



Rachel VanNortwick Barlotta

Shareholder

Birmingham | 205.244.3822 | rbarlotta@bakerdonelson.com

Rachel Barlotta represents employers in all aspects of federal and state court litigation involving discrimination, retaliation, harassment, wage and hour, family and medical leave, and non-compete agreements, and before the Equal Employment Opportunity Commission, the Department of Labor and the Alabama Department of Industrial Relations.

Ms. Barlotta has also handled appeals to the Eleventh Circuit Court of Appeals and the Alabama Supreme Court. She assists employers in drafting policies, provides training seminars and conducts internal investigations of alleged violations of state and federal anti-discrimination laws.

Representative Matters

- Represented client on a nationwide collective action, handling all discovery including taking depositions of named plaintiffs and all representative opt-ins. The matter settled for a reasonable sum just before the court's ruling on decertification/summary judgment.
- Represented client on numerous single plaintiff FLSA actions, including for clients in the insurance, commercial realty and non-profit industries.
- Obtained summary judgment on behalf of employer against EEOC in sexual harassment and retaliation case.
- Obtained defense verdict on behalf of national media company in age discrimination case.
- Won dismissal of former employee's FMLA claims on behalf of employer.
- Won summary judgment in district court against employee's claims for sex discrimination, race discrimination and retaliation.
- Won summary judgment in district court against employee's claims of hostile work environment, discrimination and retaliation.
- Won summary judgment in state circuit court against employee's claims of invasion of privacy, defamation, negligence and wantonness.

Professional Honors & Activities

- Listed in *The Best Lawyers in America*[®] in the area of Litigation - Labor and Employment (2021)
- Listed in *Mid-South Super Lawyers* as a Rising Star in Employment & Labor (2016 – 2018)
- Listed in *Alabama Rising Stars*, Employment & Labor (2012, 2014 – 2015)
- Named a "Top 40 Under 40" by the *Birmingham Business Journal* (2018)
- Named a "Rising Star of Law" by the *Birmingham Business Journal* (2017)
- Member – Birmingham and Alabama Bar Associations
 - Labor and Employment Section
 - Executive Committee Member, Young Lawyers Section
 - Participant, Birmingham Bar Association's 2010 Future Leader Forum
 - Member, Alabama State Bar's 2017 Leadership Forum Class 13
- Member – Rotaract Club of Birmingham
- Board Member – Miss Birmingham Scholarship Program
- Impact Family Counseling MCP Mentor
- Named 2009 Mentor of the Year



Publications

- "Full Defense Verdict Shows Juries Want You to Care," *Trial Spotlight Newsletter* (June 2019)
- "On Drugs and at Work: Keeping Your Work Force Safe and ADA-Compliant in the Opioid Abuse Problem" (August 2017)
- Co-author – "Armed & At Work: Navigating Alabama's Guns In The Parking Lot Act," *Alabama Defense Lawyers Association Journal*, Volume 30, Number 1 at 49 (Spring 2014)



Speaking Engagements

- "Wrap It Up" (November 2018)
- "2017 Year in Review and 2018 Predictions" (January 2018)
- "Transgender Individuals in the Workplace (Birmingham)" (October 2016)
- "Part Two of our Ultimate HR Checklist, Plus ACA Update (Birmingham)" (April 2016)
- "Managing Workplace Bullies and Other Problem Employees While Reducing Legal Risks," Alabama Society of Health System Pharmacists Annual Meeting (June 2015)
- "Discovery & Deposition Tactics in Employment Litigation," NBI Employment Law seminar, Birmingham, Alabama (September 2014)
- "Best Practices for Winning Summary Judgment," NBI Employment Law seminar, Birmingham, Alabama (September 2014)
- "FMLA 101," Birmingham Bar Association CLE Labor & Employment Law seminar, Birmingham, Alabama (August 2013)
- "NLRB's Expanding Agenda," Sterling Education Services, Inc.'s Hot Topics and Labor & Employment Law seminar, Birmingham, Alabama (August 2013)
- "Drafting Employment Agreements and Policies to Minimize Claims," Sterling Education Services, Inc.'s Hot Topics and Labor & Employment Law seminar, Birmingham, Alabama (August 2013)
- "Reductions-in-Force: Key Considerations and Protections for Employers," NBI Employment Law seminar, Birmingham, Alabama (June 2013)
- "Human Resources Law Update," NBI Employment Law seminar, Birmingham, Alabama (June 2013)
- "The Accountant's Guide to Employment Law," Huntsville, Alabama (May 2013)
- "The New GINA Regulations: What You Don't Know Can Hurt You," Society of Human Resource Management, Birmingham Chapter (April 2012)
- "Unemployment Compensation in Alabama: An Employer's Guide and What's New In Employment Law for 2011," National Business Institute seminar, Birmingham Alabama (2011)



Webinars

- Top 10 Things Alabama Employers Should Know About Operating During the COVID-19 Pandemic (June 2020)
- Immigration Matters: Finding a Cure for Health Care's Staffing Shortages (November 2019)



Education

- Samford University, Cumberland School of Law, J.D., 2003, cum laude
 - Member, Curia Honoris
 - Member, Phi Kappa Phi
 - Member, Order of the Barristers
 - Member, *Cumberland Law Review*
 - Member, Cumberland National Trial Team
 - Caruthers Teaching Fellow
- Samford University, B.A., 2000



Admissions

- Alabama, 2003
- All Alabama State Courts
- U.S. District Courts for the Northern, Middle and Southern Districts of Alabama
- U.S. Circuit Court of Appeals for the Eleventh Circuit