Susan K. Fitzke

Shareholder

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Practice Areas

Class Action
Discrimination and Harassment
Leave and Accommodation
Business Restructuring and M&A
Whistleblowing, Compliance and Investigations
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 previously served 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, The Best Lawyers in America®, 2024-2027
- 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

Many Changes Made to Minnesota's Employment Laws
SHRM
August 2, 2024

More Changes to Minnesota's Employment Laws are Imminent
Littler ASAP
June 7, 2024

As employers consider strategies for adapting the size of their workforces to meet changing business demands and technologies, what guidance should be top-of-mind?
Littler 2 the Point Video
November 13, 2023

Big Changes to Minnesota's Employment Laws Are Coming Soon
Littler ASAP
May 18, 2023

Minnesota Prohibits Discrimination Based on Hairstyles
SHRM Online
February 15, 2023

Minnesota Enacts the CROWN Act Prohibiting Discrimination Based on Natural Hair
Littler ASAP
February 9, 2023

Minnesota Expected to Pass CROWN Act Prohibiting Discrimination Based on Natural Hair
Littler ASAP
January 17, 2023

Minnesota Legalizes THC Products, Germinates New Drug-Free Workplace Issues
Littler ASAP
August 19, 2022

Iowa Supreme Court Clarifies Requirements for Employee Drug Testing
Littler ASAP
July 15, 2021

Severe or Pervasive Remains the Standard to Evaluate Claims of Sexual Harassment in Minnesota
Littler ASAP
June 5, 2020

Littler Appoints Susan Fitzke as Minneapolis Office Managing Shareholder
Press Release
October 9, 2019

Minneapolis Follows the State's Lead and Enacts its Own Wage Theft Ordinance
Littler ASAP
August 12, 2019

Is Your Arbitration Agreement in an Employee Handbook? The Eighth Circuit Issues a Reminder: Arbitration Agreements Must be Contracts
Littler ASAP
July 22, 2019

Restoring Decades-Old Precedent, the DOL Blows the Whistle on Fordham's "Fundamental Error"
Littler ASAP
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
Littler ASAP
May 17, 2013

Events & Speaking Engagements

2026 Midwest Regional Employer Conference
Minneapolis, MN
November 12, 2026

New Year, New Strategies: Resolutions that Work for You and Your Team
January 8, 2026

2025 Midwest Regional Employer Conference
Minneapolis, MN
November 13, 2025

2024 Midwest Regional Employer Conference
Minneapolis, MN
November 14, 2024

New Year, New Us! Resolutions for You and Your Organization
January 25, 2024

What's Old is New Again: The Boomer Boom and Age Discrimination in the Workplace
Littler Executive Employer Conference, Phoenix, AZ
May 11, 2023

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 ADAAA
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 ADAAA
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

2012 Midwest Employer Conference
Minneapolis, MN
October 11, 2012

Managing Mental Health Issues: The Impact Of The ADAAA, W.C. And FMLA
Littler Mendelson, Minneapolis, MN
October 11, 2012

Two-Part FMLA CLE Series: Managing Intermittent FMLA Leave and Post-FMLA Accommodation
Minneapolis, MN
June 7, 2012