labor & Employment Accreditation Committee, Minnesota State Bar Association
- Member, Legal Services Advisory Council

Designations:

- Rated "AV" (highest rating) by Martindale Hubbell Legal Directory
- Named "Super Lawyer®" by *Minnesota Law & Politics*, 2004, 2005, 2006, 2007 & 2008

- Named Top 40 Employment Lawyers by *Minnesota Law & Politics*, 2007 & 2008
- Named to Top 100 Woman Lawyers by *Minnesota Law & Politics*, 2006, 2007 & 2008
- Named "Rising Star of Minnesota Law" by *Minnesota Law & Politics*, 1998
- Included in "Best Lawyers In America" for 2006-2007
- Rated one of America's Leading Lawyers by *Chambers & Partners USA*
- Included on Who's Who In Legal: USA Management Labour & Employment 2006

Teaching:

- Legal Writing, William Mitchell College of Law, 1991-1994, Compass Program, 2008
- Employers Education Service, Carlson School of Management, University of Minnesota, 1991-present

Article and Speaking Engagement Topics:

- "How to Conduct an Investigation"
- "The New FLSA Regulations"
- "FMLA in a Nutshell"
- "Reduction-in-Force and Severance Agreements"
- "Introduction to the ADA"
- "Discipline, Documentation, and Discharge"
- "The Workplace and Chemical Abuse"
- "Illegal Harassment: How to Recognize It and How to Respond to It"
- "Hiring in the Current Legal Environment"
- "Background and Reference Checks"
- "Handling the Problem Employee"
- "Employment and Technology: Computers, Internet, and Privacy"
- "How to Discipline and Discharge Without Litigation"
- "Discrimination in the Workplace"
- "Discrimination Issues: Application, Interview, Hiring"
- "Navigating the Leave Laws"
- "Conducting an Investigation"
- "Getting the Wage and Hour Issues Right — Auditing FLSA Practices"
- "Appearance and Grooming at Work"
- "English Proficiency at Work"
- "A Practical Guide to Drafting Employee Disciplinary Memos"

Felhaber, Larson, Fenlon & Vogt, P.A.
220 South Sixth Street • Suite 2200 • Minneapolis, MN 55402-4504
www.felhaber.com