

## Jennifer A. Harper

**Of Counsel**

**Washington DC**

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### About Jennifer

Jennifer focuses her practice on labor and employment law with a specific emphasis on government contracts, corporate transactions, administrative law and public policy. She has more than 20 years of experience as a lawyer and lobbyist representing public and private sector clients at the local, national and international levels. Her expertise in government compliance cuts across multiple additional sectors, including infrastructure, mega projects, housing, education and emerging technologies. She further advises clients on executive agreements, corporate M&As, trade secrets and restrictive covenants, as well as labor relations in government-financed projects.

Jennifer is a member of the firm's Labor & Employment and Government Contracts Practices, as well as internal global projects and executive action teams. Jennifer's background includes over 15 years as a litigator, serving as first or second chair in employment and contract matters before federal/state courts, government agencies and arbitration tribunals. She also advises and defends clients involved in federal government audits, investigations and enforcement actions, both in the traditional employment context and in government contracts.

Jennifer represents domestic and foreign organizations in a wide array of industries, such as information technology, sports, entertainment, finance, transportation, utilities, nonprofits and educational institutions. Her clients include global conglomerates, Fortune 500 companies, small and mid-size businesses and startup enterprises. Her expertise covers the entire spectrum of people operations from recruitment through post-termination, as well as employment agreements, cross-border matters, mergers and acquisitions, workforce transitions, secondments and foreign company entry to the US. She works across the organizational matrix, advising clients at every level and stage of growth while achieving practical solutions to ensure confidence across all business platforms. She has served as outside counsel as well as in-house corporate counsel and as counsel to C-suite executives, boards of directors and trustees.

Jennifer's expertise in government contracts includes compliance with federal labor standards in the Code of Federal Regulations (CFR), Federal Acquisition Regulation (FAR), The Defense Federal Acquisition Regulation Supplement (DFARS) and similar agency regulations, as well as White House executive orders and other federal and state labor and employment laws. In addition, she provides cradle to grave comprehensive guidance throughout the contracting and performance cycle, including Equal Employment Opportunity and anti-discrimination, Davis Bacon Act, Service Contract Act, Contract Work Hours and Safety Standards Act, Section 503 of the Rehabilitation Act, the Vietnam Era Veterans' Readjustment Assistance Act, EO 13706 paid sick leave and other executive orders, local hiring requirements, project labor agreements, as well as similar labor and employment laws involving government contracts, leases and grants. She works closely with grant recipients and contractors at all tiers to ensure effective performance. She drafts agreements, assists with proposals and defends against adverse government actions and contract disputes involving labor standards. Her experience includes procurement and grants involving large contractors and Section 8(a) small businesses and most federal agencies, such as the General Services Administration (GSA), Department of Defense (DoD), the Department of Housing and Urban Development (HUD), the Treasury Department, the Environmental Protection Agency (EPA), the Department of Transportation (DOT), the Federal Emergency Management Agency (FEMA) and the Department of Education (DOE).

Jennifer also represents individuals and stakeholder groups before Congress, the White House and executive agencies. She is a registered lobbyist and has advocated on behalf of government and business interests on a wide range of issues, including labor, appropriations, transportation, infrastructure, education and housing. Throughout her career, she has represented interest groups before the US Department of Labor (DOL), DOE, Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), HUD, DOT, FEMA, the White House Office of Information and Regulatory Affairs and numerous congressional offices and committees. Most recently, she set precedent as the only one to successfully convince the US DOL to rescind a portion of its Davis Bacon regulations expanding prevailing wages to offsite modular construction.

Before joining our firm, Jennifer served as a principal counsel at DC Water, a US\$4 billion District of Columbia independent agency created by Congress. Before that, she was a partner at two other major law firms in Washington DC. Earlier in her career, she was a lobbyist representing over 700 local governments and later working with small businesses. She also helped create the International Institute for Regional Development, an organization dedicated to public-private partnerships between US counties and their counterparts in Europe.

Jennifer is a former national member of the Association for Corporate Counsel (ACC) Employment and Labor Law Committee, serving as Co-Chair of the Communications and Policy Subcommittees for three years. She is a frequent speaker and has been featured in local and national media such as *USA Today* and *Athletic Business Magazine*. She has published numerous articles on law and business and is a co-author and editor of the Title IX chapter in *The Sports Law Handbook* published by the New York State Bar. Jennifer is a member of the board of directors of the Legal Accountability Project and previously served as a *pro bono* election counsel for the Virginia Democratic Party.

## Experience

### Sample of Representative Cases

- *Grissom v. The Mills* (favorable six figure judgment at trial)
- *Butler v. Southern States* (dismissal reversed on appeal in favor of client, set new precedent regarding the legal test for liability in workplace assaults)
- *Jackson v. GMR, Inc.* (million dollar verdict in favor of client; entire verdict affirmed on appeal)
- *Park v. SMIGMS* (directed verdict at trial; affirmed on appeal)
- *ExcelaCom v. Garcia* (favorable settlement in contract and trade secrets case on the eve of trial)
- *Doctors Groover, Christie & Merritt v. Olan* (judgment reversed on appeal in favor of client)

- *Franey v. IBM* (low-cost settlement for corporate client at a fraction of damages demand)
- *Anglinmatumona v. Micron Technology* (successful dismissal of claims on summary judgment, appeal denied by the Fourth Circuit, certiorari denied by US Supreme Court)
- *Washington Workplace v. SupplySource, Inc.* (favorable pre-trial settlement)
- *Bodrogligeti v. Borders, Inc.* (disability discrimination case ultimately dismissed by court)
- *Schirf v. Alexandria Country Day School* (plaintiff dropped case after exposure during deposition, related fees and costs awarded to client)
- *Mercadante et al. v. Xe Services, Inc.* (among the lead attorneys selected to represent national corporation Xe Services, Inc. in two high-profile wage and hour class action suits)

### **Examples of Diverse Counseling and Compliance Matters**

- Member and field co-leader of the largest of three attorney teams for AmLaw 100 law firm selected by US Agriculture Department to conduct year-long US\$7 million, 14-state, discrimination investigation in response to decades old class actions brought by black and Native American farmers.
- Guided a New York-based university through a US Department of Education audit that preserved its status and ensured full compliance with regulatory and civil rights requirements.
- Advised a Florida nursing institution in ensuring its policies and procedures were consistent with legal and regulatory requirements allowing it to obtain accreditation.
- Handled more than 100 administrative charges and complaints brought before the EEOC, US DOL, various inspectors general and state human rights agencies with nearly 100% dismissal rate.
- Conducted dozens of internal investigations for public sector entities and Fortune 500 companies, including harassment, systemic discrimination, fraud, waste and abuse allegations, ethics violations, pay equity and workplace violence.
- Developed risk reduction strategies for DC government agency, streamlining and strengthening compliance efforts, dispute resolution and internal investigative practices, leading to a 20% reduction in employment lawsuits from prior years and saving hundreds of thousands in potential litigation.
- More than a decade of experience developing and presenting seminars, training sessions and leadership programs covering a wide range of employment topics from anti-harassment to workplace civility to trade secrets protection.

## **Credentials**

### **Education**

- George Mason University School of Law, J.D., with honors, 2004
- Ball State University M.A., History, *summa cum laude*, 1996
- Kenyon College, B.A., History, *cum laude*, 1993

### **Admissions**

- District of Columbia, 2005
- Virginia, 2004

### **Memberships & Affiliations**

- Association of Corporate Counsel

- American Bar Association, Labor & Employment Section
- Entertainment & Sports Industry Forum
- DC Bar, Member, Arts, Entertainment, Media & Sports Committee; Chair, Sports Law Section
- Virginia Bar Association
- Fairfax Bar Association
- Greater Washington Board of Trade
- National Association of Women Business Owners, Virginia Chapter
- Loudoun Chamber of Commerce
- Sports Lawyers Association
- Association of Women Investigators
- Research Advisor, George Mason School of Law Institute of Economic Research, 2004
- Graduate Teaching Assistant, Ball State University, 1994-95

## Recognitions

- Recognized in *Best Lawyers: Ones to Watch in America* 2025 for Labor and Employment Law – Employee, Labor and Employment Law – Management and Litigation – Labor and Employment.
- Recognized in *The Best Lawyers in America* 2023: Ones to Watch for Labor and Employment Law – Employee and Litigation – Labor and Employment in Washington DC
- Best Appellate Brief in Section Award, George Mason School of Law, 2002
- Distinction, Master's Thesis, Oral Defense, Ball State University, 1996
- Recognized in *The Best Lawyers in America* 2021: Ones to Watch for Labor and Employment Law – Employee in Washington DC

## Expertise

### Services

- Litigation
- Labor & Employment
- International Dispute Resolution

## Publications & Speaking Engagements

### Publications

- Contributing Author/Editor, *Association for Corporate Counsel Employment and Labor Law Newsletter*, 2015-present.
- Author, "The Risks of Using In-House Counsel to Conduct Internal Investigations," *Virginia Employment Law Journal*, 2013.
- Co-Author, *In the Arena: A Sports Law Handbook*, Title IX Chapter, The New York State Bar Association, 2013.
- Quoted, "Should Coaches Contracts Incentivize Academic Success?" *Athletic Business Magazine*, 2012.
- Author, "Coaching Contracts and the Federal Incentive Compensation Ban," *Win AD*, 2012.
- Author, "What Athletic Directors Need To Know – A Title VII and Title IX Primer," *Winthrop Intelligence*, 2012.

- Contributing Author/Administrator, Bean Kinney & Korman Employment Law Blog, 2013-2015.
- Contributing Author/Editor, Bean Kinney & Korman Employment Law Newsletter, 2013-2015.
- Contributing Author, Jackson Lewis Sports Law Blog, 2011-2013.
- Author/Lead Editor, *County Executives of America* Newsletter (writing hundreds of articles throughout tenure), 1996-2000.

#### **Speaking Engagements**

- Panel Member, "The Impact of the "MeToo" Movement on DC Employers," sponsored by the DC Bar Association, April 2019.
- Presenter, "Systemic Discrimination: Anticipating and Responding to EEOC Investigations," Association for Corporate Counsel Bi-Annual Meeting, April 2016.
- Presenter, "Litigating, Negotiating, and Settling Non-Competes," Fairfax Bar Association, April 2014.
- Chair, DC's Pro Sports Teams Talk: "Law, Salary Cap, Salary Arbitration, Contract Negotiations and More," Sponsored by the D.C. Bar Arts, Entertainment, Media, Sports and Technology Committee, February 2014.
- Panelist, "Know Your Workplace Rights," Sponsored by the Employment Law Forum for the DC Women's Bar Association, January 2014.
- Panelist, "Handling Scandal," 3rd Annual Duke University Sports & Entertainment Law Symposium, January 2012.
- Presenter, "Legislative Developments in Employment Law," Society for Human Resource Management Lunch & Learn Series, June 2011.

## **About our firm**

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.