



Brit Merrill

Associate

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Brit Merrill develops close working relationships with clients to proactively address and resolve issues with the goal of avoiding or minimizing liability and costs.

Brit provides strategic legal counsel and risk management advice to clients on a wide variety of employment matters, including compensation, performance management, separations, leaves of absence, discrimination, harassment, diversity and inclusion, workplace privacy, wage and hour compliance, restrictive covenants, reasonable accommodations, and employee classification.

Brit drafts and reviews employment, separation, severance, confidentiality, and settlement agreements; conducts and advises clients on workplace investigations of allegations of employee misconduct; prepares and updates employee handbooks and related policies, procedures, and guidelines; and monitors and assesses the impact of employment law developments and enforcement trends at the federal, state, and local levels.

When disputes cannot be resolved through counseling and negotiation, Brit effectively advocates for clients in state and federal court and before administrative agencies. Clients benefit from Brit's experience in negotiation, communication, and strategic planning skills developed through ten years of working as a community organizer in the non-profit sector.

Before joining Holland & Hart, Brit worked with a large Utah-based law firm where her practice included commercial litigation, employment law, and immigration law. After graduating from law school, Brit gained experience as a law clerk in the U.S. District Court for the District of Utah. Brit was selected by her peers for inclusion in *Utah Business Magazine's* Utah Legal Elite (2020-2022).

EXPERIENCE

Discrimination, Harassment, Retaliation and Litigation

HR Counseling, Compliance, and Risk Management

- Accommodations, Disabilities, and Leaves
- Employment Policies, Handbooks, and Manuals
- Hiring, Discipline, Performance Evaluations, and Terminations
- Investigations

PRACTICES

Employment and Labor
Discrimination and Harassment
Employment Litigation
Trade Secrets and Non-Competes
Wage and Hour
Disabilities and Leaves

INDUSTRIES

Healthcare
Energy and Resources
Food, Beverage, and Consumer
Products

EDUCATION

University of Utah S.J. Quinney College
of Law, J.D., 2016

Westminster College, M.A., 2013

University of Utah, B.S., 2007

BAR ADMISSIONS

Utah

COURT ADMISSIONS

United States District Court for the
District of Utah
U.S. Court of Appeals for the Tenth
Circuit

- Wage and Hour, Equal Pay, Compensation, and Benefits

Employment Litigation and Class Actions

Immigration

PUBLICATIONS

"Employment: North America, USA Utah 2023," *Lexology Getting the Deal Through*, September 29, 2023

"NLRB Changes the Game for Confidentiality Provisions in Severance Agreements," *Holland & Hart Client Alert*, 02/23/2023

"Employment: North America, USA - Utah," *Lexology GTDT - Employment: North America*, 10/11/2022

"The Disappearing Future of Non-Compete Agreements," *Employers' Lawyers Blog, ERE Recruiting Intelligence, and Holland & Hart News Update*, 11/10/2021

"What Contractors Need to Know about E.O. 13950, Combating Race and Sex Stereotyping," *Holland & Hart News Update*, 10/22/2020

"Communicating with Employees About a Positive COVID-19 Case in the Workplace," *Holland & Hart Legal Insights*, 07/22/2020

"Utah Legislation Shields Employers and Businesses from COVID-19 Civil Lawsuits," *Holland & Hart News Update*, 05/14/2020

"Healthcare Employers and the Families First Coronavirus Response Act," *Holland & Hart News Update*, 03/20/2020

"Families First Coronavirus Response Act Expands FMLA Coverage and Requires Emergency Paid Sick Leave," *Holland & Hart News Update*, 03/19/2020

"Employment: North America: USA (Utah)," *Lexology GTDT*, March 2020

SPEAKING ENGAGEMENTS

"Employee Classification," October 12, 2023

"2023 Employment Law Seminar," *Holland & Hart Utah Employment Law Event*, February 21, 2023

"Utah's Problem with Women's Equality in the Workplace & Solutions," *2022 Utah Business Economic Outlook, Panelist*, 11/17/2022

"When Former Employees Come Back from the Grave: Terminations, Severances, and Other Post-Employment Issues," *Utah State Bar – Labor and Employment Section Annual Meeting, Panelist*, 11/07/2022

"How Do We (Re)build Careers for Working Parents in Utah Post-

pandemic?," *Utah Business Magazine Webinar, Panelist*, 03/24/2021

"COVID Vaccine: How Employers Can Prepare," *Association of Corporate Counsel Mountain West Chapter Webinar, Co-Presenter*, 02/03/2021

"Utah and Federal Law Updates," *Holland & Hart's 2019 Utah Employment Law Seminar, Panelist*, 10/24/2019

"Ethics and Civility," *Holland & Hart's 2019 Utah Employment Law Seminar, Panelist*, 10/24/2019

RECOGNITION

- *Best Lawyers: Ones to Watch in America®*, Labor and Employment Law - Management; Litigation - Labor and Employment, 2022-2024
- *Utah Business Magazine*, 40 Under 40, 2023
- *Utah Business Magazine*, Utah Legal Elite, Up & Coming, 2020-2021; Labor & Employment, 2022
- Mountain States Super Lawyers® Rising Stars, Employment & Labor, 2023

PROFESSIONAL AND CIVIC AFFILIATIONS

- Utah State Bar Leadership Academy, Fellow, Class of 2017
- Women Lawyers of Utah
 - President, 2023-present
 - President-Elect, 2022-2023
 - Board Member, 2015-present
 - Historian Chair, 2016-present
 - Judicial Nominating Committee, Member, 2017-present
- Salt Lake County Bar Association, Member
- Utah Minority Bar Association, Member
- Young Lawyers Division, Member
- American Bar Association, Member
- Federal Bar Association, Member