



→ Mikela T. Sutrina

Partner

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Mikela Sutrina is a partner 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 is a seasoned investigator and skilled interviewer, especially in investigations involving highly sensitive and/or emotional fact patterns.

Audits

Mikela regularly interfaces with various federal, state and local agencies on behalf of her clients in conducting wage and hour audits. Mikela also regularly conducts pay equity audits for both large and small clients across the country to help them both identify pay equity risks and causal factors, and subsequently institute remedial mechanisms to proactively resolve areas of potential exposure. Mikela is well-versed on the ever changing landscape of pay equity legislation and her depth of experience helps clients effectively navigate these issues.

Honors

Illinois Rising Star, *Super Lawyers*, 2023

Articles

- Where States Stand On The Legality Of Abortion
Law360, 09.08.2022
- 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

- "Illinois Supreme Court Rules All BIPA Claims Are Subject to Five-Year Time Limit," February 3, 2023
- "New Year Brings New Laws for Illinois Employers," December 12, 2022
- "What Employers Need to Know About New Non-Compete Legislation in Illinois," June 8, 2021
- "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

- "Unfashionably Late: Seventh Circuit Rejects Misappropriation Claim Premised On Prototype Created Eleven Years Prior," August 22, 2022
- "Cybercrime 2020 – The Rise of 'Vishing'," August 28, 2020

Books

Illinois Marijuana Laws and Regulations 2022
10.24.2022

Trade Secret Litigation and Protection: A Practice Guide to the DTSA and the CUTSA
04.2022

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

Media Mentions

Litigator of the Week Runners-Up and Shout Outs
The American Lawyer, 08.13.2021

Alpha Media Hits Ch. 11 To Beat COVID-19 'Headwinds'
Law360, 01.25.2021

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

Here Come the Feds! Examining the FTC's Proposed Ban on Noncompetes From a Practical Perspective
Webinar, 02.09.2023

Association of Corporate Counsel NCR Non-Compete Updates
09.21.2022

Labor & Employment Spring Update
Webinar, 06.09.2022

Gender Equality in the COVID-Impacted Workplace: A Global View
03.15.2022

Strategies for Navigating Stress: A Series for Healthcare Leaders
via Zoom, 05.20.2021, 06.17.2021, 07.09.2021

Employee Wellness in the Time of COVID-19: Employee Mental Health and Well-Being, Vaccinations and Return to Office (Or Not)
Webinar, 02.11.2021

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

Podcasts & Webinars

NY Spring Labor & Employment Update
06.09.2022

Gender Equality in the COVID-Impacted Workplace: A Global View
03.15.2022

WHLC Wellness Series: Part 1: Strategies for Navigating Stress: A Series for Healthcare Leaders
05.20.2021

Practices

Labor and Employment
Healthcare
Women in Healthcare Leadership Collaborative

Industries

Transportation
Trucking and Logistics
Women in Healthcare Leadership Collaborative

Education

J.D., Washington University in St. Louis School of Law, 2012
B.A., University of Denver, 2008

Admissions

Illinois
Missouri