

Elizabeth A. Odian

Partner

Overview

Beth defends businesses in employment litigation matters involving discrimination, harassment, wrongful termination, and retaliation under Title VII, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Family Medical Leave Act (FMLA), the Wisconsin Fair Employment Act (WFEA), National Labor Relations Act (NLRA), Wisconsin Worker's Compensation Act, and other state and federal laws. She also defends state and federal wage and hour claims and collective actions, unemployment appeals, breach of contract claims, defamation claims, and other employment matters.

Beth uses the lessons she has learned from her extensive litigation background to help employers avoid costly litigation. For example, she counsel employers on FMLA and disability leave, the interactive process and accommodations, discipline, terminations and to conduct internal investigations into employee misconduct. In addition, employers turn to Beth for advice on exemption classification, overtime, bonuses, and other wage and hour issues, and to review and draft employer policies and handbooks, employment agreements, and non-compete agreements.

Beth represents clients from varied industries including manufacturing, packaging, banking, retail, healthcare, insurance, food, agriculture, education, and consumer services, as well as non-profits and municipalities.

Prior to joining Michael Best, Beth was a partner at a full-service law firm where she practiced in employment litigation, consumer litigation, and insurance coverage. After completing her Juris Doctor degree in 2011, Beth served as a law clerk to the Honorable Patricia Gorence and the Honorable William Callahan, both of the United States District Court for the Eastern District of Wisconsin.

While in law school, Beth held a number of judicial clerkships and internships. She interned for the Honorable Shirley Abrahamson, Chief Justice of the Wisconsin Supreme Court, and for the Honorable Lynn S. Adelman of the United States District Court in the Eastern District of Wisconsin. She also had an externship at Nike, Inc.



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Practices

Employment Litigation
Employment Policies, Practices &
Audits
Insurance Litigation
Labor & Employment Relations
Wage and Hour Compliance &
Defense

Employment Litigation

- **Sex Discrimination and Retaliation:** Co-chaired an administrative trial and handled post-hearing briefing in a case alleging the plaintiff's employer unfairly disciplined the plaintiff because of her sex and later terminated her employment because of her sex and in retaliation for filing a charge of discrimination. Plaintiff's final demand was in excess of \$500,000. The ALJ found in favor of the defense on all claims.
- **Retaliation and Sex and Disability Discrimination.** As a result of plaintiff's deposition, obtained a four-figure settlement in lieu of proceeding to a hearing.
- **Employee Discharge Grievance:** Tried and briefed a labor arbitration resulting from a discharge grievance filed by the employee's union. The arbitrator found in the employer's favor. **Age Discrimination:** Obtained summary judgment in favor of an employer who terminated the oldest worker in his job classification, for legitimate non-discriminatory reasons, as part of a reduction in force.
- **Employment Contract/Wage & Hour:** Successfully appealed a decision from the Wisconsin Labor & Industry Review Commission, which held the employer failed to pay bonuses due under an employment contract.
- **Sex Discrimination and Sex-Based Harassment:** Obtained summary judgment in a case alleging the employee's manager harassed her because of her sex on grounds that she could not prove she was treated differently than male employees.
- **Worker's Compensation Appeal.** Successfully appealed a worker compensation bureau's classification of the employer as a Professional Employer Organization.

Education

- Marquette University Law School, Juris Doctor (J.D.), *cum laude*, 2011; Associate Editor, *Marquette Law Review*
- University of Massachusetts Lowell, Bachelor of Science (B.S.), *magna cum laude*, 2005; Business Administration

Admissions

- United States Court of Appeals, Seventh Circuit
- United States District Court, Eastern and Western Districts of Wisconsin
- Forest County Potawatomi Tribal Court

Community Involvement

- Volunteer, Milwaukee Volunteer Legal Clinic