

Susan K. Fitzke

Office Managing Shareholder

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Focus Areas

Class Actions
Discrimination and Harassment
Leaves of Absence and Disability Accommodation
Business Restructuring and M&A
Whistleblowing and Retaliation
Drugs and Alcohol

Overview

Susan K. Fitzke has dedicated her career to partnering with employers to identify practical and effective solutions to their employment challenges. She represents employers in all stages of litigation in state and federal court and before administrative agencies on both a class-wide and individual basis. She has specific experience litigating claims arising under:

- Title VII of the Civil Rights Act
- The Americans with Disabilities Act
- The Age Discrimination in Employment Act
- The Family and Medical Leave Act
- The Sarbanes-Oxley Act
- The Federal Railroad Safety Act
- State anti-discrimination, leave, and whistleblower statutes
- Various state law contract and tort theories

Susan also routinely counsels and provides training to employers regarding a wide range of issues, including hiring, nondiscrimination, whistleblowing, accommodations, family and medical leave, managing problem employees, reductions in force, and workplace policies.

Susan currently serves as the Office Managing Shareholder for the Minneapolis office. Her clients range from companies in the railroad and banking industries, to companies in technology design and manufacturing, along with service providers.

Professional and Community Affiliations

- Member, American Bar Association
- Member, Minnesota State Bar Association
- Member, Hennepin County Bar Association
- Member, Employment Law Committee, Minnesota Defense Lawyers Association
- Member, Minnesota Women Lawyers
- Co-Editor, Minnesota Employment Law Newsletter, HR Specialist

Recognition

- Named, Rising Star in Employment Litigation, *Minnesota Law & Politics*

Education

J.D., University of Minnesota Law School, 1999, *cum laude*

B.A., Michigan State University, 1995, *With Honors*

Bar Admissions

Minnesota

Wisconsin

Iowa

Courts

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 8th Circuit

U.S. District Court, Northern District of Iowa

U.S. District Court, Southern District of Iowa

U.S. District Court, Northern District of Illinois

U.S. District Court, Eastern District of Michigan

U.S. District Court, District of Minnesota

U.S. District Court, District of North Dakota

U.S. District Court, Eastern District of Wisconsin

U.S. District Court, Western District of Wisconsin

Publications & Press

Minnesota Legalizes THC Products, Germinates New Drug-Free Workplace Issues

Little ASAP

August 19, 2022

Iowa Supreme Court Clarifies Requirements for Employee Drug Testing

Little Insight

July 15, 2021

Severe or Pervasive Remains the Standard to Evaluate Claims of Sexual Harassment in Minnesota

Little ASAP

June 5, 2020

Little Appoints Susan Fitzke as Minneapolis Office Managing Shareholder

Little Press Release

October 9, 2019

Minneapolis Follows the State's Lead and Enacts its Own Wage Theft Ordinance

Little Insight

August 12, 2019

Is Your Arbitration Agreement in an Employee Handbook? The Eighth Circuit Issues a Reminder: Arbitration Agreements Must be Contracts

Little Insight

July 22, 2019

Restoring Decades-Old Precedent, the DOL Blows the Whistle on Fordham's "Fundamental Error"

Little Insight

October 13, 2016

The Mailbag

Minnesota Employment Law Newsletter - HR Specialist

August 1, 2015

NLRB's Relentless Attack On Employment Policies Continues

Business Management Daily

July 10, 2015

NLRB's Relentless Attack On Employment Policies Continues

Minnesota Employment Law Newsletter - HR Specialist

July 1, 2015

Pregnancy Accommodations in Light of Young v. UPS Decision

Minnesota Employment Law Newsletter - HR Specialist

June 1, 2015

Is Early Termination OK When Employee Who is on FMLA Submits Her Resignation?

Business Management

May 19, 2015

The MWA: More Time - and More Protection - For Whistleblowers

Minnesota Employment Law Newsletter - HR Specialist

May 1, 2015

What Counts - And Doesn't - As Part of a "Personnel Record"

Minnesota Employment Law Newsletter - HR Specialist

April 1, 2015

Weigh EEOC Guidance When Considering Criminal Histories

Minnesota Employment Law Newsletter - HR Specialist

March 1, 2015

NLRB Narrows Employer Limitations on Workplace Communications

Business Management Daily

February 3, 2015

NLRB Narrows Employer Limitations on Workplace Communications

Minnesota Employment Law Newsletter - HR Specialist

February 1, 2015

Job Applicant Screening: A Practical Guide

Minnesota State Bar Association

May 2014

How To: Background checks may be best left to the pros

Finance & Commerce

March 24, 2014

Minnesota Enacts “Ban the Box Law” Prohibiting Employment Application Criminal History Checkmark Boxes and Restricting Criminal Record Inquiries Until After Interviews or Conditional Job Offers

Little Insight

May 17, 2013

Speaking Engagements

2022 Midwest Regional Employer Conference

Minneapolis, MN

November 3, 2022

Back to School and Another Hybrid Approach: Sustaining Women’s Leadership While Educating and Caring for Children

August 27, 2020

Disabilities Accommodations Bootcamp: Mastering the Interactive Process

Minneapolis, MN

August 22, 2019

Get Ready! Minnesota's Wage Theft Law is Effective July 1

July 10, 2019

Get Ready! Minnesota's Wage Theft Law is Effective July 1

July 2, 2019

Retail Industry Roundtable

The 2016 Executive Employer® Conference, Scottsdale, AZ

May 6, 2016

Mental Illness and the ADA

Society for Human Resource Management Rochester, MN

October 13, 2015

Minnesota Labor and Employment Law Specialist Certification “And More” – Including Benefits Law, Immigration Law, Military Leave Rights, Drug Testing, Background Checks & Eight Other Significant Topic Areas

Minneapolis, MN

October 12, 2015

Mental Illness and the ADA

On Behalf of Clear Law Institute

August 27, 2015, February 6, 2015, December 5, 2014

ADA, FMLA, and Worker's Comp: I'm hurt, I'm sick, I'm injured – so what now?

Littler Mendelson, Minneapolis, MN

November 6, 2014

When the Whistle Blows, Will You Be Ready?

2014 State Conference - SHRM Minnesota State Council

October 13, 2014

Mental Illness Under the ADA and FMLA: Avoiding and Defending Claims

Strafford Publications Inc.

July 9, 2014

Job Applicant Screening Crash Course

2014 Upper-Midwest Employment Law Institute - Minnesota State Bar CLE, St. Paul, MN

May 19, 2014

The Hiring Games What You Need to Know to Keep the Odds in Your Favor

Littler Mendelson, Minneapolis, MN

October 30, 2013

Managing Mental Health Issues: The Impact Of The ADA, W.C. And FMLA

Littler Mendelson, Minneapolis, MN

October 11, 2012

2012 Midwest Employer Conference

Minneapolis, MN

October 11, 2012

Two-Part FMLA CLE Series: Managing Intermittent FMLA Leave and Post-FMLA Accommodation

Minneapolis, MN

June 7, 2012