



## → Mikela T. Sutrina

### **Associate**

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Mikela Sutrina is an associate in the Labor and Employment Practice Group in the firm's Chicago office. Mikela is a member of the firm's Women's Law Group National Leadership Council.

### **Areas of Practice**

#### *Trial and Litigation*

Mikela defends employers in state and federal court, as well as before federal, state and local administrative agencies in matters of discrimination, harassment, retaliation, wrongful termination, whistleblower and whistleblower retaliation actions, and breach of contract, especially as it relates to restrictive covenant agreements and misappropriation of trade secrets. Mikela represents employers in both single and multi-plaintiff matters, as well as class and collective actions. Additionally, Mikela both prosecutes and defends actions involving trade secret misappropriation, unfair competition and the enforcement of restrictive covenants across the country.

Her litigation experience includes matters under Title VII of the Civil Rights Act of 1964, the Fair Labor Standards Act, the Americans with Disabilities Act, the Family and Medical Leave Act, the Sarbanes-Oxley Act, the Age Discrimination in Employment Act, the National Labor Relations Act, the Employee Retirement Income Security Act, and various state and local discrimination and employment laws.

Mikela also has general litigation experience, with a particular focus in consumer fraud and consumer privacy litigation. She has defended both individual and class action litigation brought under various state and federal consumer fraud and privacy statutes.

#### *Counseling, Advice and Trainings*

Mikela advises employers on workplace issues such as compliance with all applicable federal, state and local laws, discrimination and harassment, responding to whistleblower complaints, safety, performance management, leaves of absence, safety, compensation and terminations. She also counsels employers on a multitude of human resources issues, including personnel policies, federal and local leave laws, wage and hour issues, employee handbooks, severance and separation agreements, trade secret protection and non-competition and non-solicitation agreements. Mikela regularly advises clients on alcohol and drug testing programs, including written policies and testing procedures, across the country.

Mikela analyzes the enforceability of non-competition restrictions and other restrictive covenants on a nationwide basis and has an expertise in structuring enforceable restrictive covenant agreements to best protect her clients' business interests. She also assists clients in drafting and structuring executive employment, separation and retention agreements.

Further, she conducts interactive trainings on issues such as recruitment, sexual harassment, discrimination, bullying and other workplace behavior, discipline and general legal compliance with federal, state and local laws and other regulations.

Mikela also works with clients involved in mergers and acquisitions to assess and evaluate the labor and employment liabilities associated with a specific transaction and to develop business-oriented and creative solutions to issues that may arise in any given transaction.

### *Internal Investigations*

Mikela regularly conducts internal investigations and audits on behalf of her clients regarding sexual harassment, discrimination, whistleblower complaints and wage and hour compliance, among other issues affecting the workplace. She regularly interfaces with various federal, state and local agencies on behalf of her clients in conducting wage and hour audits.

## Articles

- Three new laws slated for summer will require employers to be ready  
*Chicago Daily Law Bulletin*, 02.20.2020
- New marijuana law has ins, outs employers should be aware of  
*Chicago Daily Law Bulletin*, 02.13.2020
- Employers must pay attention to new laws, impact on workplace  
*Chicago Daily Law Bulletin*, 02.06.2020
- Deposition Questions in a Trade Secret Misappropriation and Breach of Restrictive Covenant Action (Plaintiff Employer to Defendant)  
*Lexis Practice Advisor*, 01.2020
- Cybersecurity Measures to Protect Employers' Confidential Information and Trade Secrets  
*Lexis Practice Advisor*, 05.11.2017
- Engaging in Discovery on Behalf of Plaintiffs in Trade Secret Misappropriation and Breach of Restrictive Covenant Actions  
*Lexis Practice Advisor*, 05.2017
- Noncompete Agreements as Varied as Number of States, Courts  
*Chicago Daily Law Bulletin*, 05.04.2017
- What Organizations Need to Know When Facing Conditional Certification Under Section 216(B) of the FLSA  
*Thomas Reuters*, 08.2016

### **Labor and Employment Law Blog Posts**

- "Employers: Do Not Forget Your Sexual Harassment Prevention Training Requirement." May 4, 2020

- "DOJ and FTC Issue Joint Statement Regarding COVID-19 and Antitrust Violations," April 22, 2020
- "The CARES Act: A Comprehensive Overview for Employers," March 31, 2020
- "Illinois Statewide Stay at Home Order: What Employers Need to Know," March 20, 2020
- "The Time Is Now for Employers in Illinois to Abide by New Laws," January 9, 2020
- "For Your *Consideration*: Recent State-to-State Developments on Sufficient Consideration for Employee Non-Compete Agreements," March 27 2017
- "Illinois Limits Non-Compete Agreements Yet Again," September 7, 2016
- "The Defend Trade Secrets Act – Coming to a Federal Court Near You," May 9, 2016
- "The Supreme Court Decides *Mach Mining LLC vs. EEOC*: A "Win" For Employers?" May 7, 2015
- "New Illinois Laws in 2015: What Employers Should Know," April 2, 2015
- "An In-Depth Analysis of the NLRB's Decision to Permit Employees to Use Employer Email Systems for Union Organizing and Other Non-Work Purposes," December 12, 2014

## Trade Secrets Law Blog Posts

- "Cybercrime 2020 – The Rise of 'Vishing'," August 28, 2020

## Books

Employer's Guide To COVID-19 And Emerging Workplace Issues (Over 690 pages)  
04.21.2020

## Media Mentions

Cybercriminals Target Remote Workers  
FBI warns employers about new wrinkle to old scams.  
*EHS Today*, 09.14.2020

## Speaking Engagements

"Drug Testing in the Workplace: What Employers Need to Know," Illinois Chamber of Commerce, February 24, 2015

## Events

Labor and Employment Law Update  
Sheppard Mullin Chicago, 11.28.2018

CLE Credits and Cocktails  
Sheppard Mullin Chicago  
05.18.2017

Labor & Employment Breakfast Briefing - Chicago  
09.10.2015

Sheppard Mullin's Labor & Employment Breakfast Briefing Series - Chicago  
Labor & Employment Update  
06.25.2015

## Practices

Labor and Employment

## Industries

Transportation

Trucking and Logistics

## Education

J.D., Washington University in St. Louis School of Law, 2012

B.A., University of Denver, 2008

## Admissions

Illinois

Missouri