CLINE WILLIAMS
WRIGHT JOHNSON & OLDFATHER



TARA A. STINGLEY

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PRACTICE AREAS

- Labor and Employment
- Employment Litigation
- Business Litigation
- Alternative Dispute Resolution
- Intellectual Property Litigation

Practice Emphasis:

Tara is the Chair of Cline Williams' Labor and Employment Law section as well as the firm's primary representative to the Employment Law Alliance, the largest international network of labor and employment lawyers. Tara specializes in employment law, advising businesses in a variety of industries on compliance with federal, state, and local employment laws and regulations. Tara assists clients in developing employment policies and provides guidance on best employment practices, employment/termination decisions, and avoiding employment litigation and

claims. She advises clients on Title VII, the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), the Fair Labor Standards Act (FLSA), the Age Discrimination in Employment Act (ADEA), and other similar federal, state, and local laws and regulations. In the area of wage and hour laws. Tara assists clients in performing internal wage/hour audits to identify potential areas of exposure. Tara also prepares and updates employment policies, employee handbooks, employment agreements, independent contractor agreements, restrictive covenant agreements (including non-compete, non-solicitation, non-disclosure/confidentiality, and non-diversion agreements), and separation agreements/releases for individual terminations and reductions-in-force. Additionally, she develops employee training materials and conducts training sessions on equal employment opportunity subjects and recent changes in employment law.

Tara also has a litigation practice and routinely represents public and private employers of all sizes in federal and state court and before federal, state, and local administrative agencies such as the Equal Employment Opportunity Commission (EEOC), the Nebraska Equal Opportunity Commission (NEOC), and the National Labor Relations Board (NLRB), among others. Tara defends employers against claims of discrimination, retaliation, and harassment under Title VII, the ADA, the FMLA, and the ADEA; claims for wage/hour violations under the FLSA and state wage payment laws; and claims alleging wrongful termination and breach of contract. She also assists employers in enforcing restrictive covenant agreements containing non-compete, non-solicitation, non-disclosure/confidentiality, and non-diversion provisions.

Additionally, Tara represents business owners, property management companies, property owners, developers, and others with regard to fair housing issues, including complaints under the ADA, Section 504 of the Rehabilitation Act, and the Nebraska Fair Housing Act. Tara also defends organizations against complaints in federal and state court alleging violations of Title III of the ADA with respect to public accommodations.

Admitted to Practice:
Nebraska
United States District Court for the District of Nebraska
United States District Court for the District of Colorado
United States Court of Appeals for the Eighth Circuit

Education:
University of Nebraska, J.D., with high distinction, 2005
University of Nebraska, B.S. Criminal Justice, summa cum laude, 2002

Achievements:
- Named: Best Lawyers in America 2023 – Litigation-Labor and Employment Lawyer of the Year in Omaha
- Listed: Best Lawyers in America (Woodward/White, Inc. (Litigation-Labor and Employment, Employment Law-Management)

- Named: Best Lawyers' 2020 Litigation-Labor and Employment Lawyer of the Year for Omaha
- Listed: Chambers USA, America's Leading Lawyers for Business (Chambers & Partners Publishing) (Labor and Employment)
- Listed: Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms & Attorneys
- Named: Who's Who Legal: Labour, Employment & Benefits, 2021
- Named: Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms & Attorneys, 2019 - present Labor & Employment Star
- Named: Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms & Attorneys, 2018 & 2021 Future Litigation Star
- Named: Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms & Attorneys, 2018 Under 40 Hot List
- Named: Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms & Attorneys, 2016 Under 40 Hot List
- Listed: Great Plains Super Lawyers (Employment Litigation Defense; Employment & Labor; Employment Discrimination; Employment Law - Employee; Retaliation, Sexual Harassment, Wage & Hour Laws; Whistleblower; Wrongful Termination)
- Order of the Coif
- Order of the Barristers

Experiences:

- Law Clerk to the Honorable William Jay Riley, U.S. Circuit Judge, Eighth Circuit Court of Appeals, 2005-2007
- Member, The American Employment Law Council
- Member Services Regional Co-Chair, Employment Law Alliance
- Trustee, Business Ethics Alliance
- Team Jack Foundation, Omaha Events Committee Member
- Member, University of Nebraska President's Advisory Council, 2014-2019
- Member of the Board of Directors, Food Bank for the Heartland, 2012-2019
- Member, University of Nebraska Law College Dean's Advisory Board
- Member, Leadership Omaha, Class 33 (2010-2011)
- Graduate, Nebraska State Bar Association Leadership Academy, Class 2010
- Member, Robert M. Spire American Inn of Court, 2006-2011
- Managing Editor, Nebraska Law Review, 2003-2005
- Member, National Moot Court Team, 2004

Published:

- "EEOC Releases Updated 'Know Your Rights' Poster," Nebraska Municipal Review, October 2022
- "Just the Facts, Ma'am: Proper Documentation of the Nondiscriminatory Reasons for Termination," Nebraska Municipal Review, September 2022
- "Don't Ignore Bad Behavior: Best Practices for Addressing Workplace Harassment," Nebraska Municipal Review, August 2022
- "Department of Labor Guidance on Compensable Time for Employee Training and Continuing Education," Nebraska Municipal Review, July 2022

- "Ensuring Proper Classification of Workers as Independent Contractors," Nebraska Municipal Review, June 2022
- "Department of Labor's Guidance on Avoiding FLSA and FMLA Retaliation," Nebraska Municipal Review, April 2022
- "New Law Ending Forced Arbitration for Sexual Harassment and Assault Claims," Nebraska Municipal Review, March 2022
- “HR Tips and Resolutions for the New Year,” Nebraska Municipal Review, December 2021
- "Preventing and Responding to Harassment in the Workplace," Nebraska Municipal Review, October 2021
- "Disability Discrimination and Documenting Performance Deficiencies," Nebraska Municipal Review, September 2021
- "OSHA Issues Updated COVID-19 Guidance and Emergency Temporary Standard for Healthcare Settings," Nebraska Municipal Review, July 2021
- "EEOC Issues Updated Guidance on COVID-19 Vaccination Policies," Nebraska Municipal Review, June 2021
- "FMLA for Municipal Employers," Nebraska Municipal Review, February 2021
- "Department of Labor Issues Final Rule on Definition of Independent Contractor," Nebraska Municipal Review, January 2021
- "COVID-19 Vaccination Policies: Important Considerations for Employers," Nebraska Municipal Review, December 2020
- “Coronavirus Relief Grants Application Period – Phase 2,” Nebraska Municipal Review, October 2020
- "Employers’ Obligations Under the Families First Coronavirus Response Act," Nebraska Municipal Review, September 2020
- "Returning to Work in the Era of COVID-19," Nebraska Municipal Review, July 2020
- "NLRB Reverses Course and Approves Employer Confidentiality Policies that Apply During Workplace Investigations," Nebraska Municipal Review, January 2020
- "Vacation Leave and Paid Time Off: Say *Bon Voyage* to “Use It or Lose It” Policies,' Nebraska Municipal Review, December 2019
- “Employee Handbooks and End-of-the-Year Employment Reminders,” Nebraska Municipal Review, November 2019
- "Amended Nebraska Law Prohibits Discrimination Based on Wage Disclosure," Nebraska Municipal Review, October 2019
- "Preventing and Responding to Sexual Harassment in the Workplace," Nebraska Municipal Review, July 2019
- "Employment Practices Liability Insurance: What Every Employer Should Know," Nebraska Municipal Review, June 2019
- "Avoiding the Boomerang Effect: Minimizing Exposure to Discrimination or Retaliation Claims Following Workplace Investigations and Discipline," The Nebraska Lawyer, March/April 2015
- "Why Can't We Be 'Friends'? Emerging Legal Issues Relating to Attacks on Social Media by the National Labor Relations Board and its General Counsel," The Nebraska Lawyer, November/December 2012

- "Physicians and Facebook: Implications of Social Media Usage in the Health Care Industry," Nebraska Medicine/The Nebraska Medical Association, September 2012
- "Independent Contractor or Employee: Avoiding Legal Risks and Penalties Associated with the Misclassification of Workers," The Nebraska Lawyer, November/December 2010

Podcasts:

- Cannabis Use & Testing at Work in New Jersey, November 2022
- The Lifecycle of the Employee in Quebec, August 2022
- Title IX 50th Anniversary, August 2022
- Colorado's New Non-Compete Legislation, July 2022
- Million -Dollar PAGA Cases Can Be Avoided Under U.S. Supreme Court's Viking River Decision, June 2022
- Key Takeaways for Employers From the U.S. Major League Baseball Labor Negotiations, March 2022
- Recent Legal Developments on Women's Rights Issues in the U.S., March 2022
- Forced Arbitration of Sexual Harassment and Assault Claims Recently Banned in the U.S., February 2022
- U.S. Supreme Court "Stays" OSHA ETS, January 2022
- U.S. Emergency Temporary Standard: 6th Circuit Lifts the Stay, December 2021
- Updates to the Pennsylvania Medical Marijuana Act, November 2021
- Considerations and Protections for LGBTQ+ Students in Higher Education, September 2021
- Safety Measures and Mandatory Vaccines in a Unionized Environment, August 2021
- Return to Work Issues in Alaska, August 2021
- The Changing Landscape of Labor Law Under the Biden Administration, July 2021
- Vaccination & Masking Requirements in the U.S. and Recent Guidance from the EEOC, June 2021
- Updates on the New Pay Equity Law in Colorado, May 2021
- Challenges for U.S. Employers Dealing with Political Speech in the Workplace, May 2021
- Updates on The American Rescue Plan Act, April 2021
- Technology and the Future of HR, April 2021
- The American Rescue Plan Act and Its Impact on Employee Benefits, March 2021
- COVID-19 in the US: Vaccinations and the Workplace, March 2021
- Immigration Issues Facing Colleges and Universities in the United States, March 2021
- Employees and Technology: Are They Putting Your Business in Danger, February 2021
- What Immigration Law Changes Employers Can Expect Under the Biden Administration, February 2021

- Employers Prepare for Change as the Biden-Harris Administration Begins, February 2021
- Mandatory Vaccination Plans for Employers in the United States, February 2021
- Impact of the Biden Administration and Democratic Congress on Higher Education, February 2021
- "New Normal" for Employees in the United States, February 2021
- Considerations for Employers Regarding Vaccination Policies in the Context of COVID-19, December 2020