

*Susan Motschiedler provides deep employment and labor experience primarily to medium and small businesses on routine and crisis administrative matters; long-term growth planning and protection; and employment litigation. Her collaboration with multidisciplinary teams benefits clients in matters of business structure; acquisition; acquisition planning and more.*



## Susan Baird Motschiedler

Of Counsel | Salt Lake City

### Biography

Susan Baird Motschiedler is a member of Parsons Behle & Latimer's employment and labor law and litigation practice groups. With an eye toward avoiding litigation, she excels at providing up-front advice and counsel to business owners and management regarding employment discrimination, harassment and retaliation; disciplinary action and documentation; disability accommodation issues; benefits; employment policies and practices; employee leave laws; layoffs; protection of trade secrets and other confidential and proprietary information through the use of confidentiality, noncompetition and nonsolicitation agreements; wage and hour laws; and other employment-related issues. Susan also regularly conducts real world client training programs for employers on topics including harassment and discrimination, disability accommodation, hiring and firing, conducting investigations, record keeping and coaching/disciplining employees. When disputes arise, Susan confidently defends clients in litigation, administrative proceedings and alternative dispute resolution forums.

Susan regularly counsels and represents employers in lawsuits in a variety of areas including:

- Sex discrimination and sexual harassment
- Age discrimination
- Religious discrimination
- Americans with Disabilities Act, disability and employee medical issues
- Wrongful termination

### Contact information

801.536.6923

[smotschiedler@parsonsbehle.com](mailto:smotschiedler@parsonsbehle.com)

### Capabilities

Employment & Labor

Employment Litigation

Business & Commercial Litigation

### Licensed/Admitted

Utah

U.S. Court of Appeals, 10<sup>th</sup> Circuit

- Employment contracts and compensation
- Non-compete, confidentiality, and non-solicitation agreements
- Handbooks
- Social media in the workplace
- Fair Labor Standards Act (FLSA), overtime, exemptions, and wage issues
- Independent contractor issues
- Drug and alcohol testing
- Family Medical Leave Act and other leave issues
- Terminations and unemployment
- Union issues
- Investigations
- UALD and EEOC charges and audits
- Training for management and employees

Ms. Motschieder also maintains a practice of black lung defense counsel in workers' compensation claims brought under the federal Black Lung Benefits Reform Act.

She has represented employers with coal mine or other non-coal mine operations in Utah, Colorado, Kentucky, West Virginia, Tennessee, and Alabama before the Department of Labor Office of Administrative Law Judges, the Benefits Review Board, and in appellate proceedings before the United States Court of Appeals for the Tenth Circuit.

## Experience

### Racial Discrimination Defense

Defending client against claims of race discrimination and national origin discrimination under Title VII, Section 1981 and breach of contract, breach of duty of good faith and fair dealing.

## Accomplishments

### Professional

Recognized in Utah Legal Elite, 2013, 2014, 2017, 2018, 2019, 2020, 2021

Recognized by *Mountain States Super Lawyers* as Rising Star in Business Litigation, 2012, Employment & Labor, 2015

### Academic

University of Utah, S.J. Quinney College of Law (J.D., 2005)

Rhodes College (B.A., 1994)

- Major: Anthropology/Sociology
- Major: German

Universität Tübingen, Germany (1992-1993)

## Associations

### Professional

Utah State Bar  
Ethics Advisory Committee  
Member

Women Lawyers of Utah  
Past President  
Co-author, "The Utah Report: The Initiative on the Advancement and Retention of Women in Law Firms"  
(October 2010)

David K. Watkiss Sutherland II Inn of Court  
Member

Salt Lake County Bar Association  
Member

## Articles

Employment Law Update, April 13, 2023

Did Twitter's Mass Layoff Violate Federal (and State) Law?, November 17, 2022

Employment Law Update, June 15, 2022

DOL Issues Proposed Rule Easing Factors for Classifying Workers as Independent Contractors for Purposes of the FLSA, October 6, 2020

Looking Forward: How to Manage Your Workforce In 2020 and Beyond, June 30, 2020

OSHA Issues New Enforcement Policies Regarding Workplace Inspections And Employer Recording Requirements For Covid-19, May 22, 2020

Re-opening for Business: Employers Should Begin Planning Now, April 14, 2020

Top Nine Takeaways from New FFCRA Regulations, April 3, 2020

## Presentations

Parsons Attorneys to Present at SHRM Annual Employment Update, February 14, 2023  
Salt Lake SHRM

Employee Discipline and Termination: Avoiding Problems Through Effective Communication and Documentation, June 16, 2022

34th Annual Parsons Behle & Latimer Employment Law Seminar

Conducting an Effective Internal Investigation, October 27, 2021  
33rd Annual Parsons Behle & Latimer Employment Law Seminar

Conducting an Effective Internal Investigation, September 22, 2021  
Parsons Behle & Latimer Ninth Annual Boise Employment Law Seminar

COVID-19 Vaccinations in the Workplace: Mandatory, Voluntary or None at All February 10, 2021

Trends in Employment Law Cases Related to COVID-19, November 10, 2020  
32nd Annual Parsons Behle & Latimer Employment Law Seminar - Virtual

Getting Your Company Ready for a Sale or Acquisition: How to Get Your Employment House in Order,  
November 10, 2020  
32nd Annual Parsons Behle & Latimer Employment Law Seminar - Virtual

What Every Employer Should Know Before Resuming Business in Utah, May 12, 2020  
Visit Salt Lake

Moving Forward: Resuming Business in a Changed Environment, May 7, 2020  
Missoula Economic Partnership

Employer Considerations To Successfully Reopen A Business, May 5, 2020  
South Valley Chamber