

Erinn L. Rigney

Partner

Chicago
+1.312.807.4407

Erinn.Rigney@klgates.com

OVERVIEW

Erinn Rigney is a partner in the firm's Labor, Employment, and Workplace Safety practice. Erinn focuses her practice on advising clients on strategic positions in compliance and transactional matters using a practical approach that balances business objectives with legal risk. She regularly advises clients on a full range of employment issues including managing reasonable accommodations under federal and state law; internal investigations and associated legal issues; development and implementation of policies and agreements that address both regulatory compliance and operational efficiency, restrictive covenant enforcement, and compliance with wage and hours laws. As part of her practice, she regularly counsels clients on the lifecycle of the employment relationship, from recruitment and hiring to separation and post-employment matters all while minimizing risk and managing associated employee relations concerns. Erinn also regularly develops and conducts workplace trainings and management coaching, working with employers to deliver effective and legally-compliant training tailored to their industry and workforce. Additionally, Erinn partners with the firm's Corporate practice to manage employment due diligence and advise clients on post-closing integration issues in conjunction with mergers and acquisitions.

As part of her practice, Erinn represents clients in state and federal court and before local and federal anti-discrimination boards defending public and private employers against claims under the Americans with Disabilities Act, the Fair Labor Standards Act, the Equal Pay Act, the Rehabilitation Act, the Family and Medical Leave Act, and Title VII of the Civil Rights Act as well as state and local laws. Erinn has also successfully negotiated numerous favorable settlements for her clients.

While she regularly works across the higher education, logistics, and financial services industries, Erinn has significant experience addressing the various employment issues that arise in the healthcare, sector, including the interpretation and application of employment laws in conjunction with healthcare regulations; drafting master services agreements for large and small healthcare systems; implementing policies on the protection of proprietary information and trade secrets; and advising on employment compliance issues arising in mergers and acquisitions for hospitals and biotechnology companies. Erinn also devotes a substantial part of her practice to advising public and private employers across industries on emerging issues in employment law, including but not limited to the changing nature of work, mental health in the workplace, pay transparency, and issues stemming from the impact of COVID-19 in the workplace.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Erinn was a lawyer in the employment and labor practice group in the Chicago office of another global law firm and taught high school government in Silver Spring, Maryland.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Labor & Employment in Illinois, 2026
- Recognized in *The Best Lawyers in America*® "Ones to Watch" 2023 for work in Litigation - Labor and Employment and Labor and Employment Law - Management
- Recognized in *The Best Lawyers in America*® "Ones to Watch" 2022 for work in Litigation - Labor and Employment
- Named to the Illinois Rising Stars list, 2019-2023

PROFESSIONAL / CIVIC ACTIVITIES

- Member, Chicago Bar Foundation, Young Professionals Board (2018-2021)
- Notre Dame Law School Mentorship Program (2015-2019)
- Notre Dame Attorney Networking Committee of Chicago (2014-2016)
- Girls on the Run Michiana, Co-Chair of Fundraising Committee (2010) South Bend, Indiana Grant Writer (2011)

SPEAKING ENGAGEMENTS

- The Chicago Bar Association, Labor and Employment Section, The Current Landscape of Non-Compete Agreements in Illinois and Across the US, 19 September 2024
- Presenter, “I'll Be Watching You! Workplace Surveillance and Employee Monitoring,” K&L Gates “Under the Wire” CLE Seminar, February 2024
- The Chicago Bar Association Young Lawyers Section, YLS Women in the Law Committee, “State of the Law: How Dobbs Affects Illinois Practitioners” webinar, 29 September 2022
- The Chicago Bar Association, “COVID-19 Best Practices for Bar Associations: Contracts and Liabilities” webinar, 1 October 2021
- Pennsylvania Chamber of Commerce, “Managing What's Next: Key Considerations on the Return to the Workplace and Vaccine Landscape for Employers” webinar, 4 May 2021
- American Health Law Association, “COVID-19 Vaccines: Employment Law Considerations for Health Care Employers” webinar, 24 March 2021

- Presenter, “COVID-19 Legal Update”, K&L Gates “Under the Wire” CLE Seminar, February 2021
- “Biometrics: Cultural, Social, and Legal Considerations,” Suffolk University School of Law Journal of High Technology Law Symposium 2021, 3 February 2021
- “Practice Basics: Handling Claims of Sexual Harassment” presented at the Chicago Bar Association, 1 June 2018
- “General Counsel University - Sexual Harassment and Social Media in the Workplace,” presented at K&L Gates Pittsburgh, 22 May 2018
- “General Counsel University - Trade Secret Protection, Enforcement, and Risk Management in a Cyberworld” presented at K&L Gates Chicago, 4 April 2018
- “General Counsel University - Like This: How to Assess & Manage Your Social Media Risk” presented at K&L Gates Chicago, 25 October 2017
- Presenter, “Ready for 2017? Changing Employment Regulations in a New Political Landscape”, K&L Gates “Under the Wire” CLE Seminar, February 2017
- National Business Institute, “Buying and Selling a Business” Start-to-Finish” presented in Raleigh, North Carolina, 12 December 2016
- National Business Institute, “Employment Law: 2016 Comprehensive Guide” presented in Raleigh, North Carolina, 19 October 2016

EDUCATION

- J.D., University of Notre Dame Law School, 2013 *(magna cum laude; ABA-Bloomberg BNA Award for Excellence in the Study of Labor and Employment Law Recipient)*
- M.Ed., Loyola University - Chicago, 2006
- B.A., University of Notre Dame, 2004 *(magna cum laude)*

ADMISSIONS

- Bar of Illinois
- Bar of Indiana
- Bar of North Carolina
- United States Court of Appeals for the Seventh Circuit
- United States District Court for the Eastern District of North Carolina
- United States District Court for the Middle District of North Carolina
- United States District Court for the Northern District of Illinois

- United States District Court for the Western District of North Carolina

THOUGHT LEADERSHIP *POWERED BY HUB*

- 23 June 2026, Equal Employment Opportunity Commission Releases Revised National Enforcement Plan for Fiscal Years 2025–2029
- 8 June 2026, US Supreme Court Unanimously Holds State-Line Crossing Not Required for FAA's "Transportation Worker" Exemption—Key Questions for Employers Remain
- 15 May 2026, Connecticut Passes Legislation Regulating the Use of AI in Employment Decisions
- 27 April 2026, US Department of Labor Proposes New Rule on Joint Employer Status
- 6 March 2026, DOL Publishes Proposed Rule to Rescind the 2024 Biden-Era Independent Contractor Test
- 3 February 2026, Navigating the AI Employment Landscape in 2026: Considerations and Best Practices for Employers
- 2026, Global Employer Guide
- 5 January 2026, Illinois Employment Law Update for 2026
- 25 September 2025, The FTC's Noncompete Ban Is Dead—but Enforcement Is Full Speed Ahead
- September 2025, Scanning the Horizon: A European Employment Legislation Update
- 12 June 2025, Supreme Court Invalidates "Background Circumstances" Rule in Title VII Cases
- 1 May 2025, Illinois Anti-Discrimination Law to Address AI Goes Into Effect on 1 January 2026
- 4 February 2025, EEOC Acting Chair Issues Statement Announcing Commission's Plans to Remove Gender Ideology and Return to Mission of "Protecting Women in the Workplace"
- 31 January 2025, The Changing Landscape of AI: Federal Guidance for Employers Reverses Course With New Administration
- 24 January 2025, Uncharted Waters: Employers Brace for Significant and Unprecedented Changes to Employment Law Enforcement Under New Administration
- 17 January 2025, Proposed Rule by the Federal Acquisition Regulatory Council Would Ban the Use of Salary History Data by Federal Contractors and Require Disclosure of Salary Ranges in Job Postings
- 21 August 2024, Challenge Denied: District Court Rules That FTC's Impending Nationwide Ban on Noncompetes Is Unlawful and Blocks Its Implementation
- 10 July 2024, Challenge Accepted: Federal Trade Commission Issues Final Rule Banning Noncompete Agreements for Most Workers
- 26 April 2024, US Department of Labor Announces Final Rule Increasing Salary Thresholds for Overtime Exemptions

- 1 February 2024, Twelfth Annual "Under the Wire" CLE Webinar
- 12 January 2024, DOL Announces Final Rule Affecting Independent Contractor Classification Under the FLSA
- 21 December 2023, DOJ Jettisons Its Last Criminal No-Poach Prosecution, but Antitrust Scrutiny of Labor Markets Is Here to Stay
- 20 December 2023, A Last Minute, Temporary Reprieve for Chicago Employers: Chicago Amends Paid Sick Leave Ordinance
- 30 November 2023, Chicago Employers: Prepare For New Paid Leave Ordinance Effective 31 December 2023
- 16 August 2023, EEOC Proposes Rules to Implement the Pregnant Workers Fairness Act
- 2 August 2023, When Hot Is Too Hot: Workplace Safety Considerations for Employers as the Temperatures Climb
- 30 June 2023, US Supreme Court Unanimously Adopts Heightened "Undue Hardship" Standard in Title VII Religious Accommodation Analysis
- 28 June 2023, New Pregnant Workers Fairness Act Provides Protections for Pregnancy-Related Conditions
- 31 May 2023, EEOC Issues Nonbinding Guidance on Permissible Employer Use of Artificial Intelligence to Avoid Adverse Impact Liability Under Title VII
- 31 May 2023, NLRB General Counsel Seeks to Outlaw Most Noncompetition Agreements
- 17 May 2023, Post-Pandemic Employer Considerations: EEOC Updates COVID-19 Technical Guidance as Public Health Emergency Expires
- 15 March 2023, Illinois Guarantees One Week of Paid Leave for All Workers
- 12 March 2023, Silicon Valley Bank Collapse: Implications for Employers
- February 2023, Eleventh Annual "Under the Wire" CLE Webinar
- January 2023, Reductions in Force: Strategies to Minimize Litigation Risk in Downsizing
- 6 January 2023, FTC Proposes Sweeping Ban on Employee Noncompete Clauses: What Employers Need to Know, Proposed Alternatives, and Opportunity for Public Comment
- 21 December 2022, Respect for Marriage Act Reaffirms Protections for Same-Sex and Interracial Marriages
- August 2022, New Risks of the Evolving Workforce – Labor, Employment, and Workplace Safety Issues
- 5 August 2022, Here We Go Again: Considerations for Employers in Addressing Monkeypox in the Workplace
- April 2022, The First OFCCP Directives Under Biden - What's New for 2022
- 22 March 2022, Federal Agencies Signal Further Hostility Towards Noncompetition Agreements

- 18 March 2022, OFCCP and Federal Contractors are Significant Focus of Executive Branch Actions for Equal Pay Day
- 4 March 2022, Path out of the Pandemic: Employer Considerations Under the National COVID-19 Preparedness Plan
- 21 February 2022, Illinois Employment Law Developments
- February 2022, February 2022 Accolades
- 17 February 2022, Student Athletes No More, NLRB Reinstates Scope of NLRA Section 7 to Include "Players at Academic Institutions"
- 10 February 2022, 2021 Health Care Employment Law Year in Review
- January 2022, COVID-19: Practical Guidance Following the Supreme Court's OSHA and CMS Vaccine Mandate Decisions
- 18 January 2022, COVID-19 Vaccination Sweepstakes: Best Practices for Employee Incentives
- 14 January 2022, SCOTUS Blocks OSHA's ETS and Allows CMS Mandate to Go into Effect
- 23 December 2021, COVID-19: All (Some) or Nothing: Where the Federal Vaccination Mandates Stand as Employers Plan for 2022
- 3 December 2021, OFCCP Affirmative Action Verification Interface Has Arrived and the Time to Certify is Fast Approaching
- 19 November 2021, COVID-19: Florida Curtails Vaccination Mandates for Private Employers
- November 2021, COVID-19: OSHA Emergency Temporary Standard & Compliance Considerations For Covered Employers
- 5 November 2021, The Wait Is Finally Over: Highly Anticipated OSHA Emergency Temporary Standard Mandates COVID-19 Vaccination or Testing for Larger Employers
- 12 October 2021, COVID-19: Texas Governor Issues Executive Order Broadening Exemptions to COVID-19 Vaccinations Mandates—Where Do Employers Go From Here?
- 11 October 2021, Incentivizing Vaccination: Federal Agencies Issue Guidance on Use of Health Insurance Discounts and Surcharges and the Impact on Employer Mandate Affordability
- October 2021, Managing the Impacts of the COVID-19 Vaccine Mandates for Government Contracts
- September 2021, Preparing for the Biden Vaccine Mandates
- 10 September 2021, COVID-19: President Biden Targets Private Employers and Federal Employees and Contractors in His "Path out of the Pandemic"
- 28 July 2021, COVID-19: Are Masks Back? CDC Reverses, In Part, Guidance for Vaccinated Individuals

- 12 July 2021, What Does President Biden's Executive Order on Promoting Competition in the American Economy Mean for Employer Noncompete Clauses?
- 11 June 2021, COVID-19: OSHA Opts to Limit COVID-19 Emergency Temporary Standard to Certain Healthcare Employers
- 18 May 2021, COVID-19: Returning to a Mask-Free Workforce? Not Quite Yet
- 12 May 2021, COVID-19: U.S. Employer Checklist
- 17 February 2021, COVID-19: EEOC Withdraws Proposed Rules on Employer Wellness Incentives, Leaving Uncertain the Permissibility of COVID-19 Vaccination Incentives
- 16 February 2021, Employment Law Developments that will Impact the Health Care Industry in 2021
- 23 December 2020, COVID-19: Mandatory Vaccinations: New EEOC Publication Provides Timely Guidance for Employers
- 24 November 2020, COVID-19: Vaccines for Everyone! Wait, Not So Fast. Considerations for Health Care and Other Employers When Evaluating Mandatory COVID-19 Vaccination Programs
- 16 September 2020, COVID-19: Regulatory Response: Department of Labor Publishes Revised Families First Coronavirus Response Act Regulations to Address Provisions Invalidated by New York District Court
- 31 August 2020, COVID-19: Employment Issues in Health Care Mergers and Acquisitions in the Era of COVID-19
- 25 June 2020, COVID-19: K&L Gates Working Wise: Reopening Resources for Business—Examining Employer Liability Series—Workers' Compensation and Civil Liability Concerns
- 29 May 2020, COVID-19: Reopening Resources for Business—Examining Employer Liability Series—Workers' Compensation and Civil Liability Concerns
- 29 April 2020, COVID-19: U.S. Employer Checklist: Re-opening Strategies and Return to Work Policies After COVID-19 Outbreak
- 20 April 2020, COVID-19: Another Warning from the U.S. Antitrust Agencies – Anticompetitive Conduct in Labor Markets Risks Criminal and/or Civil Liability
- 19 March 2020, COVID-19: Analysis of the COVID-19 Pandemic Congressional Response: Employer Requirements Under the Families First Coronavirus Response Act (FFCRA)
- 27 January 2020, Employment Law in the Health Care Industry: 2019 Year in Review
- 27 January 2020, Competition in U.S. Labor Markets: Non-Compete Clauses Increasingly Under Fire
- 25 March 2019, The Biometric Bandwagon Rolls On: Biometric Legislation Proposed Across the United States
- 19 March 2019, DOJ Antitrust Division Provides Additional Insight on Its Analysis of No-Poach Agreements that May Be Subject to Criminal Prosecution

- 4 February 2019, Employment Law in the Health Care Industry: 2018 Year in Review
- 25 January 2019, “No Harm, Still Foul”: Actual Harm Not Required for Plaintiffs Under Illinois Biometric Privacy Act
- 21 June 2018, Do Not Cut and Paste - Why Your Company Needs Tailored Social Media Policies and Procedures
- 8 June 2018, Working Wise: Age (Discrimination) Is More Than Just a Number: Job Applicants and the ADEA
- 25 August 2017, K&L Gates Triage: Avoiding the Risks Associated with Mandatory Vaccination Programs
- 25 May 2017, K&L Gates Triage: Medical Residency Programs and Title IX Coverage
- 4 April 2017, North Carolina Attempts to Clean Up the "Bathroom Bill": Legislature Repeals and Replaces Controversial Law
- 29 September 2016, Several Months Into Having Federal Protection for Trade Secrets: What Are We Learning?
- 16 September 2016, Considerations for Healthcare Industry Employers as They Continue to Prepare for New Salary Thresholds Under White-Collar Overtime Exemptions

OTHER PUBLICATIONS

- “Chicago Expands Paid Sick Leave Ordinance to Mandate Additional Paid General Leave for Employees,” *Employee Benefit Plan Review*, June 2024
- “Silicon Valley Bank Collapse: Implications for Employers,” *LexisNexis*, 2023
- “An Invisible Epidemic: Navigating Mental Health Issues in the Employment Relationship,” *American Health Law Association*, 2022
- “Employers Can Use COVID Models To Address Monkeypox,” *Law360*, 2 August 2022
- OFCCP and Federal Contractors Are Significant Focus of Recent Executive Branch Actions, *Pratt's Government Contracting Law Report*, June 2022
- President Biden Targets Private Employers and Federal Employees and Contractors in His “Path Out of The Pandemic, *Pratt's Government Contracting Law Report,* November 2021
- How Health Care Cos. Can Untangle Web Of Vaccine Mandates, *Law360*, 13 October 2021
- How Employers and Employees Can Work Together to Tackle Cyber Harassment in the Workplace, *CARPLS*, 29 September 2021
- “The Social Media Epidemic: Managing the Side Effects in the Workplace,” *American Health Law Association Labor and Employment Practice Group Bulletin*, 17 March 2021

- "Pandemic Pandemonium: Navigating Employment Considerations in the Face of COVID-19," *Benefits Law Journal*, Summer 2020
- "New Jersey Eyes Regulation of Biometric Data," *New Jersey Law Journal*, 27 June 2019
- "Disciplining Employees for Social Media Use," *Wolters Kluwer*, December 2018
- "It Takes Two: Outsourcing & Joint Employer Status," co-author, *Practising Law Institute*, 2014
- "Doctor's Orders: A New Prescription for ADHD Medication Abuse," *Notre Dame Law Review*, 2012

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 2 February 2023, "Under the Wire" CLE Seminar
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 14 April 2022, The First OFCCP Directives Under Biden - What's New for 2022
- 1 March 2022, K&L Gates Names Nearly 40 New Partners, Of Counsel, and Government Affairs Advisors Across Firm
- 18 November 2021, COVID-19: OSHA Emergency Temporary Standard & Compliance Considerations For Covered Employers
- 1 October 2021, COVID-19 Best Practices for Bar Associations, hosted by Chicago Bar Association
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 4 May 2021, Managing What's Next: Key Considerations on the Return to the Workplace and Vaccine Landscape for Employers, hosted by Pennsylvania Chamber of Commerce

OTHER MEDIA MENTIONS

- "Supreme Court Won't Hear Disability Accommodation Case Against UPS," *SHRM*, 6 December 2023.
- "EEOC's Proposed Pregnant Worker Rules Could Lead to More Claims, Employment Lawyers Say," *The National Law Journal*, 30 August 2023.
- "Feds Continue Developing Workplace Regulations to Prevent Heat Illness," *SHRM*, 21 August 2023.
- "Requiring a COVID-19 vaccine is likely legal, but many Pa. employers are stopping short of a mandate," *Pittsburgh Post-Gazette*, 25 January 2021.

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Biometric Data Compliance and Defense
- Employment Investigations
- Employment Issues in Business Transactions
- Healthcare and FDA
- Human Resource Advice and Compliance
- OFCCP and Affirmative Action Compliance
- Wage and Hour

INDUSTRIES

- Healthcare

REPRESENTATIVE EXPERIENCE

- Played key role on team that successfully defeated class and collective action certification alleging gender discrimination and violations of the Equal Pay Act against international accounting firm.
- Developed and conducted harassment awareness training for workforce of comprehensive technology solutions company.
- Managed in-depth review of company policies for international technology solutions company.
- Conducted internal investigation into allegations of sexual harassment and misconduct against nonprofit executive.
- Represented home healthcare company in Department of Labor wage and hour investigation.
- Advised a multinational information technology and outsourcing company on wage and hour classification issues and reclassification project.