



Amy L. Groff

Partner, Vice Chair of Firmwide Pro Bono Committee

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OVERVIEW

Amy Groff oversees the firm's pro bono program, which includes local and global initiatives and projects aimed at increasing access to justice and providing representation for a broad range of pro bono clients. Over the years, her practice has involved employment law, general civil and commercial litigation, appellate work, and a variety of pro bono matters. She also helped to launch the firm's global ethical supply chain group, which works with companies to mitigate risks associated with human trafficking, forced labor, and child labor in their global supply chains.

PROFESSIONAL BACKGROUND

Amy worked as an investigator for the U.S. Department of Labor, Wage and Hour Division from 1997 to 2003. In that role, she enforced federal laws such as the Family and Medical Leave Act, Fair Labor Standards Act, Migrant and Seasonal Agricultural Worker Protection Act, and prevailing wage statutes for government contracts. Amy participated in several national and joint-agency initiatives and received the Secretary of Labor's Exceptional Achievement Award for that work.

PROFESSIONAL / CIVIC ACTIVITIES

- Pennsylvania Bar Association, Legal Services to the Public Committee
- Pennsylvania Bar Association, Civil Litigation Section (Chair, 2012-2013; Chair-elect, 2011-2012; Vice Chair, 2010-2011; Secretary, 2009-2010; Treasurer, 2008-2009; Council member, 2007-2014; Section member, 2007-2021)
- Dauphin County Bar Association, Nonprofit Initiative
- Association of Pro Bono Counsel
- United Way of the Capital Region - Women's Leadership Network
- Widener University Commonwealth Law School Mentoring Program (as needed)
- Pennsylvania Chamber of Business and Industry, Labor and Employment Work Group (2015-2020)

- K&L Gates Women in the Profession Committee (2014-2020)
- Recipient of “Women Making a Difference” recognition by Pennsylvania Business Central's *Women in Business* publication (2018)
- Tree of Life Lutheran Church, President (2015); Council member (2012-2015)
- *Central Penn Business Journal* Forty Under 40 Award Recipient (2014)
- Hon. William W. Lipsitt Inn of Court - founding member (2011-2012)
- *Civil Litigation Update*, Pennsylvania case notes editor (2008-2012)

SPEAKING ENGAGEMENTS

Amy Groff has lectured on various employment law, ethical supply chain, and pro bono-related topics, and she has participated in seminars for the firm and industry groups. The following are some examples:

- Pennsylvania (PBA) Free Legal Answers and Legal Aid, Pennsylvania Legal Aid Network's Virtual Statewide Conference, October 2021.
- Employment Law and COVID-19, Pennsylvania Aggregates and Concrete Association Webinar, April 2020.
- Modern Slavery Laws and Ethical Supply Chains: Tracking Global Trends and Preparing Your Business to Comply, Webinar, May 2019.
- Federal Acquisition Regulation Combatting Trafficking in Persons, Reston, VA, May 2019.
- Global Ethical Supply Chains: What Officers, Directors, and Counsel of International Oil Companies Should Know, Panel, Houston, April 2019.
- Current DOL & EEOC Policy: A Review of Recent Trends to Protect Your Business, Asian American Hotel Operators Association Webinar, March 2019.
- Emerging Issues in the Modern Workplace: Sexual Harassment, Independent Contractors and Supply Chain Risk, Central PA Chapter of Association of Corporate Counsel Seminar, August 2018.
- Stopping Traffick: Are There Slaves in Your Supply Chain?, Podcast, August 2018.
- Conversation to Action: Preventing Sexual Harassment through Legally Sound Policies and Practices, Washington, D.C., May 2018.
- Managing Global Employment and Social Responsibility Risks in the Modern Workplace, Webinar, December 2017.
- Global Supply Chain Risk: Corporate Exposure for Human Trafficking, Forced Labor and Human Rights Abuses, Webinar, October 2017.
- Working Wise: Tackling Risks Related to Forced Labor, Child Labor and Human Trafficking in Supply Chains, Podcast, October 2017.

- Ransomware: Why You Should Care, Central PA Chapter of Association of Corporate Counsel Seminar, August 2017.
- Employment Law Developments, Women in Energy Conference, Houston, April 2017.
- Labor, Employment and Workplace Safety: 2016 Year in Review and 2017 Outlook, Webinar, January 2017.
- Website Accessibility: Did You Know?, Webinars, November and December 2016.
- Discrimination and Leave Issues in the Hospitality Industry, Webinar, July 2016.
- DOL's Final Rule on White-Collar Overtime Exemptions, American Association of Advertising Agencies Webinar, July 2016.
- Implementing USDOL's New Minimum Salary Requirements for White-Collar Exemptions, Webinar, June 2016.
- Leveraging the USDOL's Proposed White-Collar Exemption Changes: What Employers Should Be Doing Now, Webinar, April 2016.
- Assessing Independent Contractor Relationships: Can They Survive the USDOL's Interpretation? Webinar, September 2015.

In addition, Amy testified before the Pennsylvania Senate Labor & Industry Committee in August 2016, regarding proposed amendments to the Pennsylvania Human Relations Act.

She was interviewed and quoted in the Bloomberg Law article entitled, "Human Trafficking Bridges Pro Bono, Billable Divide at Law Firm" (July 31, 2018); the Meeting Professionals International article entitled, "A Duty to Deter Human Trafficking" (Sept. 21, 2018); and the Bloomberg Law (Federal Contracting News) article entitled, "Human Trafficking Case Could Increase Supply Chain Stress" (Dec. 28, 2018).

EDUCATION

- J.D., Widener University Commonwealth Law School, 2004 (*Valedictorian; Internal Managing Editor, Widener Law Journal*)
- B.A., Indiana University, 1997 (*with distinction; Phi Beta Kappa*)

ADMISSIONS

- Bar of Pennsylvania
- United States Court of Appeals for the Sixth Circuit
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for Veterans Claims
- United States District Court for the Eastern District of Pennsylvania

- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Western District of Pennsylvania

THOUGHT LEADERSHIP *POWERED BY HUB*

- April 2024, ESG and the Sustainable Economy Handbook
- 24 June 2021, White House Chooses Exclusion of Silica-Based Products Produced Using Forced Labor, Impacting Solar PVs
- 16 February 2021, Litigation Minute: How to Prepare for a Virtual Deposition
- 30 November 2020, The New Australian Modern Slavery Register
- 14 September 2020, Federal Judge Strikes Down Department of Labor Joint Employer Rule
- 13 April 2020, Pennsylvania Superior Court Holds that a Court Cannot Compel Production of Allegedly Privileged Materials for "Attorneys' Eyes Only"
- 2 March 2020, The National Labor Relations Board Issues Second in Trio of Agency Rules to Clarify Its Joint Employer Standard
- 17 January 2020, Department of Labor Issues Final Rule to Clarify Joint Employer Standard
- 26 November 2019, K&L Gates Working Wise: Recent Supreme Court of Pennsylvania Ruling on Fluctuating Workweek Method of Calculating Overtime
- 2 July 2019, Stopping Traffick: What U.S. Government Contractors Need to Know
- 24 June 2019, Dutch Legislature Passes Mandatory Child Labor Diligence Law with the Potential to Impact Multinational Companies Around the World
- May 2019, Modern Slavery Laws and Ethical Supply Chains: Tracking Global Trends and Preparing Your Business to Comply
- 2 April 2019, Modern Slavery and Transparency Legislation in the U.S. – States May Follow Suit
- 2 August 2018, Stopping Traffick: Are There Slaves in Your Company's Supply Chain?
- 9 May 2018, U.S. Supreme Court Rejects Corporate Liability for International Human Rights Violations
- 30 January 2018, Top 10 Tips for an Ethical Supply Chain in 2018
- December 2017, Managing Global Employment and Social Responsibility Risks in the Modern Workplace
- 17 October 2017, Working Wise: Tackling Risks Related to Forced Labor, Child Labor and Human Trafficking in Supply Chains
- 9 June 2017, DOL Withdraws Administrator's Interpretations on Joint Employment and Independent Contractors

- 26 January 2017, Third Circuit Recognizes Disparate Impact Age Claim for 50-and-Older Subgroup of Employees
- 8 December 2016, Fifth Circuit Expedites DOL's Appeal Involving Overtime Rule
- 23 November 2016, Federal Judge Blocks DOL Overtime Rule Implementation
- 16 September 2016, Considerations for Construction Industry Employers as They Continue to Prepare for New Salary Thresholds Under White-Collar Overtime Exemptions
- 16 September 2016, Considerations for Oil and Gas Industry Employers as They Continue to Prepare for New Salary Thresholds Under White-Collar Overtime Exemptions
- 16 September 2016, Considerations for Construction Industry Employers as They Continue to Prepare for New Salary Thresholds Under White-Collar Overtime Exemptions
- 12 February 2016, Department of Labor Announces Broad Interpretation of Joint Employment
- 2 September 2015, DOL Issues New Guidance on Independent Contractors
- 23 July 2015, DOL Issues New Guidance on Independent Contractors
- 11 May 2015, Sixth Circuit Sides with Ford Motor Company in ADA Telecommuting Case

OTHER PUBLICATIONS

- "Platforms Like Uber and the Blurred Line Between Independent Contractors and Employees," *Computer Law Review International*, 2015
- "Proceed With Caution When Limiting Employee Communications," *American Society of Association Executives*, 22 June 2015
- Internet Gaming: The Role of the Dormant Commerce Clause, *Casino Lawyer*, Winter 2006.
- Do State Bans on Internet Gambling Violate the Dormant Commerce Clause?, *Gaming Law Review*, Volume 10, Number 3, 2006.

NEWS & EVENTS

- 17 May 2023, K&L Gates Receives TrustLaw Impact Award for Role in Pre-Trial Detention Survey
- 13 September 2021, K&L Gates Releases ESG and the Sustainable Economy Handbook

AREAS OF FOCUS

- Appellate Litigation
- Commercial Disputes

- Corporate Sustainability
- Employment Disputes and Investigations
- Employment Issues in Business Transactions
- Human Resource Advice and Compliance
- Wage and Hour

INDUSTRIES

- Artificial Intelligence
- Technology

EMERGING ISSUES

- Environmental Social Governance (ESG)

REPRESENTATIVE EXPERIENCE

Appellate

- Pennsylvania Supreme Court appeal involving issue of first impression under Pennsylvania Minimum Royalty Act
- Third Circuit appeal involving oil and gas lease dispute
- Third Circuit appeal involving improper lay witness testimony as to prospective damages
- Appeal in Oregon Court of Appeals involving wage and hour class action
- Appeal in Arizona Court of Appeals involving security interest in produce
- Appeal in Texas Court of Appeals involving economic loss rule

Trial Court Litigation

- Defense of employment discrimination claims
- Defense of FMLA interference and retaliation claims
- Contract disputes
- Construction litigation
- Non-compete/restrictive covenant litigation
- Defense of ADA accessibility claims
- Defense of litigation involving negligence claims, product liability, and workplace accidents

- Defense of class/collective actions involving oil and gas royalties, claims for breach of warranty and unfair trade practices, and wage and hour claims

Pro Bono Work

- Third Circuit appeals involving habeas petitions
- Pennsylvania Superior Court appeal involving protection from abuse order
- Litigation in federal district court to declare city ordinance unconstitutional
- Assistance in obtaining U visa for victim of violence and her daughter
- Motion to quash subpoena seeking documents protected by Violence Against Women Act
- Multi-jurisdictional research projects involving issues related to human trafficking, online sexual exploitation of children, and international humanitarian law
- Research on anti-stalking laws for non-profit organization's advocacy efforts
- Preparation of alternative dispute resolution framework for use in Asia
- Internal investigation for non-profit organization
- Employment law advice, policies, handbooks, and trainings for non-profit organizations
- Clinics involving preparation of wills and driver's license restoration
- Screening and intake for Cyber Civil Rights Legal Project
- Advocacy for victim of online postings of non-consensual photos
- Federal jury trial on behalf of individual pro bono client
- Appeals involving denial of benefits in U.S. Court of Appeals for Veterans Claims