



## **Elizabeth M. Roberson**

Senior Associate

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Elizabeth Roberson concentrates her practice on complex employment and civil litigation matters, primarily representing clients on matters related to retaliation, discrimination, harassment, family and medical leave, disabilities, unemployment compensation, wage and hour, and restrictive covenants. Throughout her career, Ms. Roberson has demonstrated excellent advocacy skills in both federal and state courts of Indiana through motion practice, including many successful motions to dismiss and dispositive motions; oral argument at court hearings and settlement conferences; and discovery practice.

Prior to joining Krieg DeVault, Ms. Roberson served as a Deputy Attorney General in the Government Litigation Section for the Office of the Indiana Attorney General. There she defended the State of Indiana, its agencies, judicial officers, county prosecutors, and state employees in numerous civil litigation matters. Ms. Roberson also completed a fellowship program at the Office of the Indiana Attorney General where she rotated through and assisted in various legal matters of every division of the office including: the Advisory Division, the Consumer Protection Division, the Appeals Division, the Litigation Division, the Medicaid Fraud Control Division, and the Solicitor General Division.

### **Education**

- J.D., *summa cum laude*, Valparaiso University School of Law, Valparaiso, Indiana, 2016
  - Jurist Scholarship Recipient
  - Law Review, Associate Editor in Chief
- B.A. in Political Science and Economics, Indiana University, Bloomington, Indiana, 2013

### **Bar & Court Admissions**

- Indiana (2016)
- Illinois (2017)
- U.S. District Court for the Northern District of Indiana (2016)
- U.S. District Court for the Southern District of Indiana (2016)
- Seventh Circuit Court of Appeals (2017)

### **Practices**

- Labor and Employment
- Litigation and Dispute Resolution
- Higher Education
- Municipal and Governmental Litigation
- Artificial Intelligence (AI)

## Industries

- Education and School Law

## Professional Associations

- Member, Indianapolis Bar Association
  - Young Lawyers Division Executive Committee Immediate Past Chair (2022-2023), Chair (2021-2022), Secretary/Treasurer/Chair-Elect (2020-2021), and Social Co-Chair (2019-2020)
  - Labor and Employment Section Executive Committee Member (2021-Present)
- Member, Indiana State Bar Association
  - Young Lawyers Section Executive Committee Member (2018-Present) and IndyBar Liaison (2018-2020), Employment, Labor & Benefits Law Section Executive Committee Vice Chair (2022-2023), Secretary/Treasurer (2021-2022)

## Awards & Recognitions

- Best Lawyers in America,®: Ones to Watch - Labor and Employment, 2024
- Hamilton County Leadership Academy, Class of 2024
- Indiana Lawyer Leadership in Law - Up and Coming Lawyer Award, 2023
- Indiana Super Lawyers Rising Stars, 2023
- Indianapolis Bar Association Young Lawyer of the Year Award Recipient, 2022
- Indianapolis Bar Association Young Lawyers Division Distinguished Leadership Award Recipient, 2021

## Seminars & Presentations

- Co-Presenter, "New FTC Regulation of Non-compete Agreements with Elizabeth Roberson and Scott Morrisson", Krieg DeVault Podcast Series, May 9, 2024
- Presenter, "Navigating Mental Health and Substance Use Disorder Accommodation Obligations in the Workplace," Indiana Wellness Council's Employer Connection Series, October 5, 2023
- Presenter, "FTC Proposed Rule Would Essentially Ban Non-Compete Agreements," Krieg DeVault Podcast Series, February 8, 2023
- Co-Presenter, "The Intersection of Medical, Occupational Health, and Employment Issues," Indiana Podiatric Medical Association, October 14, 2022
- Co-Presenter, "Employment Law Issues and Safety," Indiana Pharmacists Association, September 23, 2022
- Presenter, "Overview of New Federal COVID-19 Vaccination Requirements for Employers," Krieg DeVault Webinar, November 10, 2021
- Presenter, "Legal Guidance on Developing a Drug-Free Workplace," Indiana Workforce Recovery - Wellness Council of Indiana, various times throughout 2020 and 2021

- Presenter, "Biden Administration Issues Executive Order on Promoting Competition Podcast," Krieg DeVault Podcast Series, July 21, 2021
- Presenter, "Clearing the Smoke Around Legalization and Employee Use of Cannabis," Northwest Indiana Society for Human Resource Management, October 20, 2021

## Publications

- Co- Author, "FTC Issues Rule Banning Non-Compete Agreements", April 25, 2024
- Co-Author, "Compulsory Paid Leave: Is It in the Budget?" April 4, 2024
- Co-Author, "Executive Order on Artificial Intelligence and its Implications for Employers," December 7, 2023
- Co-Author, "Prohibition of Class Action Lawsuits Against Postsecondary Educational Institutions Survives Constitutional Challenge," November 28, 2023
- Co-Author, "SCOTUS Raises the Bar for Employers in Denying Religious Accommodations," August 21, 2023
- Co-Author, "SCOTUS raises the bar from denying religious accommodations," The Indiana Lawyer, August 16, 2023
- Co-Author, "U.S. Supreme Court Holds Race-Conscious Admissions Processes Unconstitutional," July 7, 2023
- Co-Author, "Impact of AI on the Workplace: Latest Guidance from the EEOC," June 15, 2023
- Co-Author, "NLRB's General Counsel Issues New Guidance Memo Challenging Non-Compete Agreements as Violating Section 7 of the NLRA," June 2, 2023
- Co-Author, "Evolving State Marijuana Laws May Impact Employer Hiring Procedures and Drug Testing Policies," February 28, 2023
- Co-Author, "FTC Takes Unprecedented Action Against Non-Compete Agreements," January 9, 2023
- Co-Author, "FTC Proposes Rule to Ban Non-Compete Agreements," January 9, 2023
- Co-Author, "Time for a Breakroom Makeover: EEOC Releases New "Know Your Rights" Poster," October 21, 2022
- Author, "Is Your Workplace Correctly Classifying Employees and Independent Contractors?" October 17, 2022
- Co-Author, "Don't Get Smoked: Helping Indiana Employers Navigate Evolving Marijuana Laws," The Workplace Lawyer, Summer 2022
- Co-Author, "Update: Indiana Court of Appeals Allows COVID-19 Class Action Lawsuits Against IU and Purdue to Proceed," April 6, 2022
- Author, "New Law Ends Forced Arbitration in Sexual Assault and Sexual Harassment Cases," The Indiana Lawyer, March 16, 2022
- Author, "New Law Will End Forced Arbitration in Sexual Assault and Sexual Harassment Cases," February 14, 2022
- Co-Author, "Class Action Against Sixteen Universities for Alleged Unlawful Practices in Awarding Financial Aid," January 25, 2022
- Co-Author, "U.S. Supreme Court Issues Key Decisions on OSHA's Vaccine-or-Test Rule and CMS's Mandatory Vaccination Rule," January 14, 2022
- Author, "Significant Changes to Illinois Law Affect Employers' Restrictive Covenant Agreements," January 6, 2022
- Co-Author, "OSHA and CMS Release Interim Final Rules on Mandatory Vaccinations and Other COVID-19 Safety Issues," Indiana Medical Group Management Association Newsletter, December 1, 2021
- Author, "How Can Employers Legally Incentivize Their Employees to Become Vaccinated?," RES GESTAE (Vol. 6, Issue 4), November 2021
- Co-Author, "The Wait Is Over: OSHA and CMS Release Interim Final Rules on Mandatory Vaccinations and Other COVID-19 Safety Issues," November 5, 2021

- Co-Author, "EEOC Issues New Guidance on Religious Objections to the COVID-19 Vaccines," October 28, 2021
- Co-Author, "OCR Issues Questions and Answers on the Title IX Regulations on Sexual Harassment," August 4, 2021
- Co-Author, "Virtual Discovery: New Considerations in the New Normal," July 27, 2021
- Author, "Biden Administration Issues Executive Order On Promoting Competition," July 9, 2021
- Author, "OSHA Issues Updated COVID-19 Guidance for Employers," June 25, 2021
- Author, "Federal Court in Texas Rules Employers Can Require Employees to Get Vaccinated," June 15, 2021
- Author, "COVID-19 Vaccinations: Employer Incentives and Other New Guidance from the EEOC," June 3, 2021
- Author, "Changes to Illinois' Background Check Compliance: What Happens When an Applicant Fails their Background Check?" April 5, 2021
- Author, "Can Employers Incentivize Employees to Get the COVID-19 Vaccine?" March 23, 2021
- Co-Author, "More Change on the Horizon for Title IX?" March 18, 2021
- Co-Author, "DOL Proposes Withdrawing Independent Contractor Status and Joint Employer Final Rules," March 12, 2021
- Author, "How to Identify and Curb Employee Abuse of Emergency Paid Sick Leave and Expanded Family Medical Leave and Still Comply With the FFCRA," December 18, 2020
- Author, "Training and Compensable Time: The DOL's Opinion Letter on when an Employee Must be Paid," November 17, 2020
- Author, "The [Economic] Reality for Employers: The Department of Labor's Proposed New Rule for Determining Independent Contractor Status," October 5, 2020
- Co-Author, "Educate Your School: K-12 Public School Compliance with Federal Civil Rights Laws In the COVID-19 Environment," October 1, 2020
- Co-Author, "Employee Opioid Use, Addiction, and the ADA: EEOC Guidance Indicates Opioid Use and Addiction May Give Rise to ADA Rights," August 24, 2020
- Co-Author, "The Ongoing Pandemic of Information: Updates to FFCRA, FLSA, and FMLA Guidance," July 31, 2020
- Co-Author, "Testing, Testing...The CDC Details When Employers Should Test for COVID-19 and Other Health Screening Reminders," July 22, 2020
- Co-Author, "Illinois' IDHR Publishes Long-Awaited Sexual Harassment Training Program," July 15, 2020
- Author, "U.S. Supreme Court Extends Reach of "Ministerial Exception" for Religious Organizations," July 8, 2020
- Co-Author, "OSHA's Revised Enforcement Guidance When a Work-Relatedness Determination is Required," May 25, 2020
- Co-Author, "Title IX Regulations Issued By The U.S. Department Of Education: Implications for Educational Institutions," May 7, 2020
- Co-Author, "Workplace Safety and COVID-19: OSHA's Interim Enforcement Guidance and What It Means for Employers," April 27, 2020
- Co-Author, "Developing Leave Policies to Keep Up with the FFCRA," April 16, 2020
- Co-Author, "Understanding when a "Qualifying Need" for Paid Leave arises under the Families First Coronavirus Response Act," April 12, 2020
- Co-Author, "You have been WARNed. Complying with the Worker Adjustment and Retraining Notification Act for COVID-19 Shutdowns," April 2, 2020
- Co-Author, "COVID-19 Does Not Discriminate and Neither Should You or Your Facility," March 20, 2020
- Author, "Planning Considerations for Employers to Consider in Response to Coronavirus," March 11, 2020



- Co-Author, "Coronavirus Concerns May Implicate Force Majeure Contract Issues," March 9, 2020
- Author, "DOL Releases Final Rule Narrowing the Definition of "Joint Employer" Under the FLSA," January 13, 2020
- Co-Author, "DOL Final Rule on Regular Rate of Pay Goes into Effect January 15, 2020," January 1, 2020
- NLRB v. Canning *Featuring the All-Powerful Senate: The National Labor Relations Board's Journey to Extinction*, 50 Val. L. Rev. 271 (2015)
- *Indiana Choice Scholarship and RFRA's Impact On Discrimination*, Co-authored with Monica J. Conrad, RES GESTAE (Vol. 59, Issue 8)

## Certifications

- Legal Lean Sigma® White Belt