



A T T O R N E Y S

Employment | Labor | Benefits | Higher Education
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NICOLE C. ELGIN

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Nicole Elgin represents employers in traditional labor and employment law matters. Nicole’s labor practice ranges from negotiating collective bargaining agreements to representing employers in hearings before arbitrators, the Oregon Employment Relations Board, and the National Labor Relations Board. Nicole’s employment law practice includes working with employers to adapt workplace policies to the latest legislative changes at the state and national levels. Prior to joining Barran Liebman LLP, Nicole was a judicial extern for the Honorable Michael H. Simon at the United States District Court for the District of Oregon. In her spare time, Nicole enjoys traveling and dog walking at the Oregon Humane Society.

Areas of Practice

- Employment Law Advice & Litigation
- Labor Relations
- On-Site Employment Law Training
- Pay Equity
- Sexual Harassment
- Unfair Labor Practices
- Union Organizing & Union Elections

Representative Matters

- Counseled employer through negotiating a collective bargaining agreement to impasse, subsequent layoffs, and plant work transfers.
- Advocated for employers before Oregon’s Bureau of Labor and Industries in drafting new manufacturing establishment overtime rules and regulations.
- Represented employer interests as a member of Oregon’s Rulemaking Advisory Committee on Oregon Pay Equity
- Eliminated employer’s potential liability for a former employee’s breach of an international agency’s data security system in compliance with state and federal consumer protection laws.
- Advised start-up wine label on joint employment status and reduced potential liabilities in facility use agreement.
- Negotiated a renewed collective bargaining agreement, focusing on National Labor Relations Act compliance and employer indemnity.

Honors

Lewis & Clark Law School: Cornelius Honor Society 2017); Best Oral Advocate (2015); Community Service Honors (2015); Honors Appellate Brief (2015); Discovery Grant Recipient (2014);

Honors (continued)

Minta Hicks Newell Memorial Scholarship Recipient; Candise DuBoff-Jones Scholarship Recipient; Allen Hein Memorial Scholarship Recipient
 University of Washington: Dean's List; Fritz Scholarship Recipient; Barbara McMahon Scholarship Recipient

Professional Experience & Affiliations

Federal Bar Association Oregon Chapter: Board Member (2018-present)
 NW EEO/Affirmative Action Association: Board Member (2018-present)
 Multnomah Bar Association Young Lawyers Section: Service to the Public Committee (2018-present); 3L Liaison for Lewis & Clark School (2016-2017)
 Multnomah Bar Association: Continuing Legal Education Committee (2017-2018)
 Oregon Public Employer Labor Relations Association (ORPELRA): Member (2017-present)
 Oregon Labor & Employment Relations Association (LERA): Member (2017-present)
 Oregon Women Lawyers: Member (2014-present)
 U.S. District Court of Oregon – The Honorable Michael H. Simon: Judicial Extern (2016)
 Law School Admission Council (LSAC): High School/Middle School Mock Trial Volunteer (2015)

Civic Activities:

Oregon Humane Society: Volunteer (2018-present)
 MBA Imprint: Volunteer (2017-present)
 Campaign for Equal Justice: Associates Committee & Program Coordinator (2018-present)
 Rosemary Anderson High School: Mentor (2014-2017)
 Rose Haven: Reigning Roses Walk Committee Member (2016-2017)
 Girl Scouts of America: Lifetime Member (1999-present)

Representative Presentations

Oregon & SW Washington Association for Health Care Recruitment (OSWAHCR): “Employment Law Update,” Presenter (11/9/18)
 Portland Human Resource Management Association (PHRMA): “U.S. Employment Law & Regulations,” Presenter (11/6/18)
 BOLI's 34th Annual Employment Law Conference: “Case Law Update: Everything You Need to Know,” Presenter (11/1/18)
 Barran Liebman Annual Seminar: Case Law Around the Campfire: Annual Update,” Presenter (9/27/18)
 Barran Liebman Interactive Pay Equity Roundtable: “Oregon's Equity Laws,” Co-Presenter (7/23/18)
 Yamhill County HR Association: “Effective Discipline & Discharge,” Presenter (6/14/18)
 Lewis & Clark Law School, The Law of Higher Education Course, Guest Presenter (5/22/18)
 Independent Electrical Contractors of Oregon: “Union Organizing, Employers' Rights, & Antitrust,” Presenter (4/12/18)
 Barran Liebman Client Training, “Love in the Workplace: Unwanted Contact By Any Other Name Would Be Just As Offensive,” (2/13/18)
 PHRMA Labor Relations SIG: “Traditional Labor Law: New Developments Under A Trump Board,” (1/25/18)
 Barran Liebman Seminar: “The Winds of Change Blow Through the NLRB: An Update on the NLRB's New Agenda,” (1/24/18)

Representative Publications

- “U.S. Supreme Court Holds ADEA Applies to All Public Employers,” Barran Liebman Electronic Alert, November 8, 2018
- Northwest EEO: “Employment Law Update,” Presenter (1/16/18)
- “Independent Contractors versus Employees: The Latest from the Oregon Supreme Court,” *The Oregon Business Lawyer*, September 2018
- “Workplace Investigations,” “Traditional Labor Law,” “Military Leave,” “Public Employers,” *AOI Oregon Human Resources Manual*, American Chamber of Commerce Resources, Chapter Author, 2018
- “Oregon’s Pay Equity Law: How to Manage Compliance,” *Oregon Business Magazine*, September 2018
- “Oregon’s New Equal Pay Law: 6 Key Questions to Help Your Company Prepare,” Featured by *Portland Business Journal*, August 20, 2018
- “Oregon’s Pay Equity Law Proactive Steps for Employers,” *Cascade Business News*, August 15, 2018
- “Selecting an Investigator for Harassment and Discrimination Complaints: Considerations for a New Era,” *AWI Journal*, July 2018
- “Public Sector Employers: No More Fair Share Fees!,” Barran Liebman Electronic Alert, June 27, 2018
- “Public Employers: *Janus* Is Coming, Are You Ready?,” Barran Liebman Electronic Alert, June 4, 2018
- “Negotiating Technological Change in Oregon’s Public Sector Workplace,” Labor Education & Research Center Monograph, May 30, 2018
- “Tip Pooling Laws Change Again,” Barran Liebman Electronic Alert, April 11, 2018
- “FLSA Overtime Exemptions No Longer Construed Narrowly,” Barran Liebman Electronic Alert, April 5, 2018
- “BOLI Publishes Final Rules for Daily & Weekly Overtime in Oregon,” Barran Liebman Electronic Alert, December 29, 2017
- “Addressing Harassment in the Workplace: Get it Right,” *Daily Journal of Commerce*, December 22, 2017
- “Workplace Investigations,” “Traditional Labor Law,” “Military Leave,” “Public Employers,” *AOI Oregon Human Resources Manual*, American Chamber of Commerce Resources, Chapter Author, 2017
- “The Pendulum Swings at the National Labor Relations Board,” Barran Liebman Electronic Alert, December 15, 2017
- “New Oregon Rules May Require You to Pay Daily Overtime after 10 Hours,” Barran Liebman Electronic Alert, November 15, 2017
- Veterans, Military Service Members & The Law 2017 Edition*: Chapter Author, November 1, 2017
- “Washington Public Accommodation Businesses May Be Liable for Employee’s Harassment of a Member of the Public,” Barran Liebman Electronic Alert, October 12, 2017
- “Does Hurricane Harvey Trigger Family Medical Leave Laws?,” *Legal and Compliance Excellence Essentials*, October Issue 2017
- “Start Building Your Professional Community: Bar Involvement as a Law Student,” *Before the Bar*, September 13, 2017
- “Does Hurricane Harvey Trigger Family Medical Leave Laws?,” Barran Liebman Electronic Alert, August 29, 2017
- “Employers and the Eclipse: Are You Prepared for the Path of Totality?,” Barran Liebman Electronic Alert, August 15, 2017

Representative Publications (continued)

- “When Weather Wreaks Havoc: An HR professional’s guide for all of those inclement weather days,” *HR.com*, March 20, 2017
- “Daily and Weekly Overtime in Oregon Changes Again for Workers in Mills, Factories, and Manufacturing Establishments,” Barran Liebman Electronic Alert, March 10, 2017
- Lewis & Clark Law Review: Volume 20 No. 4*, Managing Editor, January 25, 2017
- “New OSHA Rules Changes Workplace Injury & Illness Reporting,” *Cascade Business News*, December 21, 2016
- “Oregon Sick Leave Law Update,” Barran Liebman Electronic Alert, December 13, 2016
- “OSHA Now Enforcing Rule Tracking Workplace Injuries and Illnesses,” Barran Liebman Electronic Alert, December 2, 2016
- “A Look at the Post-Election Picture for Employers,” *Daily Journal of Commerce*, November 25, 2016
- “The 2016 Election Season: Political Speech at Work,” Barran Liebman Electronic Alert, November 4, 2016
- “OSHA Delays Enforcement of Rule Tracking Workplace Injuries and Illnesses,” Barran Liebman Electronic Alert, October 28, 2016
- Lewis & Clark Law Review: Volume 20 No. 3*, Managing Editor, October 24, 2016
- “Risky Business: Employers Tracking Employees via GPS,” *Daily Journal of Commerce*, September 22, 2016
- “BOLI Issues New Draft Rule on Paid Sick Time,” Barran Liebman Electronic Alert, September 12, 2016
- “The Ninth Circuit Sides with the NLRB, Class Action Waivers are Unlawful,” Barran Liebman Electronic Alert, August 23, 2016
- “Department of Labor’s Mandatory Poster Updates,” Barran Liebman Electronic Alert, August 2, 2016
- “BOLI Issues Final Rule on Oregon’s New Minimum Wage Law,” Barran Liebman Electronic Alert, June 17, 2016
- “OSHA’s New Rule Affects Post-Accident Drug Testing Policies,” Barran Liebman Electronic Alert, June 20, 2016

Admitted to Practice

Oregon
U.S. District Court, District of Oregon

Academics

Lewis & Clark Law School (J.D., *cum laude*, 2017):
Lewis & Clark Law Review, Managing Editor; Research Assistant to Professor Henry Drummonds (2015-2016)

University of Washington (B.A., 2014):
Associated Students for the University of Washington, Senator