

# Snell & Wilmer

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## Jennifer R. Yee

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### Main Bio

***Jennifer Yee is passionate about solving complex problems for clients driven to succeed.***

Jennifer's practice is concentrated in labor and employment law and commercial litigation. Her litigation experience includes federal and state court practice in a variety of employment-related issues. Jennifer has assisted her clients in defending against wrongful termination, wage and hour, discrimination, harassment, and retaliation claims under numerous state and federal laws. She also assists employers with respect to investigations by government agencies including the Equal Employment Opportunity Commission, the Department of Labor, and the National Labor Relations Board. Jennifer advises clients across a spectrum of industries such as construction, insurance, retail, hospitality, technology, financial services, healthcare, start-ups, and non-profits.

Jennifer also drafts employment-related agreements, handbooks, and policies and has worked with employers to enforce restrictive covenants and confidentiality agreements. Jennifer also enjoys advising clients on a wide variety of compliance issues under federal, state, and local employment regulations.

Jennifer receives broad recognition for her business and legal skills including AZ Business Magazine's Most Influential Women in Arizona Business recognition and The Best Lawyers in America®: Ones to Watch designation. Within the community, Jennifer enjoys providing pro bono counseling services through the Volunteer Lawyers Program and is an active member of Kiwanis International.

Jennifer is also a frequent presenter and publisher on trending labor and employment issues for clients, industry groups, and community organizations.

### Representative Experience

- Represented construction contractor, supply chain company, and national retailer in subpoena enforcement actions and discrimination, harassment, and retaliation lawsuits brought by the U.S. Equal Employment Opportunity Commission
- Represented national healthcare organization in wrongful termination and discrimination lawsuit under the ADA and FMLA, which culminated in two-week jury trial
- Represented international hospitality company in constructive discharge/wrongful termination lawsuit under the Arizona Employment Protection Act which culminated in a one-week jury trial

- Conducted internal investigations for start-up companies, financial institutions, healthcare organizations, retailers, and non-profit organizations regarding allegations of misconduct by officers and/or employees
- Represented construction contractors, a financial institution, and an automobile parts company in putative class actions and/or lawsuits by the U.S. Department of Labor alleging failure to pay wages under the Fair Labor Standards Act

## Education

- University of Southern California, Gould School of Law (J.D.)
  - Order of the Coif
  - Senior Notes Submissions Editor, Southern California Law Review
- University of Arizona (B.A., Political Science and Spanish Literature, *summa cum laude*)
  - Dean's List
  - President's Academic Scholarship
  - Universidad SEK, Segovia, Spain, Study Abroad Program

## Professional Memberships & Activities

- State Bar of Arizona, Labor & Employment Section
  - CLE Committee (2014-present)
  - Executive Council (2019-present)
- Arizona Women Lawyers Association (AWLA)
- Ladder Down Graduate (2018)
  - Ladder Down Alumni Facilitator (2019-present)
- Snell & Wilmer Summer Associate Committee (2014-2016)
- Snell & Wilmer Hiring Committee (2016-2022)
- Snell & Wilmer Expanded Hiring Committee (2022-present)

## Representative Presentations & Publications

- "[Federal EEO Law Recent Developments](#)," Co-Author, AZ Attorney Magazine (January 2024)
- "Legal Update Panel," Co-Presenter, AZSHRM 2023 Annual State Conference (September 1, 2023)
- "[DOL Working Overtime To Increase Salary Exemption Threshold](#)," Co-Author, Snell & Wilmer Legal Alert (August 31, 2023)
- "How to Effectively Work with Attorneys and Experts in Litigation Matters," Co-Presenter, AZSHRM 2023 Annual State Conference (August 30, 2023)
- "Employment Law Update: How to Avoid Common and Costly Mistakes with Your Employees," Presenter, Arizona Hispanic Chamber of Commerce (August 8, 2023)
- "Employment Law Update: NLRB Guidance on Confidentiality, The PUMP Act, FTC Updates and Changes at the DOL" Presenter, Snell & Wilmer Virtual CLE Series (June 6, 2023)
- "Practical Guide to Employee Compensation Issues," Co-Presenter, SHRM Greater Phoenix West Valley Chapter Meeting (March 16, 2023)

- "Labor & Employment Update: HR Best Practices, Wage and Hour & Union Organizing," Presenter, Association of Corporate Counsel CLE (January 17, 2023)
- ["FTC Proposes Ground-Breaking Rule Banning Non-Compete Clauses in Employment Contracts Nationwide,"](#) Co-Author, Snell & Wilmer Legal Alert (January 6, 2022)
- ["Congress Expands Pregnant and Nursing Worker Protections in the New Year,"](#) Co-Author, Snell & Wilmer Legal Alert (January 5, 2023)
- ["Federal Equal Employment Opportunity Law: Recent Developments,"](#) Co-Author, Arizona Attorney Magazine (January 2023)
- "New Lawyer Bootcamp: Lessons Learned," Co-Presenter, State Bar of Arizona (November 21, 2022)
- "How to Effectively Work with Attorneys and Experts in Litigation Matters," Presenter, AZSHRM 2022 Annual State Conference (September 7, 2022)
- ["Two More States Enact CROWN Act Laws Prohibiting Discrimination Based on Hair Texture and Style,"](#) Author, Snell & Wilmer Labor and Employment Law Blog (August 3, 2022)
- ["Federal Equal Employment Opportunity Law,"](#) Co-Author, Arizona Attorney Magazine (January 2022)
- ["U.S. Supreme Court To Review Vaccine Mandates,"](#) Co-Author, Snell & Wilmer Legal Alert (December 23, 2021)
- ["Federal OSHA Emergency Temporary Standard: What Does it Mean for Employers and Those Located in State Plan States?"](#) Presenter, American Society of Safety Professionals, Arizona Chapter (December 3, 2021)
- "Arizona Round Up," Co-Presenter, 2021 Employment Law Tool Kit Two-Part Webinar Series: Session 2: More Issues for All Employers and State-Specific Updates (November 18, 2021)
- "COVID-19 Vaccines in the Workplace," Co-Presenter, 2021 Employment Law Tool Kit Two-Part Webinar Series: Session 2: More Issues for All Employers and State-Specific Updates (November 18, 2021)
- ["Sixth Circuit Wins ETS Lottery and OSHA Suspends ETS-Related Activities,"](#) Co-Author, Snell & Wilmer Legal Alert (November 17, 2021)
- "COVID-19 Vaccination and Testing: Emergency Temporary Standard," Co-Presenter, 2021 Federal OSHA Emergency Temporary Standard Webinar (November 10, 2021)
- ["OSHA's Vaccination and Testing ETS Suspended,"](#) Co-Author, Snell & Wilmer Legal Alert (November 8, 2021)
- ["COVID-19 Vaccination and Testing ETS,"](#) Co-Author, Snell & Wilmer Legal Alert (November 5, 2021)
- ["Arizona Attorney General to Sue Over Federal COVID-19 Vaccine Rules,"](#) Quoted, FOX 10 Phoenix (November 4, 2021)
- "Employment Law Update," Presenter, Arizona Total Rewards Association (November 4, 2021)
- ["Dip in COVID-19 Cases May Lead to Increased Vaccine Resistance,"](#) Quoted, HR Magazine (October 21, 2021)
- "Restrictive Covenants: Key Takeaways from Arizona Cases," Co-Presenter, State Bar of Arizona Fall CLE Seminar (October 21, 2021)
- "Employment Law Update," Co-Presenter, Human Resources Executive Summit and Retreat (October 19, 2021)
- "COVID-19 Vaccines in the Workplace: What Employers Need to Know," Presenter, Western Pension & Benefits Council (September 21, 2021)

- "Mistakes to Avoid in Employee Handbooks," Co-Presenter, State Bar of Arizona Webinar (September 10, 2021)
- "[NLRB General Counsel Memorandum Reveals New Enforcement Strategy Affecting All Employers](#)," Author, Snell & Wilmer Legal Alert (August 20, 2021)
- "[President Biden Issues Executive Order Encouraging Federal Rule Makers to Limit or Ban Non-Competes](#)," Co-Author, Snell & Wilmer Legal Alert (July 19, 2021)
- "2021 Employment Law Update: How to Avoid Common and Costly Mistakes with Your Employees," Presenter, Better Business Bureau Empower Entrepreneur Program (March 2, 2021)
- "[Federal Equal Employment Opportunity Law – Recent Developments](#)," Co-Author, Snell & Wilmer Labor and Employment Law Blog (January 5, 2021)
- "[Recent Developments in Federal Equal Employment Opportunity Law](#)," Co-Author, Arizona Attorney Magazine (January 2021)
- "[Can Companies Use the Outside Sales Exemption During a Pandemic?](#)" Co-Author, Snell & Wilmer Alert (December 10, 2020)
- "Vaccines and Testing: Employee Rights and Employer Obligations," Presenter, 2020 Employment Law Tool Kit Three-Part Webinar Series: Session 3: Even More Issues for All Employers (November 16, 2020)
- "[DOL Updates Its Coronavirus Paid Leave Regulations](#)," Co-Author, Snell & Wilmer Legal Alert (September 18, 2020)
- "[President Trump's Four Executive Actions Extend Certain Coronavirus Relief Programs, but Create Legal Uncertainty](#)," Co-Author, Snell & Wilmer Legal Alert (August 11, 2020)
- "[Court Rules That DOL Exceeds Authority in Its Coronavirus Paid Leave Regulations](#)," Co-Author, Snell & Wilmer Legal Alert (August 7, 2020)
- "[SBA Publishes PPP Flexibility Loan Forgiveness Interim Final Rule and Updated Applications](#)," Co-Author, Snell & Wilmer Legal Alert (June 23, 2020)
- "[Modernizing the FLSA: DOL Gives the 7\(i\) Exemption a Makeover](#)," Co-Author, Snell & Wilmer Legal Alert (June 17, 2020)
- "[Congress Adds More Flexibility to Paycheck Protection Program](#)," Co-Author, Snell & Wilmer Legal Alert (June 4, 2020)
- "[SBA Publishes Loan Forgiveness Interim Final Rule](#)," Co-Author, Snell & Wilmer Legal Alert (May 27, 2020)
- "[SBA Publishes Loan Forgiveness Application for Paycheck Protection Program](#)," Co-Author, Snell & Wilmer Legal Alert (May 18, 2020)
- "[Employees' Refusal to Work Over Coronavirus Concerns](#)," Co-Author, Snell & Wilmer Legal Alert (May 14, 2020)
- "[The DOL Updates Its Model Notice of Employee Rights Under the Families First Coronavirus Response Act](#)," Co-Author, Snell & Wilmer Legal Alert (March 27, 2020)
- "[Practical Guidance for Employers Grappling with the Coronavirus Threat](#)," Co-Author, Snell & Wilmer Legal Alert (March 2, 2020)
- "[U.S. Department of Labor Issues New Rule Clarifying Exclusions from Overtime Calculation](#)," Co-Author, Snell & Wilmer Legal Alert (December 13, 2019)
- "Creating Trust Through First Impressions CLE," Panelist, ASU Law Group (October 17, 2019)

- "[U.S. Department of Labor Issues Final Salary Threshold Rule, Effective January 1, 2020](#)," Co-Author, Snell & Wilmer Legal Alert (September 24, 2019)
- "[Common and Costly Employer Mistake: Not Paying Overtime Premium on Incentive Compensation](#)," Co-Author, Snell & Wilmer Labor & Employment Blog (August 12, 2019)
- "Mitigation of Damages in Employment Cases," Co-Presenter, State Bar Convention (June 28, 2019)
- "[U.S. Department of Labor Proposes New Salary Threshold Rule](#)," Co-Author, Snell & Wilmer Labor and Employment Law Blog (March 7, 2019)
- "[Critical Issues for Employers in the Hiring Process: I-9 Compliance, Disability Inclusion, and Interview Questions](#)," Co-Author, Snell & Wilmer Workplace Word (January 30, 2019)
- "[The U.S. Department of Labor Issues Six New Wage and Hour Opinion Letters](#)," Author, Snell & Wilmer Labor and Employment Law Blog (August 31, 2018)
- "[U.S. Supreme Court Adopts a 'Fair Reading' Standard for FLSA Exemptions](#)," Co-Author, Snell & Wilmer Legal Alert (April 5, 2018)
- "Employment Law Practice and Trends from a Defense Perspective, Part 1," Panelist, State Bar of Arizona Labor and Employment Law Section Presentation (February 26, 2018)
- "[Federal Court's Ruling in GrubHub Case is a Win for Gig Companies, but it Doesn't Settle the Debate Over Workers' Status](#)," Author, Snell & Wilmer Labor and Employment Law Blog (February 14, 2018)
- "[OMB Blocks EEOC's Pay Reporting Requirements](#)," Co-Author, Labor and Employment Law Blog (September 2, 2017)
- "[New Guidance on Paid Sick Time: Industrial Commission of Arizona Supplements its Proposed Regulations](#)," Co-Author, Snell & Wilmer Legal Alert (June 30, 2017)
- "[Arizona's Paid Sick Leave Law: New Guidance from the Industrial Commission](#)," Co-Author, Snell & Wilmer Workplace Word (May 31, 2017)
- "[Arizona Passes Proposition 206, Increasing the Minimum Wage and Requiring Paid Sick Leave for Hundreds of Thousands of Employees](#)," Co-Author, Snell & Wilmer Legal Alert (November 9, 2016)
- "[Election Day Concerns for Employers: Political Discussions in the Workplace and Time Off to Vote](#)," Author, Snell & Wilmer Workplace Word (October 31, 2016)
- "[2015 Amendments to the Federal Rules of Civil Procedure](#)," Narrator, Sound Advice Podcast, American Bar Association (May 2016)
- "[2016: What's on the Horizon for Salary Thresholds Under the FLSA, Employee Handbooks and the NLRB](#)," Co-Author, Snell & Wilmer Workplace Word (March 10, 2016)
- "[Avoiding Holiday Liability](#)," Author, Snell & Wilmer Workplace Word (November 4, 2015)
- "[Updated FMLA Forms Issued by the DOL](#)," Author, Snell & Wilmer Legal Alert (May 29, 2015)
- "[Multi-Agency Investigation Successfully Targets Arizona and Utah Construction Companies' Misclassification of Employees](#)," Co-Author, Snell & Wilmer Legal Alert (May 6, 2015)
- "[NLRB Jurisdictional Ruling Clears Path for Unionization of Religious Schools](#)," Co-Author, Snell & Wilmer Legal Alert (March 18, 2015)
- "[Department of Labor Expands FMLA Coverage for Same-Sex Spouses](#)," Author, Snell & Wilmer Legal Alert (February 25, 2015)
- "Employers: Issues to Watch in 2015," Presenter, Snell & Wilmer 2015 Employers' Tool Kit Seminar (January 15, 2015)

- ["Important Reminder About the Risk of Unexpected FMLA Liability,"](#) Co-Author, Snell & Wilmer Workplace Word (October 8, 2014)
- "Withstanding Legal Scrutiny in Employer-Conducted Background Checks," Co-Author, American Bar Association, Section of Litigation, Employment & Labor Relations Newsletter (June 17, 2014)
- "Employment Law 101: Recognizing The Top Mistakes Made by Mid-Sized Employers," Presenter, P.A.C.E. (Paramount Advisory Committee Enterprise) Conference, Phoenix, Arizona (October 8, 2013)
- ["The EEOC's Latest Investigative Tactic: Trolling for Evidence Through Employee Email Blasts,"](#) Author, Snell & Wilmer Legal Alert (September 12, 2013)
- ["Arizona Court of Appeals Renders Two Decisions Affecting Awards of Attorneys' Fees in Lawsuits to Enforce Mechanics' Liens,"](#) Co-Author, Snell & Wilmer Legal Alert (April 3, 2013)
- ["Phoenix Now Prohibits Employers from Discriminating on the Basis of Sexual Orientation, Gender Identity or Expression, and Disability,"](#) Co-Author, Snell & Wilmer Legal Alert (March 15, 2013)
- ["Arizona Court of Appeals Issues Decision Related to the Application of the Statute of Repose and Economic Loss Doctrine for Subsequent Home Purchasers,"](#) Co-Author, Snell & Wilmer Under Construction Newsletter (December 2012)
- "Arizona's SB 1070 and Preemption of State and Local Immigration Laws: A Case for a More Cooperative and Streamlined Approach to Judicial Review of Subnational Immigration Laws," Author, 85 S. CAL. L. REV. 955 (2012)

## Professional Recognition & Awards

- Az Business Magazine: Most Influential Women in Arizona Business (2023)
- The Best Lawyers in America®: Ones to Watch, Commercial Litigation (2021-2022)
- ATHENA Award Young Professional Finalist, Greater Phoenix Chamber of Commerce (2019)
- Arizona Capitol Times, Inaugural Women Achievers of Arizona, Unsung Heroes Category (2019)
- President's Challenge Award 2017-2018, Kiwanis International, Southwest District
- Lieutenant Governor of the Quarter Award 2017-2018, Kiwanis International, Southwest District
- Southwest Super Lawyers®, Rising Stars Edition, Employment & Labor (2018-2022, 2024)
- George F. Hixson Fellowship, Kiwanis International (2017)
- Top Pro Bono Attorneys Award, Arizona Foundation for Legal Services & Education (2015)
- Snell & Wilmer Community Involvement Award (2015)
- Zeller Fellowship, Downtown Scottsdale Young Professionals Kiwanis (October 2014)
- VLP Attorney of the Month, Volunteer Lawyers Program (May 2014)

## Community Involvement

- Volunteer Lawyers Program
- Downtown Scottsdale Young Professionals Kiwanis
  - Vice President (2023-2024)
  - Treasurer (2021-2023)
  - District Lieutenant Governor (2017-2018)
  - President (2015-2016)

- USC Law School, Street Law Mentor Program, Volunteer Instructor (2009-2012)

## **Previous Professional Experience**

- Professor George Lefcoe, Ervin and Florine Yoder Chair in Real Estate Law, Research Assistant and Grader (2011-2012)
- Snell & Wilmer L.L.P., Summer Associate (2011)
- United States District Court, District of Arizona, Judicial Extern for the Honorable Mary H. Murguia (2010)
- Office of Arizona Governor Janet Napolitano, Constituent Services Intern (2007-2008)
- University of Arizona Dept. of Spanish and Portuguese, Research Assistant for Dr. Melissa Fitch (2007)

## **Bar Admissions**

- Arizona

## **Court Admissions**

- Supreme Court of Arizona
- United States Court of Appeals, Ninth Circuit
- United States District Court, District of Arizona

## **Client News**

- Snell & Wilmer Represents Leading Influencer Media Firm Mom Media in Acquisition by Everyday Health Group
- Snell & Wilmer Represents Software Development Company Flywheel Software in Growth Equity Investment from The Jordan Company, L.P.
- Snell & Wilmer Represents Cannabis Company True Harvest in Acquisition by The Greenrose Holding Company, Inc.