



A T T O R N E Y S

Employment | Labor | Benefits | Higher Education
www.barran.com | 503.228.0500

HEATHER M. FOSSITY

503.276.2151 | hfossity@barran.com | www.barran.com



Heather Fossity defends employers and management in a variety of employment matters, while serving as proactive counsel to guide her clients through important management decisions aimed to address legal concerns before they arise. With experience from government and in-house perspectives, she has a comprehensive understanding of the unique processes involved in employment law from both a federal and local standpoint.

Heather graduated with her B.A. in Social and Cultural Analysis from New York University, and received her J.D., *cum laude*, from Lewis & Clark Law School. Throughout her legal education and even prior to law school, Heather diversified her experience, working with the federal government, in private practice, and with in-house counsel at a professional services firm. While attending law school, she also served

as a Faculty Research Assistant to Professor Amy Bushaw, as an Intern and Student Director with the Small Business Legal Clinic, and as a member of the Lewis & Clark Law School’s Moot Court Mock Trial team. Heather has a strong background in representing Oregon employers and effectively resolving disputes for a diverse group of clients across various industries.

Areas of Practice

- Employee Handbooks
- Employment Law Advice & Litigation
- Employment Training
- Labor Relations
- On-Site Employment Law Training
- Social Media
- Workplace Investigations

Representative Matters

- Counsel for Intellectual Property Law Firm: Defend wage claim and advise on best practices for employee compensation structures
- Counsel for Oregon Restaurant: Defend sexual harassment, hostile work environment, retaliation, and disability claims
- Counsel for Oregon Businesses in food services, hospitality, and retail: Advise on scheduling policies and compliance with Oregon’s Fair Work Week Act
- Counsel for Oregon Businesses that work across state lines: Advise on compliance with state sick leave laws and draft handbooks and policies
- Counsel for Small Businesses in the gig economy: Advise on independent contractor or employee distinction and draft independent contractor agreements
- Counsel for Businesses with injured employees: Advise on employment and workers’ compensation implications including retaliation and discrimination risk analysis, providing reasonable accommodations, and navigating the Oregon workers’ compensation system

Professional Experience & Affiliations

Multnomah Bar Association Young Lawyers Section CLE Committee: Member (2018-present)
Alta Planning + Design, Inc.: Contract Administrator (2016)
Small Business Legal Clinic: Legal Intern (2015); Student Director (2015)
Bonneville Power Administration: Law Clerk (2014-2015)
Lewis & Clark Law School: Moot Court Mock Trial (2014)

Civic Activities

Lewis & Clark Law School Mentor Program: Mentor (2018-present)
The Portland Opera's Young Patron Society: Member (2018-present)
Small Business Legal Clinic: Pro Bono Attorney (2017-present)

Representative Presentations

National Business Institute (NBI) Fall Conference: "Beyond the Basics of Wage & Hour Law,"
Presenter (11/13/18)

Representative Publications

"Changes on the Table: Legal Updates in the Restaurant Industry," *Cascade Business News*, July 18,
2018
"Mark it on the Calendar – Predictive Scheduling Law is Coming," *Daily Journal of Commerce*, May 25,
2018
"Supreme Court Rules Employment Agreements Barring Class Actions Enforceable," Barran
Liebman Electronic Alert, May 21, 2018
"VEVRAA Hiring Benchmark Updated to 6.4%," Barran Liebman Electronic Alert, April 2, 2018
"After Member Disqualifications: NLRB Vacates *Hy-Brand* on Joint Employer Rule," Barran
Liebman Electronic Alert, February 27, 2018

Admitted to Practice

Oregon
U.S. District Court, District of Oregon

Academics

Lewis & Clark Law School (J.D., *cum laude*, 2017): Moot Court Mock Trial, Dean's Scholarship
New York University (B.A., 2011): Founder's Day Award, Dean's List