

## Diana S. Shukis

(she/her)

Firm Co-Chair and Principal

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Diana has more than 20 years of experience partnering with employers to help them navigate challenging workplace issues with a business-minded and practical approach.

Diana advises and counsels employers on the many issues that arise in today's complex workplaces. Whether an employer needs key, timely advice during potentially volatile workplace situations, help managing complex workplace investigations, guidance on wage and hour compliance, or advice on how to handle a sensitive termination – Diana is there to assist. Diana also represents employers when they need representation in litigation, arbitration or before administrative agencies. Diana has served as lead counsel in a number of complex, multi-party matters. Diana has substantial experience leading all aspects of matters – case development, discovery, alternative dispute resolution efforts, trial preparation and trial.

### Education

J.D., University of Oregon School of Law, 1999

- *Oregon Law Review*, Staff Member, 1997-1998

B.A., Michigan State University (with honors), 1994

### Honors & Recognition

*Chambers USA* (Washington), Leading Individual, Labor & Employment,

### Services

Labor, Employment & Immigration  
Alternative Dispute Resolution  
Family-Owned & Closely Held Businesses  
Hospitality, Travel & Tourism  
Labor & Employment Litigation  
Litigation  
Transportation & Logistics

### Admissions

Washington  
U.S. District Court, Eastern District of Washington  
U.S. District Court, Western District of Washington  
U.S. Bankruptcy Court, Western District of Washington  
U.S. Court of Appeals for the 9th Circuit

2022-present; 2017-2018

*The Best Lawyers in America*® Employment Law – Management, 2013-present; Labor & Employment Law, 2013-2016

Rising Star, Washington Super Lawyers, 2004-2013

- Rising Star, *Super Lawyers Washington Women's Edition*, 2013

### Professional Activities

Foster Garvey, Firm Co-Chair, 2020-present

Foster Garvey, [Opportunity & Progress Council](#), Member, 2020-present

Society for Human Resource Management, Member

Washington Lodging Association, Member

### Community Activities

Mother Attorney Mentoring Association of Seattle, Former Board Member

The Learning Tree, Board Member

### News

Foster Garvey Named in 2024 Best Law Firms® Rankings; Receives Multiple Honors in National and Metropolitan Categories

*Foster Garvey Newsroom*, 11.2.23

57 Foster Garvey Attorneys Recognized Among the 2024 Best Lawyers in America; Two Portland Attorneys Named 'Lawyer of the Year'

*Foster Garvey Newsroom*, 8.17.23

Foster Garvey Receives Honors in 2023 *Chambers USA* Guide; 21 Attorneys and 10 Practices Featured

*Foster Garvey Newsroom*, 6.1.23

45 Foster Garvey Attorneys Recognized Among *The Best Lawyers In America*®

*Foster Garvey Newsroom*, 8.18.22

Foster Garvey Recognized Among Nation's Leading Law Firms in 2022 *Chambers USA* Guide; 21 Attorneys and 10 Practices Featured

*Foster Garvey Newsroom*, 6.1.22

Invested in the Future: Diana Shukis Interviewed in *Mid-Market Report*

*the Mid-Market Report*, 11.11.21

38 Attorneys Named 2022 Best Lawyers in America; 11 Named Best Lawyers: Ones to Watch  
*Foster Garvey Newsroom*, 8.19.21

Foster Garvey's Policy Aimed at Creating a More Inclusive Workplace Highlighted in *Best Lawyers*  
*Best Lawyers*, 6.17.21

Foster Garvey's Declared Name and Pronouns Policy Featured in *Law360*  
*Law360*, 6.15.21

Foster Garvey Celebrates Diversity and Supports Inclusion With Declared Name and Pronouns Policy  
*Foster Garvey Newsroom*, 6.14.21

Foster Garvey Salary Restorations Mentioned in The Mid-Market Report; Diana Shukis Quoted  
*The Mid-Market Report (Law.com)*, 11.6.20

Foster Garvey Celebrates Its One-Year Anniversary  
*Foster Garvey Newsroom*, 10.1.20

43 Attorneys Named 2021 *Best Lawyers in America*; 10 Named Best Lawyers: Ones to Watch  
*Foster Garvey Newsroom*, 8.20.20

Foster Garvey Stands Against Racism, Bias and Hate, and We Are Taking Action  
*Foster Garvey Newsroom*, 7.8.20

50 Foster Garvey Attorneys Named 2020 *Best Lawyers in America*  
*Foster Garvey Newsroom*, 8.15.19

## **Speaking Engagements**

"So Much Information – So Many Requests for It!" Association of Washington Cities Labor Relations Institute  
Speaking Engagement  
Virtual Event, 5.7.21

"Personnel Challenges Relating to the Global Pandemic," Washington Public Ports Association  
2020 Virtual Finance Seminar  
Speaking Engagement  
Virtual Event, 12.9.20

4th Annual Family and Closely Held Business Summit  
Co-sponsored event  
Seattle, WA, 10.25.18

"Paycheck or Pinkslip?" Moderator, Transportation Intermediaries Association, TIA 2015 Capital Ideas Conference & Exhibition

Speaking Engagement

Orlando, FL, 4.16.15

"Policy Hash: A Review of Seattle's Minimum Wage and Wage Theft Ordinances," Panel

Member, Seattle Chamber of Commerce

Speaking Engagement

Seattle, WA, 4.9.15

"Discussion re Seattle's Minimum Wage Ordinance," Panel Member, Seattle Hotel Association

Speaking Engagement

Seattle, WA, 3.26.15

"Avoid the Department of Anti-Labor. Make the FLSA Framework work for you," Transportation Intermediaries Association, TIA 2014 Great Ideas Conference & Exhibition

Speaking Engagement

Tuscon, AZ, 4.10.14

"TIA Operations Committee Meeting," Panel Member, Transportation Intermediaries Association, TIA Fall Meeting 2013

Speaking Engagement

Houston, TX, 11.17.13

"Employment Liabilities. Addressing the challenges of employee classification & independent contractors," Transportation Intermediaries Association, 2013 TIA Convention and Trade Show

Speaking Engagement

Las Vegas, NV, 4.12.13

## **Legal Alerts**

Surging Unemployment Claims Pose New Challenges to Employers – Are You Ready?

4.24.20

Updates on the New Federal Paid Sick Leave and Paid Child Care Leave Laws

4.1.20

COVID-19 and the Workplace: What an Employer Should Know About the New Federal Leave Laws

3.24.20

The Wait Is Over – The New Overtime Rules Are Here: The Reconfiguration of Your Compensation System Is Just Beginning

5.19.16

Update on Seattle Wage Theft Prevention and Harmonization Ordinance  
3.8.16

Employer Alert! Washington Passes Social Media Privacy Law  
6.12.13

## **Publications**

Thought Leader Forum: Workplace Harassment  
*Puget Sound Business Journal*, 2.16.18

## **Experience**

### **Representative advice and counseling experience:**

- Regularly advise human resource professionals, executives, and in-house attorneys on wide variety of workplace issues, for example, performance management, disability accommodation, leave management, wage and hour compliance, addressing workplace complaints, succession planning, and separations.
- Advise and assist clients in managing complex workplace investigations with an eye toward managing legal risk and navigating challenging workplace issues.
- Assist clients with updating, drafting and implement key workplace policies to comply with legal requirements, while recognizing operational and labor market realities.
- Conduct workplace investigations aimed at effectively assessing and reporting out on concerns while also providing important insights based on information learned.
- Provide tailored manager and employee training on a wide-variety of topics, including anti-harassment and effective performance management.

### **Representative litigation experience:**

- Successfully represented regional public entity in retaliation and wrongful termination lawsuit brought by two former employees. Served as lead counsel in seven-week jury trial in King County Superior Court. Case resolved during trial in confidential settlement.
- Secured defense verdict in a race discrimination and retaliation lawsuit by a former employee of regional public entity. Served as lead counsel in bench trial in King County Superior Court. Result was not appealed.
- Secured favorable decision upholding terminations of two employees by regional public entity in labor arbitration. Served as lead counsel in one-week arbitration.

- Successfully represented regional public entity in disability discrimination and failure to accommodate lawsuit brought by four employees in King County Superior Court. Served as lead counsel in discovery, mediation efforts, and negotiation of settlement on favorable terms after key depositions.
- Successfully represented regional public entity in gender and pregnancy discrimination lawsuit brought by two employees in US District Court. Served as lead counsel in all aspects of case. Negotiated settlement on favorable terms before the completion of discovery.
- Successfully represented business owners in multi-party lawsuit alleging breaches of contractual obligations in both employment and business activities. Served as lead counsel on all aspects of case leading to three-week jury trial in US District Court, which abruptly halted on the eve of trial due to a bankruptcy filing.
- Served as lead counsel in representation of regional employer defending against high-profile claims of discrimination and retaliation in pre-litigation setting. Successfully resolved claims in confidential settlement, which avoided many potential negative impacts for employer.
- Obtained summary judgment in favor of an employer in a race discrimination and retaliation lawsuit filed by a former employee in King County Superior Court.
- Obtained summary judgment in favor of individual manager sued in sexual harassment and retaliation lawsuit filed by former direct report in King County Superior Court.