



SpencerFane®

## Matthew (Matt) Morrison

Of Counsel

### Contact

Denver

P 303.839.3788 | F 303.839.3838

[mmorrison@spencerfane.com](mailto:mmorrison@spencerfane.com)



## Overview

**Matthew (Matt) Morrison advises and represents employers on the full spectrum of critical labor and employment matters, helping his clients minimize the risk of costly and potentially damaging litigation by providing preventive counsel.**

When litigation cannot be avoided, Matt is an experienced litigator with an established track record of successfully resolving both trials and appeals for clients. From single-plaintiff actions to collective and class action lawsuits in federal and state courts, Matt has spent more than a decade in private practice defending employers in cases arising under Title VII, the Fair Labor Standards Act (FLSA), the Americans with Disabilities Act (ADA), and other employment statutes. He prioritizes assisting clients in the creation of effective litigation strategies and utilizes early motions to achieve summary judgment or dismissal when labor and employment claims arise.

In addition to handling matters in court, he has also represented employers before the federal Occupational Safety and Health Review Commission and state-plan occupational safety and health boards, and he advises employers on occupational safety and health compliance, Occupational Safety and Health Administration (OSHA) inspections and citations, and the development of safety and health programs.

## Education

- University of Colorado Law School (J.D.), *Order of the Coif*
- Georgia Institute of Technology (B.S.), *summa cum laude*

## Bar Admissions

- Colorado

## Court Admissions

- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Colorado
- U.S. Supreme Court

## Distinctions

- *Best Lawyers in America*, Employment Law – Management, 2026
- *Colorado Super Lawyers*, Rising Stars, 2014-2019

## Memberships

- *Best Lawyers in America*, Employment Law – Management, 2026

## Presentations and Publications

- "Will the Real National Labor Relations Board Please Stand Up: An Employer's Introductory Guide to the National Labor Relations Act," Spencer Fane WorkSmarts Seminar, September 2022
- "The Big 5: Back to the Basics," Annual Colorado Labor & Employment Law Conference, May 2019
- "Risky Business: Using Alternative Arrangements with Your Workers," Annual Colorado Labor & Employment Law Conference, May 2019
- "Top Ten Wage & Hour Traps Under the FLSA and Colorado Wage Claim Act," Annual Colorado Labor & Employment Law Conference, May 2018
- "What Every Employer Should Know About Arbitration Agreements," Annual Colorado Labor & Employment Law Conference, May 2017
- "OSHA Update: What to Expect From the Trump Administration," Annual Colorado Labor & Employment Law Conference, May 2017
- "What Every Employer Needs to Know About Workplace Injuries," Annual Arizona Labor & Employment Law Conference, April 2017
- "Enforcement Update," Annual OSHA Seminar, September 2016
- "You Can't Say That! Hiring Pitfalls and How to Avoid Them," Annual Colorado Labor & Employment Law Conference, April 2015
- "OSHA Update," Annual Colorado Labor & Employment Law Conference, April 2015
- "Proposed OSHA Standards," Annual OSHA Seminar, December 2015
- "Class Dismissed: Equal Protection, the 'Class-of-One,' and Employment Discrimination After *Engquist v. Oregon Department of Agriculture*," 80 U. Colo. L. Rev. 839, 2009

## Related Experience

- Represented a meat-packing company in Nebraska against the Equal Employment Opportunity Commission (EEOC) and hundreds of Somali and Muslim employees and former employees claiming discrimination, failure to accommodate religious practices, and retaliation. Following the dismissal of all of the EEOC's claims after a Phase I trial, the litigation team obtained dismissal of all remaining individual claims in Phase II. The court dismissed all remaining claims, including discrimination based on religion, race, and national origin; harassment; and retaliation.

- Represented a multistate delivery logistics company in a class and collective action brought on behalf of hundreds of delivery drivers alleging they were misclassified as independent contractors. Succeeded in enforcing a contractual arbitration clause and class / collective action waiver, thereby forcing the plaintiffs to pursue relief through individual arbitrations.
- Represented a national temporary staffing agency in a nationwide class and collective action under the FLSA and various state laws alleging the client had failed to properly compensate employees for all hours worked, failed to provide required meal and rest breaks, and took improper deductions from employees' compensation. The plaintiffs also alleged a Racketeer Influenced and Corrupt Organizations Act (RICO) claim alleging that the client's purported failure to pay employees their full wages constituted deliberate and organized criminal activity, namely, time theft.
- Represented a meat-packing company in Colorado against the EEOC and several hundred Somali and Muslim employees and former employees claiming discrimination, failure to accommodate religious practices, and retaliation. This is one of the largest, most complex, and longest-running examples of the EEOC's ongoing effort to expand Title VII's requirement that employers accommodate employees' religious practices in the workplace. Helped lead a four-week bench trial of the EEOC's Phase I pattern or practice claims and achieved dismissal of all of the EEOC's Phase I claims.
- After a 12-day jury trial, obtained a complete defense verdict on behalf of an aviation services provider, defeating all claims brought by the EEOC and individual plaintiffs. The EEOC and the plaintiffs had alleged that the employer unlawfully refused to hire Muslim applicants, denied Muslim employees reasonable religious accommodations, and retaliated against Muslim employees.