



## **Amy J. Adolay**

Partner

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Amy Adolay counsels employers on complex human resources issues that arise on a daily basis in the workplace and defends employers before administrative agencies and in state and federal courts. Ms. Adolay handles a wide variety of types of claims, including discrimination, harassment, retaliation, family and medical leave, disabilities, unemployment compensation, wage and hour, and restrictive covenants. Ms. Adolay also routinely reviews, revises, and drafts employment related documents such as employee handbooks, employment policies and procedures, employment agreements, severance and retention agreements, and non-compete and non-solicitation agreements. Ms. Adolay's extensive employment law experience has included representing employers in collective actions and litigating complex claims relating to discrimination, restrictive covenants, and various other employment and contract disputes. She also regularly speaks and writes on important changes facing employers in employment law.

Ms. Adolay's school law experience includes advising administrators and school corporations on various issues relating to staff, students, and parent/guardian issues. She has also assisted sororities and fraternities in navigating a wide range of legal issues. Ms. Adolay is active in firm management, currently serving on the firm's five-member Executive Committee. She previously served for several years as Chair of the firm's Labor and Employment Practice.

### **Education**

- J.D., *cum laude*, Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, 2001
- B.A. in Political Science, Miami University, Oxford, Ohio, 1998

### **Bar & Court Admissions**

- Indiana, 2001
- U.S. District Court for the Northern District of Indiana, 2001
- U.S. District Court for the Southern District of Indiana, 2001
- 7th Circuit Court of Appeals, 2001

### **Certifications**

- Legal Lean Sigma® White Belt

## Practices

- Labor and Employment
- Litigation and Dispute Resolution
- Health Care Litigation
- Employee Benefits and Executive Compensation
- Fraternities and Sororities
- K-12 Education
- Higher Education
- Sports

## Industries

- Construction
- Financial Services
- Government
- Health Care
- Real Estate

## Representative Experience

- Created and assisted in implementation of early retirement program for large manufacturing company
- Successfully represented national retailer in enforcement of employee handbook wage provisions
- Obtained summary judgment for employer in high-profile executive race and sex discrimination case
- Enforced noncompete against individual in health care industry who was soliciting business in her former sales territory
- Renegotiated high-dollar severance agreements with former management employees based on after-acquired evidence of breaches of employment agreements
- Assisted company with lawful means of carrying out furloughs, reductions in force, and salary reductions in order to keep business afloat despite threatening economic forces
- Achieved favorable non-monetary settlements in two discrimination charges in which administrative agency was prepared to find employer in violation of law

## Professional Associations

- Board of Directors, The O'Connor House
- Former Board Member and Secretary, Indiana Breast Cancer Awareness Trust
- Former Board Member, Hamilton Centers Youth Services Bureau
- Volunteer Pro Bono Services, Neighborhood Christian Legal Clinic

## Awards & Recognitions

- Indiana Super Lawyers Rising Stars, 2011, 2012, 2014, 2016
- Graduate, Hamilton County Leadership Academy, 2006

## Seminars & Presentations

- Presenter, "Respect in the Workplace," Meridian Plastic Surgeons, October 24, 2024
- Presenter, "Developments under the FLSA and Independent Contractor Status", IMPACT Annual Conference, September 12, 2024
- Co-Presenter, "Employment Issues Impacting Center Managers: Hiring and Termination, Contracting, EEOC Law," National Association of Worksite Health Centers Annual Forum, August 22, 2024
- Presenter, "Employment Dos and Don'ts", Indiana Chamber of Commerce, July 7, 2024
- Co-Presenter, "FTC's New Non Compete Rule and Evolving State Laws: The Impact on Worksite Health Centers," National Association of Worksite Health Centers Webinar, May 23, 2024
- Presenter, "Noncompetes", The Clinic: ISMA Podcast, April 25, 2024
- Presenter, "ADA Discrimination Prevention and Accommodation Requests," Indiana Municipal Personnel Administrators for Cities and Towns Winter Meeting, December 7, 2023
- Presenter, "Navigating Mental Health and Substance Use Disorder Accommodation Obligations in the Workplace," Indiana Wellness Council's Employer Connection Series, October 3, 2023
- Co-Presenter, "Trending Topics in Employment Law and Benefits Compliance," RESOLVE Benefits Conference, April 27, 2023
- Presenter, "Family and Medical Leave Act (FMLA) Overview," Indiana Municipal Personnel Administrators for Cities and Towns (IMPACT) Annual Conference, September 14, 2022
- Co-Presenter, "The Intersection of Medical, Legal, Occupational Health, and Employee Records," Indiana Health Care Association Annual Conference, August 15, 2022
- Presenter, "Reviewing and Responding to Religious Objections to the COVID-19 Vaccine," Indianapolis Bar Association, January 20, 2022
- Presenter, "Update on Status of New Federal COVID-19 Vaccination Requirements for Employers," Healthcare Financial Management Association, December 13, 2021
- Presenter, "Overview of New Federal COVID-19 Vaccination Requirements for Employers," Krieg DeVault Webinar, November 10, 2021
- Presenter, "Legally Compliant Mental Health and Drug Free Policies," Wellness Council of Indiana Recovery at Work: Employer Mental Health and Substance Abuse Summit, September 15, 2021
- Presenter, "Hot Topics in Employment Law Including New Legislation Related to COVID-19," Accelerate Indiana Municipalities Municipal Law Seminar, June 25, 2021
- Presenter, "COVID-19 Vaccination Mandates in the Workplace," Krieg DeVault Podcast Series, June 21, 2021
- Presenter, "COVID Vaccine Legalities and Logistical Challenges," Enterprise Health, February 16, 2021
- Presenter, "Legal and Business Considerations for Employers Considering Mandating COVID-19 Vaccinations," Indiana Apartment Association, January 22, 2021
- Presenter, "Legal and Business Considerations for Employers Considering Mandating COVID-19 Vaccinations," Indiana Manufacturers Association, January 20, 2021
- Presenter, "COVID Vaccine Considerations for Employers," Indiana Chamber of Commerce, December 16, 2020
- Presenter, "Engaging Around Mental Health and Personal Safety with Your Team Members," Luna, First Person, June 23, 2020
- Presenter, "COVID-19 Checklist for Indiana Businesses & Organizations," Boone County Chamber of Commerce, April 28, 2020
- Presenter, "COVID-19 Health Care Businesses: Managing Staffing Reductions & Planning for Reopening," Indiana State Medical Association, April 24, 2020
- Presenter, "COVID-19 Guidance for Employers & Individuals," Indianapolis Bar Association, March 16, 2020

## Publications

- Contributor, "COVID-19 Religious Exemption Concerns on Shaky Ground," Indiana Lawyer, January 5, 2022
- Co-Author, "Tis the Season: Court Issues Nationwide Temporary Stay of CMS Mandatory Vaccination Rule," December 2, 2021
- Author, "President Biden's Vaccination Mandates under COVID-19 Action Plan," September 10, 2021
- Author, "Accommodating Employees Who Can't Return Due to COVID-19," Indiana Lawyer, March 17, 2021
- Co-Author, "Is Your Non-Compete Buy-Out Reasonable?" January 27, 2021
- Author, "Mandating COVID-19 Vaccinations: Employers Wrestle with Whether They Can and Should," December 18, 2020
- Co-Author, "COVID-19 Enforcement Plan Compliance Alert: K-12 Educational Institutions and Indiana's Face Covering Mandate," July 31, 2020
- Author, "How Much Can Employers Control Employees' Summer Travel During COVID-19? A lot." June 15, 2020
- Co-Author, "Returning to the Workplace: Addressing Requests to Work from Home and Refusals to Return to Work," June 7, 2020
- Author, "Getting Back on Track: How Indiana Businesses can Create the Plan Required by Governor Holcomb's Executive Order 20-26 to Keep Employees and Patrons Safe by the May 11, 2020 Deadline," May 3, 2020
- Co-Author, "What Can We Do? Coronavirus Guidance for Employers," March 5, 2020
- Co-Author, "DOL Final Rule on Regular Rate of Pay Goes into Effect January 15, 2020," January 1, 2020
- Co-Author, "Indiana Blue Pencil Doctrine is More of a Blue Pen Doctrine as it Permits Courts to Strike through but not Erase Unenforceable Provisions in Restrictive Covenants," January 1, 2020