



Marcia P. Ellsworth

Partner

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Practice Emphasis

Appeals	Business Law
Employment Law	Immigration & I-9 Compliance
Litigation	Employment Law Compliance
Employment Litigation	
Commercial Litigation & Dispute Resolution	
Employment Policy & Planning Advice	

About Marcia

Marcia Ellsworth's practice focuses on representing employers in employment disputes and litigation. She provides advice to company executives and human resource managers on policy issues and employment law compliance matters (including I-9 compliance and audits). Marcia also represents clients in commercial litigation matters.

Employment Dispute Representation – Administrative Hearings, Litigation, and Mediation

Marcia represents employers in all phases of threatened and filed employment claims. This includes matters in state and federal courts, federal EEOC, state human rights commissions, private mediation, mediation before government employment agencies, and arbitration. She advises employers in discrimination, harassment, retaliation, breach of contract, restrictive covenant, trade secret, confidentiality, and workers' compensation disputes and litigation.

Policy Development and Employment Law Compliance

A great deal of Marcia's practice focuses on proactive counsel to employers through helping them maintain compliance with state and federal employment laws, providing advice and counsel in and through creating and effectively implementing employment policies and handbooks.

Marcia routinely advises human resource managers concerning handbook interpretation, employment policy creation, compliance with state and federal employment laws and regulations, performance review issues (including retention, termination, and transition matters), FLSA, ADA compliance (including counsel and training), leave law matters, exempt/non-exempt classification, compliance with federal and state wage and hour laws, privacy issues, trade secret matters, and unfair competition. When issues arise concerning these and related matters, Marcia provides advice and counsel regarding responses and action that may need to be taken, as well as representation.

Marcia has extensive experience drafting, negotiating, and defending employment agreements, confidentiality and trade secret agreements, employer rights agreements, personnel policies, employment handbook policies, employment contracts, and severance agreements. Her work with executives and human resource managers is focused on education, compliance, and proactive action. When urgent employee matters arise, Marcia's clients rely on her as a trusted advisor for identifying alternatives and possible solutions; often with a goal of diffusing or resolving employment matters quickly when possible.

Employment Audit Assistance

Marcia assists clients in responding to state and federal audit notices, including Form I-9 compliance, audits, federal Department of Labor audits, and state Department of Labor and Industries Audits, and assisting companies stay in compliance with federal employment matters.

Non-Compete, Employment Agreement, and Severance Packages

Marcia advises companies and drafts agreements concerning employment agreements, restrictive covenants, and severance packages, and assists and represents companies in connection with disputes that may arise under these agreements.

Commercial Litigation

Marcia's commercial litigation practice includes representing clients in employment-related claims, including challenging or defending non-compete and restrictive covenant provisions, and non-employment commercial litigation matters.

Background and Personal

When away from the office, Marcia is an avid skier, wine enthusiast, soccer fan, world traveler, and dog owner. She lived abroad in Singapore with her family for four years and had great adventures exploring SE Asia with her husband and children. Her skiing world continues to expand outside of North America, having now skied the Alps in four countries, multiple ski resorts in New Zealand, and Japan in 2020.

Education

- > J.D., University of Michigan
- > B.M.E., Eastern Michigan University, *magna cum laude*

Bar Admissions

- > Washington
- > United States District Court for the Western District of Washington
- > United States District Court for the Eastern District of Washington
- > United States Court of Appeals for the Ninth Circuit