



Paul E. Cirner

Associate

1300 SW Fifth Avenue
Wells Fargo Tower, Suite 2050
Portland, OR 97201
main: (503) 221-0309
direct: (503) 889-8853
fax: (503) 242-2457
pcirner@littler.com



Focus Areas

Litigation and Trials
Discrimination and Harassment
Arbitration
Wage and Hour
Staffing, Independent Contractors and Contingent Workers
Healthcare
Higher Education

Overview

Paul Cirner's practice focuses primarily on employment-related litigation in the federal and state courts of Oregon, Washington, Idaho, and New York. Paul also represents clients in private arbitration and before the various federal and state agencies charged with the enforcement of employment laws, including the Equal Employment Opportunity Commission, the Oregon Bureau of Labor and Industries, Idaho Human Rights Commission, Washington State Human Rights Commission, and New York State Division of Human Rights.

Paul is a strategic advisor to public and private employers on all aspects of the employer-employee relationship from hire to separation. He has particular experience in multijurisdictional compliance issues that arise from employing remote workers located across multiple states and/or countries. Paul regularly counsels employers on joint employment issues, reductions in force, and compliance with various leave laws. Paul also advises employers to develop compliant independent contractor programs and mitigate the risk of misclassification under various wage and hour and employment laws.

As a litigator, Paul is skilled at defending his clients through trial and working with opposing counsel to reach favorable resolutions when warranted. With tenacity, strategic planning, and diligent preparation at the center of each case,

Paul's clients feel safeguarded with him in their corner when a legal dispute arises. Throughout his practice, Paul has successfully represented many public and private employers in discrimination, wrongful discharge, harassment, retaliation, and wage and hour cases brought under various federal and state statutes and under the common law. Paul relishes the opportunity to zealously advocate for his clients in the courtroom before judge and jury.

Prior to joining Littler, Paul was an associate at a national employment firm in Portland focusing his practice exclusively on management-side employment litigation and counsel throughout the Pacific Northwest. Paul began his career as a hard-nosed litigator in the courts of New York City where he defended New York City's most prominent building owners and constructors throughout all five boroughs against New York Labor Law claims brought by members of some of the largest unionized trades in the country.

Selected Matters

- First chair jury trial victory in a 14-day trial on behalf of hospital defending against defamation claim related to termination of respiratory therapist.
- Obtained Ninth Circuit Court of Appeals victory on behalf of hospital affirming summary judgment against high-level management employee's Title VII retaliation claim.
- Secured summary judgment dismissal in favor of timber company against staffing company employee's claims of joint employment, discrimination, and failure to accommodate.
- Secured dismissal of individual defendant's pay discrimination claim at pleading stage.
- Secured dismissal of various administrative agency charges alleging claims of independent contractor misclassification, discrimination, harassment, leave law violations, and retaliation.
- Secured summary judgment dismissal of former employee's breach of contract and estoppel claims in favor of hospital.
- Secured summary judgment dismissal of customer's negligently trained employee claim against recreational vehicle company in traumatic brain injury case.
- Secured summary judgment dismissal of construction worker's New York Labor Law claim against contractor arising from alleged defective safety equipment.

Professional and Community Affiliations

- CLE Committee Member, Multnomah County Bar Association
- Member, American Bar Association
- Member, New York State Bar Association
- Member, Portland Human Resources Management Association
- Member, Society for Human Resources Management

Recognition

- Named, Rising Star, *Super Lawyers*, 2023

- Named, Charles H. Revson Public Interest Fellow, 2014

Education

J.D., Pace University Law School, 2016, *cum laude*

B.S., St. Thomas Aquinas College, 2013, *magna cum laude*

Bar Admissions

Oregon

Washington

New York

Idaho

Courts

U.S. Court of Appeals, 2nd Circuit

U.S. Court of Appeals, 9th Circuit

U.S. District Court, District of Oregon

U.S. District Court, Eastern District of Washington

U.S. District Court, Western District of Washington

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

U.S. District Court, District of Idaho

Publications & Press

Joint Employment and the Cat's Paw: Oregon Court of Appeals Sets Precedent

Little Insight

April 23, 2024

New Oregon Law (Mostly) Aligns OFLA and Paid Leave Oregon to Prevent Employees from Stacking Leave Benefits

Little Insight

March 18, 2024

Key Considerations for Employers as the Public Sector Grapples with Return to Office

Little ASAP

January 2, 2024

Oregon Enacts Protections for Registered Apprentices and On-The-Job Training Program Participants

Little ASAP

August 15, 2023

How Oregon Employers Can Prepare for Wildfire Season

Little Insight

June 12, 2023

Remote Workforce Management: Complying with Multistate Tax and Employment Laws

Multnomah Bar Association

November 2022

Oregon Equal Pay Act's Bonus Provisions Set to Expire

SHRM Online

August 25, 2022

Beware The Risks in Laying Off Out-Of-State Remote Workers

Law360

July 13, 2022

The Hazards of Remote Employee Layoffs

SHRM Online

June 30, 2022

Update on Oregon's COVID-19 Vaccination and Masking Rules

SHRM Online

February 22, 2022

Oregon OSHA Announces Stance on Federal Vaccine-or-Testing Standard

SHRM Online

January 28, 2022

Oregon OSHA Delays Adopting COVID-19 Vaccine-or-Test Rule

SHRM Online

December 6, 2021

Multistate Compliance for Employers With Out-of-State Remote Employees

JD Supra

April 26, 2021

Oregon Decriminalizes Certain Narcotics and Legalizes Psilocybin Therapy

SHRM Online

November 30, 2020

Oregon Modifies Noncompete Law for 2020

Portland Business Journal

June 4, 2019

Speaking Engagements

Navigating Oregon's Evolving Leave Laws

Oregon Council For Behavioral Health Spring Webinar Series

April 9, 2024

PDX Breakfast Briefing: Paid Leave Oregon and 2023 Oregon Employment Law Legislative Update

Portland, OR

September 13, 2023

Exception Making Hiring Bonuses Easier to Give Has Now Expired in Oregon

KATU 2

October 5, 2022

Multistate Compliance for Employers with Out-of-State Remote Employees

Multnomah Bar Association Webinar

September 21, 2022

Oregon OSHA Aims To Prevent Heat Illness, Death With New Requirements For Employers

KGW8-TV

July 27, 2022

New Oregon OSHA Heat Rules Put To The Test With Rising Temperatures

KOIN 6 News

July 25, 2022

Multistate Compliance for Employers with Out-of-State Remote Employees

CUPA-HR Spring Conference

April 7, 2022

Oregon Employment Law Changes in 2022: New Year, New Laws

MyLawCLE

February 16, 2022

Oregon Employment Law: COVID-19 Vaccine Mandates – What Oregon Employers Need to Know

MyLawCLE

December 2, 2021

