



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 strategizing employer campaigns during a unionization drive to negotiating collective bargaining agreements and representing employers in hearings before arbitrators, the Oregon Employment Relations Board, and the National Labor Relations Board. Nicole works with unionized employers across a variety of industries and sectors, from chemical manufacturing and wood products to public education service districts.

Nicole’s employment law practice includes working with employers to adapt workplace policies to the latest legislative changes at the state and national levels. Nicole defends employers facing investigation by Oregon’s Bureau of Labor and Industries (BOLI), Washington’s Labor & Industries (L&I), and the Equal Employment Opportunity Commission (EEOC). Nicole also advised the state in drafting its regulations on Oregon’s Equal Pay Act as a member of the Bureau of Labor and Industries’ Rulemaking Committee and has helped numerous employers perform equal pay analyses.

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 with her family, discovering new Oregon breweries, and dog walking at the Oregon Humane Society.

Representative Matters

- Counseled employer through negotiating a collective bargaining agreement to impasse, subsequent layoffs, and plant work transfers.
- Successfully defended employer’s termination of employee through grievance arbitration.
- Represented employer interests as a member of Oregon’s Rulemaking Advisory Committee on Oregon Pay Equity.
- Represented employer before the NLRB and strategized campaign for opposition to unionization efforts at one location and simultaneous support of decertification at another location including filing an unfair labor practice charge against the union.
- Successfully defended employer through multiple complaints filed with the Bureau of Labor and Industries based on employer’s legitimate business reasons for termination of employment.
- Negotiated a renewed collective bargaining agreement focusing on National Labor Relations Act compliance and employer indemnity.

Areas of Practice

- Collective Bargaining
- Compliance Advice
- Contract Administration

Areas of Practice (continued)

Employment Law Advice & Litigation
 Grievance Arbitrations
 Interest Arbitrations
 Labor Relations
 On-Site Employment Law Training
 Pay Equity
 Reductions in Force
 Sexual Harassment
 Strikes, Pickets, & Boycotts
 Successorship & Acquisitions
 Unfair Labor Practices
 Union Organizing & Union Elections

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); 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

Portland Human Resource Management Association: Member (2019-present)
 Society for Human Resource Management: Member (2019-present)
 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 State Bar: Labor & Employment Law Section: 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:

Lewis & Clark Law School Mentoring Program: Mentor (2018-present)
 Oregon Humane Society: Volunteer (2018-present)
 MBA Imprint: Volunteer (2017-present)
 Campaign for Equal Justice: Associates Committee (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

- Barran Liebman Client Training: “ADA & Accommodations: Best Practices for Supervisors & Managers,” Presenter (5/22/19)
- 22nd Annual Vigilant Pulp & Paper West Coast HR Roundtable: “Employment & Labor Law Update,” Presenter (5/9/19)
- Portland Human Resource Management (PHRMA): “U.S. Employment Law & Regulations,” Presenter (5/7/19)
- CDF Webinar: “2019 Employment Law Updates for Oregon & Washington,” Presenter (4/23/19)
- Mid-Willamette SHRM Seminar: “Sick Time, Family Leave, & the ADA”; “Effective Discipline & Discharge,” Presenter (4/19/19)
- Labor & Employment Relations Association (LERA): “The Oregon Equal Pay Act: Challenges & Successes, Tips & Traps,” Co-Presenter (4/16/19)
- Barran Liebman Breakfast Seminar: “When Sick Time, Family Leave, & The ADA Collide: Common Pitfalls & Strategies for Employer Success,” Presenter (3/12/19)
- Barran Liebman Traditional Labor Law Update: “Significant 2018 National Labor Relations Board Decisions & What Employers Need to Know for 2019,” Co-Presenter (3/6/19)
- Barran Liebman Client Training: “Pay Equity Workshop,” Presenter (2/21/19)
- National Electrical Contractors Association: “Oregon Pay Equity,” Co-Presenter (12/18/18)
- Independent Electrical Contractors: “Unionization & Employer Rights,” Presenter (11/15/18)
- Oregon & SW Washington Association for Health Care Recruitment (OSWAHCR): “Employment Law Update,” Presenter (11/9/18)
- Barran Liebman Client Training: “How to Combat Harassment & Discrimination in the Workplace,” Presenter (11/5/18)
- 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)
- Northwest EEO: “Employment Law Update,” Presenter (1/16/18)

Representative Publications

- “Washington Paid Family & Medical Leave Employer Premiums Delayed!,” Barran Liebman Electronic Alert, March 25, 2019
- “Is Your Business Prepared for Winter Weather?,” *Cascade Business News*, January 16, 2019

Representative Publications (continued)

- “Paid Family & Medical Leave Law Arrives in Washington State,” *Daily Journal of Commerce*, December 28, 2018
- Featured in Independent Electrical Contractors of Oregon (IEC) *WATTS UP* Newsletter: “Preparing for 2019: An Overview of Oregon’s Equal Pay Law,” December 2018
- “Employers Prepare: Washington Paid Family & Medical Leave Premiums Start January 1st,” Barran Liebman Electronic Alert, December 4, 2018
- “BOLI Releases Final Rules on Oregon Equal Pay Law,” Barran Liebman Electronic Alert, November 20, 2018
- “U.S. Supreme Court Holds ADEA Applies to All Public Employers,” Barran Liebman Electronic Alert, November 8, 2018
- “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

Representative Publications (continued)

- “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
- “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
 Washington
 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