



## Kathleen D. Parker

### Partner

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## OVERVIEW

Kathleen Parker is a partner in the firm's Labor, Employment, and Workplace Safety practice, and co-chair of the Boston office's Hiring Committee. Kathleen focuses her practice on counseling international and domestic businesses on various employment issues, including preparing and revising internal policies, navigating pre- and post-employment relationships, and properly classifying employees and contractors. She also regularly conducts discrimination and harassment prevention training for corporate clients, represents businesses in civil and administrative employment litigation matters, and conducts internal employment investigations on behalf of her clients. Kathleen is dedicated to working with her clients to achieve their business goals while also ensuring compliance with constantly evolving employment laws.

Kathleen's employment-related work is complemented by her significant experience representing clients in complex commercial disputes in both state and federal court, responding to inquiries from the Department of Justice and Securities and Exchange Commission, and conducting internal investigations in connection with government enforcement actions.

Kathleen is also passionate about providing pro bono clients with legal representation and frequently advises non-profit organizations in various ways, including drafting employee handbooks and policies and advising on hiring and termination-related matters. In 2018, *Massachusetts Lawyers Weekly* recognized Kathleen with an Excellence in the Law-Pro Bono Award for her pro bono work helping to secure the release of Fred Weichel, who was wrongfully imprisoned for more than 36 years for a crime he did not commit.

In addition to serving as co-chair of the Boston office's Hiring Committee, Kathleen is chair of the Boston office's chapter of the firm's Women in the Profession (WIP) Committee and a member of the Firmwide WIP Committee, US Local WIP Leadership Committee, and Professional Development Committee.

## PROFESSIONAL BACKGROUND

While in law school, Kathleen was a student lawyer in the Commercial Litigation Clinic where she represented a client at a Department of Unemployment Assistance hearing and obtained a favorable ruling. Prior to joining K&L Gates, Kathleen interned at Preservation of Affordable Housing and was a paralegal at a mid-sized law firm in Boston. She was a summer associate at K&L Gates in 2010.

In 2019, Kathleen successfully completed two Massachusetts Commission Against Discrimination (MCAD) courses – *Conducting Internal Discrimination Complaint Investigation* and *Train-the-Trainer: Preventing Workplace Discrimination & Harassment*.

## ACHIEVEMENTS

- Listed in *Best Lawyers: Ones to Watch® in America* for Commercial Litigation, 2022 - 2024; Labor and Employment Law - Management and Litigation-Labor and Employment, 2024
- Named to Massachusetts Super Lawyers Rising Stars list, 2021-2022
- *Massachusetts Lawyers Weekly*, Excellence in the Law - Pro Bono, 2018

## PROFESSIONAL / CIVIC ACTIVITIES

- Council Member, Boston Chamber of Commerce Talent Development and Retention Leadership Council (current)
- Steering Committee Member, Boston Bar Association Labor & Employment Law Section (2019-2022)
- Committee Member, Women's Bar Association Law Firm Advancement Committee (2019-2020)
- Mentor, Boston Bar Association Women's Leadership & Advancement Forum (2021)
- Career Transition Mentor, Boston Bar Association (2021)

In addition to the above, Kathleen is a longtime member of the Boston Bar Association, Women's Bar Association, and National Association of Women Lawyers.

## SPEAKING ENGAGEMENTS

- "Identifying Roadblocks to Diversity in Your Hiring Process," National Industry Liason Group 2023 National Conference, 1 August 2023
- Boston Bar Association, "Navigating a Remote and Hybrid Workforce," 30 November 2022
- "Achieving Pay Equity: Employer Best Practices for Conducting Pay Equity Self-Audits," Lawline webcast, 21 October 2022
- "Eliminating Glass Ceilings: Employer Best Practices for Achieving Equity in Promotions," Lawline webcast, 8 September 2022
- Boston Bar Association, "Substance Abuse, Alcoholism, and Mental Health Issues in the Workplace: Considerations with Respect to Accommodations and Employee Well-Being," 15 June 2021
- Endeavor, "Doing Business in the United States," 1 December 2020
- Boston Bar Association, "Understanding the Unsettled Joint Employment Landscape," 6 November 2020

- Boston Bar Association, “How Startups and Emerging Growth Companies Are Navigating Employment and Business Law Challenges in 2020,” 9 March 2020
- National Business Institute, “Is Your Employee Handbook Up to Date?: Essential Components and Sample Policies for Today's Workplace,” 13 November 2019
- National Business Institute, “Workplace Behavior and Privacy Issues,” 13 November 2019

## EDUCATION

- J.D., Boston College Law School, 2011 (*cum laude*)
- B.A., Boston College, 2006 (*magna cum laude*)

## ADMISSIONS

- Bar of Massachusetts
- United States Court of Appeals for the First Circuit
- United States District Court for the District of Massachusetts

## THOUGHT LEADERSHIP POWERED BY HUB

- 28 March 2024, Should Job Applicants Be Permitted to Use Artificial Intelligence?
- July 2023, What's Next for Employers Following the Supreme Court Affirmative Action Decision
- 30 June 2023, Practical Takeaways for Employers from the Supreme Court Affirmative Action Decision
- March 2023, What's on Deck? - Labor Department Regulatory Agenda Updates
- 12 March 2023, Silicon Valley Bank Collapse: Implications for Employers
- 20 February 2023, 2022 Health Care Employment Law Year in Review
- September 2022, What's on Deck? - Labor Department Regulatory Agenda Updates
- August 2022, New Risks of the Evolving Workforce – Labor, Employment, and Workplace Safety Issues
- 15 March 2022, U.S. Regulatory Agenda: The Latest Labor Updates
- 10 February 2022, 2021 Health Care Employment Law Year in Review
- 23 November 2021, The "Maine" Takeaway from the First Circuit's Decision to Uphold Maine's Healthcare Vaccination Mandate
- 20 August 2021, COVID-19: OSHA Further Updates Non-Healthcare Guidance to Encourage Vaccine Mandates, Strengthen Mask Recommendations, and Amend Suggested Policies for Vaccinated Workers

- 11 June 2021, COVID-19: Updated OSHA Guidance for COVID-19 and What It Means for Your Workplace
- 18 May 2021, COVID-19: Massachusetts to Lift Most COVID-19 Restrictions and End State of Emergency
- 16 February 2021, Employment Law Developments that will Impact the Health Care Industry in 2021
- 24 November 2020, District Court Judge Takes Narrow View of Preemption Under the Massachusetts Uniform Trade Secrets Act
- 14 September 2020, Federal Judge Strikes Down Department of Labor Joint Employer Rule
- 9 June 2020, COVID-19: Massachusetts Moves into Phase II of Reopening
- 20 May 2020, COVID-19: Massachusetts Adopts a Four-Phase Approach to Reopening Businesses
- 12 May 2020, COVID-19: Working with Third-Party Service Providers and Their Personnel for a Safer Reopening
- 4 May 2020, COVID-19: Massachusetts Announces Second Extension of Closures, Restrictions; Announces Reopening Advisory Board
- 29 April 2020, COVID-19: U.S. Employer Checklist: Re-opening Strategies and Return to Work Policies After COVID-19 Outbreak
- 6 April 2020, COVID-19: Massachusetts Extends Non-Essential Business Closures and Gathering Restrictions
- 25 March 2020, COVID-19: Massachusetts Closes Non-Essential Businesses and Further Limits Gatherings
- 19 March 2020, COVID-19: Massachusetts Enacts Emergency Bill to Waive One-Week Waiting Period for Unemployment Benefits for Workers Affected by COVID-19
- 2 March 2020, The National Labor Relations Board Issues Second in Trio of Agency Rules to Clarify Its Joint Employer Standard
- 27 January 2020, Employment Law in the Health Care Industry: 2019 Year in Review
- 17 January 2020, Department of Labor Issues Final Rule to Clarify Joint Employer Standard
- 16 May 2019, DOJ Revises Corporate Compliance Guidance Calling Attention to Three Areas Where Most Companies Fall Short: Risk Assessments, Compliance Culture, and Continuous Compliance Program Improvement

## OTHER PUBLICATIONS

- “Silicon Valley Bank Collapse: Implications for Employers,” *LexisNexis*, 2023
- “An Invisible Epidemic: Navigating Mental Health Issues in the Employment Relationship,” *American Health Law Association*, 2022

- “Choosing to Discriminate: When Patient Preference and Employee Rights Collide,” *American Health Law Association*, 15 November 2021

## NEWS & EVENTS

- 16 May 2023, Women in Manufacturing: Navigating 2023 Disruptors
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 15 June 2021, Substance Abuse, Alcoholism, and Mental Health Issues in the Workplace: Considerations with Respect to Accommodations and Employee Well-Being, hosted by the Boston Bar Association
- 5 March 2021, K&L Gates Names 31 New Partners Across Global Platform

## AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Appellate Litigation
- Commercial Disputes
- Employment Disputes and Investigations
- Employment Issues in Business Transactions
- Health Care and FDA
- Human Resource Advice and Compliance
- OFCCP and Affirmative Action Compliance
- Wage and Hour
- White Collar Defense and Investigations
- Workplace Safety

## INDUSTRIES

- Artificial Intelligence
- Technology

## REPRESENTATIVE EXPERIENCE

- Represented international manufacturing company in defense of federal wage and hour misclassification and retaliation action.
- Represented experiential learning educational organization in defense of Massachusetts wage and hour lawsuit.
- Advised numerous international companies in connection with onboarding and offboarding United States employees and independent contractors, including by drafting employment, termination agreements, and independent contractor agreements.
- Provided advice on policies, procedures and employee classification issues to non-profit organization focused on giving support to homeless children and children in the foster care system.
- Advised organizations on employment issues, including updating employee handbooks and completing anti-harassment and anti-discrimination trainings.
- Represented public broadcasting station and producer in connection with a variety of matters, including civil litigation, arbitration, mediation, and legal strategy. Representation included successfully defending against a multicount claim alleging tens of millions of dollars in damages.
- Represented local banks in connection with breach of contract, breach of good faith and fair dealing, negligence, and Mass. Gen. Laws. Ch. 93A claims and obtained favorable results in all cases.
- Represented public agency in connection with civil rights lawsuit.
- Represented independent public authority in declaratory judgment action brought by municipality in connection with the authority's development and use of land within the municipality. Representation included successful motion to dismiss.
- Represented leading provider of technology and infrastructure for the energy industry and its senior executives in a cross-border, multi-jurisdictional criminal investigation and civil arbitration.
- Represented public company in Foreign Corrupt Practices investigations by the Department of Justice and Securities and Exchange Commission.
- Represented international manufacturing and marketing company in connection with a Department of Justice investigation, which included overseeing the collection, review, and analysis of thousands of documents, interviewing key witnesses, and preparing presentations to the Department of Justice.
- Represented international financial services company in connection with an internal investigation to assess compliance issues.
- Successfully obtained the release from prison of a man serving a life sentence as a result of a wrongful murder conviction in the early 1980s.
- Co-author of pro bono amicus brief filed on behalf of the Boston Bar Association in the Massachusetts Supreme Judicial Court (SJC) in a matter concerning the rights due to a defendant under the Massachusetts

DNA testing statute and an issue concerning the attorney-client privilege (*Commonwealth v. Wade*, 475 Mass. 54 (2016)).