



# Susan Eberle Stahlfeld

 Partner

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**“When a client comes to me with a legal problem, I am committed to finding a way to solve their problem, not just tell them what they can’t do. Workplaces are complicated and I strive to help employers find solutions that they can live with and allow their business to thrive.”**

Susan Stahlfeld co-chairs Miller Nash’s employment law and labor relations practice group and brings nearly 30 years of experience and strategic thinking to employers facing their most challenging workplace problems. Susan’s ability to clearly and pro-actively advise employers about their legal obligations, while also helping them evaluate the risks involved, makes her a valued counselor in and out of the courtroom. She regularly advises clients on a wide range of workplace issues, including discrimination, noncompetition agreements, wrongful discharge, wage and hour rules, and employment torts litigation.

Susan counsels employers across the state on the multitude of personnel issues they face day-to-day—working with them on key policies and procedures, discrete employment-related issues, and matters concerning compliance with ever-changing local, state, and federal laws. She regularly helps clients navigate regulations from the U.S. Department of Labor and the U.S. Equal Employment Opportunity Commission, as well as state and local agencies. Susan also frequently provides trainings for supervisors and managers.

Leveraging her experience, Susan uses a measured, client-centric approach when helping employers evaluate the impact of fighting claims in court. She has successfully guided clients through pre-litigation negotiations, complex mediations and arbitrations, as well as numerous trials and appeals. Throughout her career, she has defended employers responding to disputes in the areas of discrimination claims, wage and hour law, joint-employment, torts, and miscellaneous statutory claims; class-actions; and appellate advocacy. She regularly appears in state and federal court on behalf of clients and is known for her steady command of complex cases and appeals.

She has worked with mid-size to large companies from many industries, including retail, sales and service, maritime, healthcare, education, tribal entities, financial services, restaurants, and transportation-related companies.

## Education

J.D., University of Virginia,  
Dillard Fellow, 1992

B.S., University of  
Alabama, *summa cum  
laude*, 1982

## Bar Admissions

Washington, 1992

## Court Admissions

U.S. District Court, Eastern  
District of Washington,  
1992

U.S. District Court,  
Western District of  
Washington, 1992

U.S. Court of Appeals for  
the Ninth Circuit, 1992

Susan serves as the firm’s Washington State representative with Employment Law Alliance, a national and international alliance of employment and labor attorneys. Every year since 2015, she has been named to Washington Super Lawyers’ “Top 50 Women—Washington.”

### Professional Activities

- King County Bar Association
  - Labor Section, member
- Washington State Bar Association
  - Labor and Indian Law Sections, member
- American Bar Association
  - Labor and Employment Law Section, member
- Employment Law Alliance, Washington State representative
- Washington Defense Trial Lawyers Association Employment Law Committee, member
- Federalist Society, member

### Civic Activities

- Jennifer Dunn Leadership Institute
  - past secretary-treasurer
  - past board of directors member
- Washington Human Rights Commission work group, participant
- Burien Food Drive, volunteer
- Seattle Alumni Friends of Alabama, member
  - past office

### Representative Experience

#### Wage and Hour Class-Action Litigation

- Successfully defended retail chain through seven-week trial against wage-and-hour “joint employer” class-action claims by employees of vendor. Affirmed on appeal.
- Defended national pharmacy chain against rest and meal break class action by pharmacists, ending in positive settlement before trial.
- Represented transportation company in successfully resolving class-action claims for failure to accrue paid sick leave under Seattle and SeaTac ordinances.

#### Discrimination Claims

- Defended retail chain through favorably resolved claims of sexual harassment, discrimination, and retaliation.
- Defended retail chain and successfully obtained summary judgment ruling on multiple claims asserted by plaintiff, including allegations of retaliation under Washington’s Industrial Insurance Act and disability discrimination.
- Represented employer in obtaining a no probable cause finding in a claim of religious discrimination.

#### Terminations/Breach of Contract

- Obtained summary judgment on claims against natural resources company for breach of contract by at-will employee.
- Summary judgment granted on claims of violation of Family and Medical Leave Act and wrongful discharge in violation of public policy on claims against national retail outlet.

## Compliance

- Assisted company with complicated collective bargaining agreement in crafting policies for compliance with various state mandates.
- Successfully assisted retail chain in responding to and complying with premium deduction rules under the Washington Paid Family and Medical Leave Act.

## Publications

Susan frequently writes on various topics. Following is a listing of presentations since 2015. A complete list is available upon request.

- “Washington’s New Statutory Wage Lien: How Wage Liens Impact Secured Creditors’ Rights,” Miller Nash, *Bank Law Monitor*, coauthor (Nov. 2021)
- “Washington’s New Statutory Wage Lien: How Wage Liens Are Extinguished, Released, and Contested,” Miller Nash, *Bank Law Monitor*, coauthor (Sept. 2021)
- “Washington’s New Statutory Wage Lien: How Wage Liens Are Established and Foreclosed,” Miller Nash, *Bank Law Monitor*, coauthor (Sept. 2021)
- “Washington’s New Statutory Wage Lien: Who and What Property is Impacted,” Miller Nash, *Bank Law Monitor*, coauthor (Aug. 2021)
- “Washington Creates New Statutory Lien for Employee Wage Claims,” Miller Nash, *Bank Law Monitor*, coauthor (Aug. 2021)
- “Washington Compensation Requirements—2021 Update,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (Oct. 2020)
- “The ABCs of Employee Leave Related to Their Children’s Schools Implementing Distance Learning,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (Aug. 2020)
- “REMINDER: New Pay Requirements—and Opportunities—Under the Washington Exempt Computer Professionals Begin July 1, 2020,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (June 2020)
- “2020 Updates to the Washington Paid Family Medical Leave Act,” Miller Nash Graham & Dunn, *News You Can Use* (June 2020)
- “A Little of This, A Little of That...New Washington Laws Impacting Employers in 2020,” Miller Nash Graham & Dunn, *News You Can Use* (June 2020)
- “Documentation That Employers Need to Get from Their Employees if They Want to Claim the Tax Credits for Providing E-PSL and E-FMLA Leave,” Miller Nash Graham & Dunn, *News You Can Use* (Apr. 2020)
- “Navigating Leave Landscape Changes in the Era of COVID-19,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (Mar. 2020)
- “COVID-19 FAQs for Employers,” Miller Nash Graham & Dunn, coauthor (Mar. 2020)
- “Salary Threshold for Exempt Employees Increases Effective January 1, 2020—Plan for More,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (Sept. 2019)
- “Washington Paid Family and Medical Leave Benefits—Looking Forward to 2020,” Miller Nash Graham & Dunn, *News You Can Use* (July 2019)
- “A Medley of Legislative Changes for Employers,” Miller Nash Graham & Dunn, *News You Can Use* (May 2019)
- “New Washington Act Limits Noncompetition Covenants for Employees and Independent Contractors—With a Big Poison Pill Included,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (May 2019)
- “Take Two: The Department of Labor Proposes Increasing White-Collar Salary Minimums Again,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (Mar. 2019)
- “Revised Equal Pay Act Adds Gender Protections,” King County Bar Association, *Bar Bulletin*, coauthor (Feb. 2019)

- “Strict Liability for Public Accommodation Entities When an Employee Harasses a Customer—Even if the Entity Terminates the Employee,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (Feb. 2019)
- “2018 Washington Gender Equal Pay Act Amendments: Same Pay for ‘Similar’ Jobs,” Miller Nash Graham & Dunn, *News You Can Use*, coauthor (Apr. 2018)
- “A Potpourri of New Restrictions and Requirements for Washington Employers,” Miller Nash Graham & Dunn, *News You Can Use* (Apr. 2018)
- “Inslee Signs ‘#MeToo’/‘#TheyKnew’ Trilogy of Bills: It Will Be Harder for WA Employers to Keep Harassment Allegations Secret,” Miller Nash Graham & Dunn, *News You Can Use* (Apr. 2018)
- “Can Your Customer Sue You If Harassed By Your Employee? Yes, Says the Washington Court of Appeals,” Miller Nash Graham & Dunn, *News You Can Use* (Oct. 2017)
- “Washington Employees Can Waive Their Meal Breaks,” Miller Nash Graham & Dunn, *News You Can Use* (July 2017)
- “Top Tips for Rolling Out the New FLSA Overtime Rules and Avoiding Traps for the Unwary,” Miller Nash Graham & Dunn, *News You Can Use* (June 2016)

## Presentations

Susan is a frequent speaker on various topics. Following is a listing of presentations since 2015. A complete list is available upon request.

- “Examining the Unique Constellation of Wage & Hour Issues, Updates, and Audits,” Miller Nash, Employment Law Seminar (Dec. 2021)
- “Communicating with Employees: Who Can Say What?” Washington State SHRM, Employment Law & Human Resources Conference, pre-conference webinar (Mar. 2021)
- “Getting Up to Code and Following the New Rules: 2020 Washington Employment Law Update,” Miller Nash Graham & Dunn, Employment Law Seminar (Dec. 2020)
- “Fast 15: Families First Leave—Intermittent, Supplementation, and Exceptions,” Miller Nash Graham & Dunn, On-Demand Employment Law Webinar Series (May 2020)
- “Raising the Nautical Flag and Avoiding Rough Waters: Identifying and Managing HR Risks,” Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2019)
- “Introduction to Labor and Employment Law for Attorneys and HR Professionals,” The Seminar Group, 22nd Annual Labor & Employment Law Conference (Aug. 2019)
- “Using Social Media, Smartphones, and More in Employment Disputes,” National Business Institute (Nov. 2018)
- “Introduction to Labor and Employment Law for Attorneys and HR Professionals,” The Seminar Group, 22nd Annual Labor & Employment Law Conference (Aug. 2019)
- “Whodunit? The Mystery of Gig Economy Classification,” Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2018)
- “Sexual Harassment in the #MeToo Era,” The Seminar Group, 21st Annual Labor & Employment Law Conference (Aug. 2018)
- “Local, State, Federal, and Labor Law Updates,” Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2017 and Nov. 2017)
- “Spinning Straw Into Gold: Wage and Hour Compliance in the Wake of DOL’s Updated Exemption Regulations,” Miller Nash Graham & Dunn, Employment Law Seminar (Nov. 2016)
- “RIFS, Reorganizations, and Redundancies Around the World,” Employment Law Alliance, Annual Conference (Oct. 2016)
- “Employment Practice Lightning Round - Best Practices and ‘What Happens If...?’” Risk Management Society (RIMS), Western Regional Conference (Sept. 2016)

- “Independent Contractor or Employee?” Employment Law Alliance, A Year in Review: Key U.S. Labor and Employment Law Developments in 2015 and What to Expect in 2016 (Jan. 2016)
- “Strange as It May Seem: That Independent Contractor May Be Your Employee,” Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2015)

### Recognition & Honors

- Selected for inclusion in *The Best Lawyers in America*® (Seattle, WA)
  - Employment Law—Management, 2012-present
  - Litigation—Labor and Employment, 2013-present
- Selected for inclusion as a Washington Super Lawyer, 2009-present
  - Top 50 Women Washington Super Lawyers, 2015-present
- Rated AV® Preeminent™ by Martindale-Hubbell®