



DAVIS GRAHAM

BRETT C. PAINTER

PARTNER

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303.892.7418

EXPERTISE

Employee & Labor Law, Litigation, Arbitration & Trial, and Arbitration & Mediation

EDUCATION

University of Denver Sturm College of Law, J.D., Order of St. Ives, 1995
University of Colorado, B.A., with Distinction, Phi Beta Kappa, 1992

ADMITTED IN

Colorado

Brett Painter is a partner in and chairs the Employment & Labor Group at Davis Graham & Stubbs LLP. He practices primarily in employment law, including litigating and advising clients in the areas of discrimination, harassment, retaliation, unlawful discharge, layoffs, unfair labor practices, employment agreements, noncompetition agreements, union issues, and wage and hour laws. Brett also has a significant commercial litigation practice, which includes prosecuting and defending claims for breach of express and implied contracts, defamation, misappropriation of trade secrets, negligence, and a variety of other business-related torts.

Brett represents clients in a wide variety of industries, from Fortune 500 companies to small, privately held corporations. He strives to provide cost effective representation that reflects a practical approach to solving legal problems.

Brett has extensive experience litigating cases across the United States, including jury trials, bench trials, arbitrations, mediations, and hearings. He is admitted in Colorado state and federal courts, and he has been admitted in courts in other states on a case-by-case basis. He frequently represents clients in connection with

administrative proceedings before the Equal Employment Opportunity Commission, the Colorado Civil Rights Division, the Department of Labor Wage and Hour Division, and the National Labor Relations Board.

Brett currently serves as the Global Chair of the Lex Mundi Labor & Employment Group. Brett has earned an AV Preeminent® Peer Review Rating™ from Martindale-AVVO®. Since 2009, Brett has been named *Chambers USA* Leader in Their Field of Labor & Employment, for which he received a Band 1 ranking in 2019-2024. In 2021, 2023, and 2024, Brett has been named a Labor and Employment Star by *Benchmark Litigation*. He was selected for inclusion in *Colorado Super Lawyers* from 2012-2022 and was selected by *5280* from 2016-2020 as a Top Lawyer for Labor/Employment: Defense. Since 2020 he has been recognized in *Best Lawyers®* in America in Employment Law – Management, Litigation - Labor and Employment, and Mass Tort Litigation / Class Actions – Defendants. Brett was a member of the Workplace Law Advisory Board at the University of Denver Sturm College of Law from 2012 to 2014. From 2008 through 2010, he served as the Co-Chair of the Labor & Employment Law Section of the Colorado Bar Association.

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ARTICLES & SPEECHES

- "2022 Changes Coming to Business" Denver Metro Chamber of Commerce Combined Committee Meeting (December 10, 2021).
- Q&A: COVID-19 Employment Issues for Schools and Educators, Colorado Association of School Personnel Administrators Conference (October 2, 2020)
- State and Federal Leave Law Post COVID-19, Colorado Mining Association (August 26, 2020)
- Quoted in "10th Circuit Says Title VII 'Sex-Plus-Age' Claims," *Law Week Colorado* (August 10, 2020)
- Panelist, "Legal Implications of COVID-19 for Startups," Silicon Flatirons (June 10, 2020)
- Davis Graham COVID-19 Town Hall Live Video Webinar Series: Returning to the Workplace (May 8, 2020)
- Quoted in "Colorado lawyers share advice on unique layoff challenges caused by the pandemic" (May 5, 2020), *Denver Business Journal*
- Quoted in "Coronavirus Comes with New EEOC Questions" (April 27, 2020), *Law Week Colorado*
- What Colorado Employment Lawyers Are Telling Their Clients About COVID-19
- Top Ten Employment Issues Every In-House Lawyer Should Know
- Dealing with Employee Vices
- Restraining Orders: Taking Measures to Protect Your Employees and Company from Workplace Violence and Stalking
- Living Through a Reduction in Force
- Fair Labor Standards Act (FLSA) Update
- Ethical Issues in Employment Law
- Lawful Employment Interviews Under the Americans with Disabilities Act (ADA)
- The Advantages and Disadvantages of a Contingent Workforce
- Wage and Hour Misclassification
- Update on Sexual Orientation and Transgender Issues in the Workplace
- How to Settle an Employment Case
- Gender Discrimination in the Workplace
- Conducting Your Own Employment Practices Audit
- Independent Contractors vs. Employees
- Update on Colorado's Wage Act
- Age Discrimination in the Workplace
- Termination: Avoiding Costly Mistakes
- Sexual Harassment – The Employer's Responsibility
- Avoiding and Defending Discrimination Charges
- Employee Privacy in the Workplace
- Surviving a Department of Labor Investigation