



Helen Holden



T 602.333.5485

F 602.333.5431

hholden@spencerfane.com

• [Phoenix](#)

BIOGRAPHY

Helen Holden helps businesses understand how successfully navigating the alphabet soup of federal and state employment laws can positively impact company culture. Helen brings over 20 years of experience to her focus on management-side employment law, which is evident in the practical advice and training she provides to management on human resource issues. Helen's clients include companies in diverse industry sectors, including construction, real estate, manufacturing, technology, health care, distribution, and the retail and service sectors.

When disputes arise, Helen is a strong advocate for the employer's interests, without losing sight of the larger issues impacting the business. She regularly represents employers in agency proceedings involving allegations of discrimination or harassment, and has successfully defended employers in lawsuits brought in both state and federal courts.

Highlights of Helen's experience include:

- Advised client regarding employment policy overhaul and implementation, including designing and delivering highly interactive management training to ensure compliance with newly-implemented policy directives.
- Provided interactive training program for multiple clients on issues such as internal investigations, workforce diversity, and other topics relating to harassment and discrimination.
- Represented employer in successfully obtaining dismissal with prejudice in U.S. District Court of a "collective action" filed by a group of employees for unpaid overtime under the Fair Labor Standards Act.
- Successfully resolved litigation in U.S. District Court alleging violation of non-solicitation obligations of a former employee.
- Regularly represent employers in responding to charges of discrimination filed by current and former employees.
- Efficiently completed compliance audits for multiple employers, as required by client contracts.
- Successfully resolved litigation alleging violation of non-solicitation obligations of a former employee.
- Obtained dismissal of a parent corporation from litigation alleging breach of employment contract and employment discrimination by former employee of subsidiary.

PRACTICE AREAS

- [Labor and Employment](#)
- [Employment Law](#)
- [Employment Litigation](#)
- [Human Resource Counseling and Training](#)
- [Non-Competes and Trade Secrets](#)
- [Social Media](#)
- [Student Discipline](#)
- [Teacher Discipline/Termination](#)

INDUSTRIES

- [Construction](#)
- [Education](#)
- [Health Care](#)
- [Manufacturing](#)

EDUCATION

- Arizona State University – Sandra Day O'Connor College of Law, 1990 (J.D.), *Order of the Coif*
- Bryn Mawr College, 1983 (A.B.), *with honors*

BAR ADMISSIONS

- Arizona, 1990

COURT ADMISSIONS

- U.S. Court of Appeals for the Ninth Circuit, 1994
- U.S. District Court for the District of Arizona, 1990
- U.S. District Court for the District of Colorado

CLERK EXPERIENCE

- Chief Judge Noel Fidel, Arizona Court of Appeals

PRESENTATIONS

- Moderator, "Tools of the Trade: Managing Labor and Employment Issues in the Construction Industry," DRI Employment & Labor Committee Annual Seminar, 2019
- Co-presenter, "#NotYouToo: What Employers Need to Know to Avoid Liability," Federation of Defense and Corporate Counsel, 2019
- Speaker, "R-E-S-P-E-C-T: Find out What it Means for the In House Legal Department," Arizona Association of Corporate Counsel, 2019
- Speaker, "Pro Active Steps to Make you the Super HeRo," Lovitt & Touche Learning Academy, 2019
- Speaker, "Preventing Sexual Harassment," Associated Minority Contractors of America – Arizona, 2019
- Webinar Co-Presenter, "Get Ready for New Rules on Overtime Pay," 2019
- Panelist, "The Art of Marketing," Federation of Defense and Corporate Counsel, 2018
- Speaker, "Compensation Compliance," Arizona Manufacturing Executive Forum, 2018
- Speaker, "Separation Anxiety: Drafting Enforceable Employment Waivers & Releases," Association of Corporate Counsel, 2017
- Speaker, "Employment Law Update," Associated Minority Contractors of America – Arizona, 2017
- Speaker, "Legalizing Marijuana: It's on the Ballot, Now What?" Associated Minority Contractors of America – Arizona, 2016
- Speaker, "Employment Law Tapas: Wage & Hour Update," Association of Corporate Counsel, 2016
- Speaker, Rainmaker Panel Member, Ladder Down, 2016
- Moderator, "Wage and Hour Update: An Insider Perspective from the Department of Labor," Defense Research Institute (DRI) Employment and Labor Committee Seminar, 2016
- Podcast, "The Joy of Pregnancy: Pregnancy Discrimination," West LegalEdcenter, 2015
- Moderator and presenter, "Recent Developments in Employee Handbooks," Practical Law (Thomson Reuters), 2015
- Webinar, "The NLRB and Joint Employment," C.O.R.E. Training, 2015
- Speaker, "Family Leave: Law and Controversies in the U.S.," The John F. Roatch and Linda Haskell Lectures, 2015
- Speaker, "Employee or Independent Contractor: Introducing the Employee Misclassification Compliance Assistance Program," Employment & Labor Law Section, State Bar of Arizona, 2014
- Speaker, "The Joys of Pregnancy from the Employer's Perspective," Arizona Chapter, Association of Corporate Counsel, 2014
- Speaker, "Employee or Independent Contractor: Introducing the Employee Misclassification Compliance Assistance Program," Arizona Chapter, Associated General Contractors, Employment Practices Committee, 2014
- Speaker, "Employee or Independent Contractor: Introducing the Employee Misclassification Compliance Assistance Program," Chandler Chamber of Commerce, Public Policy Committee, 2014
- Speaker, "Employee or Independent Contractor: Introducing the Employee Misclassification Compliance Assistance Program," Arizona Registrar of Contractors Industry Advisory Council, 2014
- Speaker, "Employee or Independent Contractor: Introducing the Employee Misclassification Compliance Assistance Program," Arizona Builders' Alliance Lunch & Learn, 2014
- Speaker, "Employee or Independent Contractor: Introducing the Employee Misclassification Compliance Assistance Program," Labor and Employment Relations Association, Arizona Chapter, 2014
- Speaker, "Employee or Independent Contractor: Introducing the Employee Misclassification Compliance Assistance Program," Association of Pool & Spa Professionals, Central and Southern Arizona Chapters; National Association of the Remodeling Industry, Greater Phoenix and Southern Arizona Chapters; Association of the Wall and Ceiling Contractors of Arizona; Arizona Concrete Promotion Council; Ceramic Tile and Stone Association of Arizona; Painting and Decorating Contractors of America, 2014
- Speaker, "Employee Mismanagement: As Seen on TV," Construction Financial Management Association, June 2014
- Speaker, "ADA and FMLA: Confluence or Confounding? Continuing Challenges in Compliance" (co-presenter), Defense Research Institute (DRI) Employment and Labor Law Annual Seminar, May 2014
- Speaker, "Labor and Employment Basics for Construction Lawyers," State Bar of Arizona, Construction Law Section, April 2013

ARTICLES

- Author, "Employee or Independent Contractor?" *Greater Phoenix In Business*, June 2019
- Chapter co-author, "Employment and Immigration Considerations," *Construction Law Practice Manual*, 3rd Ed. 2016, State Bar of Arizona
- Author, "That Will Be \$15 for Your Kids Meal: Welcome to the New World of U.S. Department of Labor Regulations," *FDCC Insights*, Federation of Defense & Corporate Counsel, October 2016
- Author, "Phoenix District Office of U.S. Department of Labor Offers Program to Self-Report Worker Misclassification," *The Job Description*, Defense Research Institute Employment Law Committee, November 21, 2014
- Author, "Businesses Have Plenty of Legal Hurdles to Clear Regarding Employees," *Phoenix Business Journal*, November 21, 2014
- Co-author, "Analyzing Cross-Appeals in Federal Court," *Certworthy*, Defense Research Institute, July 2013
- Author, "Recent Employment Cases," 6 *Trial Practice* 13, Winter 1995
- Author, "Arizona's Fair Housing Act: Prohibitions Against Discrimination on the Basis of Handicap," 5 *Real Property Section Journal* 12, Summer 1994
- Comment, "Does the Legal System Batter Women? Vindicating Battered Women's Constitutional Rights to Adequate Police Protection," 21 *Ariz. St. L.J.* 705, 1989

COMMUNITY INVOLVEMENT

- Raising Special Kids: Member, Board of Directors 2015-2018
- University of Advancing Technology Foundation: Member, Advisory Board
- Temple Chai, Past President

MEMBERSHIPS

- Defense Research Institute: Employment and Labor Law Committee (Chair, Program Committee, 2018 Seminar; Steering Committee; Chair, Publications Subcommittee)
- State Bar of Arizona: Civil Practice & Procedure Committee, 2010-2016; Labor and Employment Law Section; Appellate Practice Section
- Federation of Defense & Corporate Counsel: Chair, Employment Practices and Workplace Liability Section; Member, Appellate Law Section, Commercial Litigation Section, Law Practice Management Section, Trial Tactics and Procedures Section, Professional Women's Forum
- Claims & Litigation Management Alliance
- Employee Misclassification Compliance Assistance Program (EMCAP) Working Group

DISTINCTIONS

- *The Best Lawyers in America*®, Employment Law, 2017-2020
- AV-Preeminent® Rating, Martindale-Hubbell®
- "Arizona's Top Lawyers," *AzBusiness Magazine*: Employee Benefits & Insurance, 2014

Contact Helen Holden at 602.333.5485 or hholden@spencerfane.com.

Click [here](#) to connect with Helen on LinkedIn.