



Kathleen D. Parker

Partner

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OVERVIEW

Kathleen Parker is a partner in the firm's Boston office, where she is a member of the labor, employment & workplace safety practice group. 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 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, managing complex discovery for clients, responding to both formal and informal 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 reviewing employee handbooks and conducting employment audits. 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.

Kathleen is an active member of the firm's Women in the Profession Committee, serving as the co-chair of the Boston office's chapter.

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 midsized 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*.

PROFESSIONAL / CIVIC ACTIVITIES

- Steering Committee Member, Boston Bar Association Labor & Employment Law Section
- Career Transition Mentor, Boston Bar Association
- Member, Women's Bar Association Law Firm Advancement Committee

SPEAKING ENGAGEMENTS

- 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

- 20 April 2021, COVID-19 Vaccine Toolkit
- 16 February 2021, Employment Law Developments that will Impact the Health Care Industry in 2021 (*Alerts/Updates*)

- 24 November 2020, District Court Judge Takes Narrow View of Preemption Under the Massachusetts Uniform Trade Secrets Act (*Alerts/Updates*)
- 14 September 2020, Federal Judge Strikes Down Department of Labor Joint Employer Rule (*Alerts/Updates*)
- 9 June 2020, COVID-19: Massachusetts Moves into Phase II of Reopening (*Alerts/Updates*)
- 20 May 2020, COVID-19: Massachusetts Adopts a Four-Phase Approach to Reopening Businesses (*Alerts/Updates*)
- 12 May 2020, COVID-19: Working with Third-Party Service Providers and Their Personnel for a Safer Reopening (*Alerts/Updates*)
- 4 May 2020, COVID-19: Massachusetts Announces Second Extension of Closures, Restrictions; Announces Reopening Advisory Board (*Alerts/Updates*)
- 29 April 2020, COVID-19: U.S. Employer Checklist: Re-opening Strategies and Return to Work Policies After COVID-19 Outbreak (*Alerts/Updates*)
- 6 April 2020, COVID-19: Massachusetts Extends Non-Essential Business Closures and Gathering Restrictions (*Alerts/Updates*)
- 25 March 2020, COVID-19: Massachusetts Closes Non-Essential Businesses and Further Limits Gatherings (*Alerts/Updates*)
- 19 March 2020, COVID-19: Massachusetts Enacts Emergency Bill to Waive One-Week Waiting Period for Unemployment Benefits for Workers Affected by COVID-19 (*Alerts/Updates*)
- 2 March 2020, The National Labor Relations Board Issues Second in Trio of Agency Rules to Clarify Its Joint Employer Standard (*Alerts/Updates*)
- 27 January 2020, Employment Law in the Health Care Industry: 2019 Year in Review (*Alerts/Updates*)
- 17 January 2020, Department of Labor Issues Final Rule to Clarify Joint Employer Standard (*Alerts/Updates*)
- 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 (*Alerts/Updates*)
- Fall 2015, Changing Venue in Criminal Cases: Lessons from the Tsarnaev Trial (*Articles*)

NEWS & EVENTS

- 5 March 2021, K&L Gates Names 31 New Partners Across Global Platform (*Press Release*)

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety

- Appellate Litigation
- Complex Commercial Litigation and Disputes
- Employment Disputes and Investigations
- Employment Issues in Business Transactions
- Health Care and FDA
- Human Resource Advice and Compliance
- Investigations, Enforcement, and White Collar
- Wage and Hour
- Workplace Safety

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)).