

## Jennifer L. Sabourin

### SERVICE AREAS

#### Business

- Employment + Labor
  - Employment Litigation + Dispute Resolution
  - Employment Practices Counseling: Preventive Employment Relations

#### Litigation + Trial

- Employment + Labor
  - Employment Litigation + Dispute Resolution
  - Employment Practices Counseling: Preventive Employment Relations

#### Governments + Nonprofits

- Employment + Labor
  - Employment Litigation + Dispute Resolution
  - Employment Practices Counseling: Preventive Employment Relations

### EDUCATION

- Wayne State University Law School, J.D.
- University of Michigan-Dearborn, B.A.

### BAR ADMISSIONS

- Michigan

### COURT ADMISSIONS

#### U.S. Court of Appeals

- Sixth Circuit

#### U.S. District Court

- Eastern District of Michigan



### Principal

#### Detroit

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Jennifer L. Sabourin counsels employers in all facets of the employment relationship by providing advice on how to remain compliant with state and federal employment laws, as well as defending employers in agency charges and litigation. She is experienced in providing national training for hourly, management and executive-level employees, drafting employee handbooks, policies and contracts, and investigating claims of workplace discrimination, harassment and violence. Jennifer further counsels her clients on best practices in maintaining proactive employee relationships, including hiring, evaluating, disciplining and terminating employees. She represents employers in discrimination, harassment, retaliation, and violations of wage and hour matters pending in state and federal courts, as well as the Equal Employment Opportunity Commission, and various state employment agencies.

*"I enjoy working with my clients on developing employment policies and strategies that help them to balance their business needs while improving employee productivity and morale at the same time."*

Jennifer L. Sabourin

### EXPERIENCE

Jennifer successfully defended a national retail client in a race discrimination and retaliation matter brought by a terminated director-level employee and a group of vendors and suppliers. The plaintiffs' claims in this matter could best be characterized as a moving target. Once defenses were lodged to one claim, the plaintiffs sought amendments to add additional claims. This meant that discovery depositions were critical. By anticipating what additional claims the plaintiffs might seek to add in the future, Jennifer and her team were able to obtain damaging admissions on

those unasserted claims. Not only did they get a complete dismissal of the claims, but they also successfully defended the inevitable 11th-hour motion to amend to add the claims they had anticipated in the depositions. Although the plaintiffs demanded \$4 million at a voluntary facilitation, they ended up with a complete dismissal of their claims.

*"Early planning and the ability to anticipate the moves of your opponent are essential to successful litigation."*

## REPRESENTATIVE MATTERS

- National Shipping Retailer Employment Litigation  
Successfully argued to the Sixth Circuit Court of Appeals that it should affirm the trial court's complete dismissal of employee's claims for gender and age discrimination against a Fortune 500 company.
- National Retail Chain Employment Litigation  
Obtained summary judgment in favor of a national retail chain of plaintiff's claims of race discrimination and retaliation.
- National Beverage Retailer Employment Litigation  
Obtained summary judgment in favor of a national beverage retailer of plaintiff's claims that his employer violated his rights under the Family Medical Leave Act
- Public University Employment Litigation  
Core member of the litigation team that obtained summary judgment in favor of a public university of plaintiff's claims of national origin discrimination based on the Indian Caste System. Plaintiff's claims of race discrimination, religious discrimination and retaliation were also dismissed.
- Financial Institutions Employment Litigation  
Obtained summary judgment of plaintiff's defamation claims on behalf of a financial institution.
- Utility Entity Employment Litigation  
Successfully obtained summary judgment of plaintiff's federal claims for race discrimination and retaliation.

## PROFESSIONAL ACTIVITIES

- American Bar Association, Labor and Employment Law Section, Fundamentals Track Coordinator, ABA 6th Annual Section of Labor & Employment Law Conference, Atlanta, GA 2011-2012; Litigation Track Coordinator, ABA 5th Annual Section of Labor & Employment Law Conference, Seattle, WA 2010-2011; Member, Leadership Development Program 2010
- American Bar Association, Labor and Employment Law Section, Equal Employment Opportunity Committee, Planning Committee for National Conference on Equal Employment Opportunity Law, San Francisco, CA 2011-2012; Planning Committee for National Conference on Equal Employment Opportunity Law, New Orleans, LA 2010-2011; Employer Co-Chair of Outreach Sub-Committee, 2010; Employer Co-Chair of Mentoring Sub-Committee 2009
- State Bar of Michigan, Labor and Employment Law Section
- Detroit Metropolitan Bar Association, Labor and Employment Law Section
- Dearborn Bar Association, President, 2003-2004; Vice-president, 2002-03; Treasurer, 2001-02; 2001 Law Day Chairperson
- Leadership Detroit, Class XXVII, 2005-2006

## HONORS + AWARDS

- Wayne State University Law School, Wayne Law Review, Production Editor, 1998-99; Assistant Editor, 1997-98
- Michigan Super Lawyers, Employment Litigation: Defense Rising Star 2008, 2009, 2011
- Best Lawyers in America, Litigation-Labor & Employment 2012

## CIVIC, CULTURAL + SOCIAL ACTIVITIES

- Michigan Migrant Legal Assistance Project, Board of Directors 1999-2004
- University of Michigan-Dearborn, Alumni Affiliate Board, College of Arts, Sciences, and Letters, 1999-present
- Boll Family YMCA, Downtown Detroit, Board of Advisors 2004-09

## PUBLICATIONS

"Emerging FLSA Trends," (Co-Author), Michigan Bar Journal, January 2005

"2003 Annual Survey of Michigan Law: Professional Responsibility,"  
50 Wayne Law Review 699 (2004)

"2002 Annual Survey of Michigan Law: Professional Responsibility,"  
49 Wayne Law Review 575 (2003)

"2001 Annual Survey of Michigan Law: Professional Responsibility,"  
48 Wayne Law Review 785 (2002)

"Parental Rights Amendments: Will a Statutory Right to Parent Force  
Children to 'Shed Their Constitutional Rights' at the Schoolhouse  
Door?" 44 Wayne Law Review 1899 (1999)

## **SPEECHES**

"Objection! Demonstrations on When and How to Object," American  
Bar Association Section of Labor and Employment, 5th Annual Labor  
and Employment Law Conference, Seattle, Washington, November  
9, 2011

"Wage and Hour Audit: Employer Best Practices and What to Do if  
Faced with Such an Audit," HR Spring Training: Miller Canfield's  
2011 Labor & Employment Law Seminar, Troy, MI, May 12, 2011

"Labor & Employment Breakout Session," *Crain's* General and  
In-House Counsel Summit, Novi, MI, May 3, 2011

"The Leaves Have Changed: The Growing Need for Time Off for  
Military-Related Needs and Family Responsibilities," American Bar  
Association National Conference on Equal Employment Opportunity  
Law, San Antonio, TX, March 26, 2010

"Employee Handbooks and Personnel Policies," Miller Canfield Labor  
& Employment Law Seminar, Troy, MI, October 29, 2009

"The Role of Witness Statements in Corporate Investigations," Miller  
Canfield Labor and Employment Law Seminar, Troy, MI October 23,  
2008

"Sex-Based Harassment: Workplace Policies for the Legal  
Profession," American Bar Association Annual Meeting, San  
Francisco, CA, August 11, 2007

"Shielding your Organization from Liability in Failing to Make  
Reasonable Accommodations," Council on Education in Management,  
Dearborn, MI, December 8, 2006

## Jennifer L. Sabourin

"Harassment in the Workplace," Michigan Chamber of Commerce, Novi, MI, April 27, 2006

"How to Respond to Complaints of Workplace Harassment," Miller Canfield Labor & Employment Law Seminar, Troy, MI October 20, 2005

"From Hiring to Firing: Making Sound Legal Decisions," Michigan Chamber of Commerce, Novi, MI, October 13, 2005

"Employee Discipline & Termination," Michigan Chamber of Commerce, Novi, MI, April 28, 2005

"Interviewing and Hiring," Michigan Chamber of Commerce, Novi, MI, March 3, 2005

"Discrimination/Harassment/Retaliation: How to Prevent Religious, Ethnic, Racial, and Other Claims," Miller Canfield Labor & Employment Law Seminar, Troy, MI, October 29, 2003

### SEMINARS + EVENTS

- 2012 HR Spring Training Seminar
- Annual Labor and Employment Law Seminar

### NEWS

- Miller Canfield Attorney Named to Leadership Detroit Class XXVII
- Miller Canfield Discusses Workplace Harassment
- Miller Canfield Attorneys Present "Employee Discipline & Termination"
- Miller Canfield Attorney Appointed to President of Dearborn Bar Association

### ALERTS

- Bullying In The Workplace
- EEOC Clarifies its Position on Criminal Background Checks