

**Kirsten G. Daniels**

Attorney  
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206.223.7269



**Area of Practice**

Kirsten Daniels focuses her practice on employment litigation and counseling. She defends clients against EEOC claims, discrimination/constructive discharge, sexual harassment and hostile work environment claims, and wage and hour violations. Kirsten also advises employers regarding compliance with federal and state employment laws and has drafted employment handbooks, personnel policies and separation and release agreements.

Kirsten also litigates ERISA and employee benefits issues. Kirsten represents employers, employee benefit plans, insured plans, insurers and administrators in actions involving disability, life, health, and stock/compensation employee claims, claims for breach of fiduciary duty, and actions seeking civil penalties under ERISA. Kirsten provides advice to ERISA plans, employers, fiduciaries and insurers regarding disability claims, health claims, compliance with Department of Labor regulations and civil enforcement actions.

**Professional Experience**

Judicial Extern, Honorable John C. Coughenhour (Seattle, Wash.)  
Judicial Extern, Employment Security Division, Office of Administrative Hearings (Seattle, Wash.)  
Intern, Unemployment Law Project (Seattle, Wash.)

**Admitted to Practice**

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

**Academics**

Seattle University Law School (J.D., *magna cum laude*)  
National Moot Court Team  
Vice-President of Fundraising, Public Interest Law Foundation  
University of Puget Sound (B.A.)

**Practice Group and Specialty Team Memberships**

Labor and Employment  
Long Term Care and Seniors Housing Client Service Team  
Retail

**Publications**

“Employees’ Use of E-mail for Union Support Purposes,” *Human Resources* 2008, Co-author (Summer 2008)

“Looking Forward on Background Checks: The CMS Employee Background Check Pilot Program Should Prompt Long Term Care Providers to Evaluate Their Current ‘Direct Access Employer’ Background Check Screening Process,” American Health Lawyers Association *LTC Advisor*, Co-author (November 2007)

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“Human Resources 2008: Answers to the Top 25 HR Questions in 2008 — NLRB Ruling Restricts Use of Company E-mail for Union Purposes,” Co-author

### **Speaking Engagements**

“If You Leave Me Now...’ — Not the Same Song & Dance for Mastering Leave and Disability Accommodation,” Northwest Human Resource Management Association’s 2012 Conference and Tradeshow (October 2, 2012)

“Wage Laws for Specific Types of Workers” and “Exempt vs. Non-Exempt Employees,” National Business Institute’s “FLSA Issues in Small- to and Medium-Sized Businesses” Seminar (March 14, 2012)

“Annual Labor and Employment Law Update: Lessons for Best Employers From Judicial Decisions, New Laws and Regulations,” Lane Powell’s 29th Annual Labor and Employment Law Seminar, Seattle (September 20, 2011)

“Tips for Conducting Workplace Investigations: Lessons Learned from the Trenches,” South King County Human Resources Association’s Meeting (March 17, 2011)

“Employment Law Update,” Lane Powell’s 28th Annual Labor and Employment Law Seminar (October 2010)

“Navigating the Changes to the ADA and FMLA: More than Meets the Eye,” 22nd Annual Northwest Regional Payroll Conference (American Payroll Association) (September 2010)

“To Be or Not to Be: Employee Classification Conundrums,” 22nd Annual Northwest Regional Payroll Conference (American Payroll Association), Keynote Speaker (September 2010)

“Changes in Employment Law Every Employer Should Know,” Providence Physician Network Manager’s Forum (November 2009)

“Let’s Nip It in the Bud: How Training, Policies and Human Resources ‘Best Practices’ Can Keep Smaller Problems from Getting Bigger,” Washington State Bar Association “Best Workplaces” Forum (September 2008)

“Performance Evaluations of Employees in Washington,” Lorman Education Seminar, Moderator (November 2007)

### **Representative Matters and Clients**

*Leilani Carder-Cowin v. Unum Life Insurance Co. of America*, —F. Supp. 2d—, 2008 WL 2323529 (W.D. Wash 2008)(Summary judgment in Plan administrator’s favor; plan properly exercised its discretion and was unaffected by conflict of interest)

Defended local health and fitness organization against EEOC wrongful discharge claim; claim dismissed by EEOC in 48 hours

Defended multi-state long term care facility owner against wrongful death claim

Mediated failure to accommodate and FMLA claim on behalf of local software company

Litigated failure to accommodate and race discrimination claim on behalf of national oil company

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Obtained summary judgment dismissal of sexual harassment/hostile work environment claim on behalf of local not-for-profit organization

**Professional and Community Activities**

Member, Washington State Bar Association

Member, Labor and Employment Section, King County Bar Association