

Susan K. Lessack

Partner

Berwyn Philadelphia

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Susan is an experienced, well-regarded employment attorney who represents employers on matters related to compliance with federal and state employment laws.

OVERVIEW

Susan focuses her practice on employment counseling and employment litigation. She counsels employers on compliance with federal and state employment laws, including hiring, discipline, medical leaves and separations; conducting investigations of employee conduct, including harassment; negotiating and drafting employment and separation agreements and developing employment policies. She also defends employers in litigation of employment discrimination claims, wrongful discharge claims, and claims under federal and state employment-related statutes such as the Family and Medical Leave Act, the Fair Labor Standards Act and state wage payment and collection laws.

Susan writes and speaks extensively about developments in employment law, including harassment, discrimination and performance management.

REPRESENTATIVE MATTERS

- Counsels clients about employment issues caused by COVID-19, including advice regarding return to work issues.
- Assists clients in making decisions affecting employees that are in compliance with employment laws.
- Conducts audits of human resources policies and procedures.
- Defends litigation and administrative claims based on race, gender, religion, national origin, age and disability.
- Advises clients concerning the appropriate classification of workers as employees or independent contractors and prepares independent contractor agreements.
- Negotiates and drafts employment and separation agreements.
- Counsels clients on issues relating to employee wellness programs.
- Advises clients regarding the enforceability of restrictive covenant agreements.
- Conducts investigations of employee harassment and advises clients regarding the remediation of sexual and other harassment claims.
- Counsels clients concerning the design and implementation of reductions in force.

- Investigates data breach incidents involving employees.
- Counsels clients regarding the proper classifications of employees under the Fair Labor Standards Act.

AWARDS

- *Best Lawyers in America®*: Litigation – Labor and Employment (2024)
- Thomson Reuters Stand-out Lawyer (2018-2021) – independently rated lawyers
- *Benchmark Labor & Employment*: Labor & Employment Star–Northeast (2018); Labor & Employment Star (2019); *Benchmark Litigation – United States*: Labor & Employment Star (2021, 2023)

TOP AREAS OF FOCUS

- Independent Contractor Misclassification + Compliance
- Labor + Employment

ALL AREAS OF FOCUS

- Government Contracts
- Immigration
- Independent Contractor Misclassification + Compliance
- Labor + Employment
- Privacy + Cyber
- Private Equity

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, American Bar Association's Labor and Employment Law Section
- Member, Labor and Employment Section, American Health Lawyers Association

EDUCATION AND CERTIFICATIONS

EDUCATION

- The George Washington University Law School, J.D., *highest honors*, 1988, Order of the Coif; associate, *The George Washington University Law Review*
- The George Washington University, B.B.A., *with distinction*, 1983, personnel management, member, Beta Gamma Sigma (business honor society)

BAR ADMISSIONS

- Pennsylvania

COURT ADMISSIONS

- U.S. Court of Appeals, Third Circuit (1988)
- U.S. District Court, Eastern District of Pennsylvania (1988)

PUBLICATIONS

- Co-author, "Checklist of Considerations: Transactions During the Pandemic and After," *Troutman Pepper*, March 16, 2021.
- Co-author, "What Does the \$1.9 Trillion American Rescue Plan Mean for Employers?" *Troutman Pepper*, March 12, 2021.

MEDIA COMMENTARY

- Quoted, "New Accessibility Rule Could Impact Employees with Disabilities," *SHRM*, August 16, 2023.
- Quoted, "Politics and Election Day Employer Practices and Rights," *Small Business Association of Michigan*, October 15, 2020.
- Quoted, "Ruling Overturning Provisions of Family Virus Act Murky," *Business Insurance*, August 11, 2020.
- Quoted, "Timing Can Be Everything When Defending Retaliation Suits," *Business Insurance*, April 23, 2019.
- Quoted, "Calif. Bill Floated to Undo Dynamex Worker Classification Test," *Law360*, December 6, 2018.