



## Rachel VanNortwick Barlotta

Shareholder

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Rachel Barlotta is an employment and fair housing litigation attorney with almost two decades of experience successfully guiding clients through high-stakes litigation.

Having tried multiple cases to verdict, Ms. Barlotta brings that experience to advising companies on how to avoid and defend against all types of claims in the employment and housing context, including claims of discrimination, retaliation, harassment, wage and hour, Title I and Title II of the ADA, Fair Housing Act, and the FMLA. She has obtained favorable outcomes for companies who are defending claims filed with the EEOC, DOL, HUD, OSHA and other federal and state agencies.

Ms. Barlotta has also argued before the Eleventh and Fifth Circuit Court of Appeals. She assists employers, property owners, and property management companies in drafting compliant policies and agreements. She also helps employers with non-compete issues and has litigated many non-compete cases in state and federal court.



### Representative Matters

- Obtained defense verdict on behalf of a chicken processing company in a race and national origin discrimination case and affirmed on appeal by the Eleventh Circuit Court of Appeals.
- Obtained directed verdict on behalf of a national insurance company in a wage and hour case.
- Obtained summary judgment on behalf of a hospital system in a disability discrimination and FMLA case.
- Obtained temporary restraining order on behalf of a national home health care provider in a noncompete case.
- Obtained dismissal of multi-party housing discrimination charges investigated by HUD.
- Obtained dismissal of housing discrimination and retaliation charges on behalf of an apartment complex from the Georgia Commission on Equal Opportunity.
- Obtained summary judgment on behalf of an employer against the EEOC in a sexual harassment and retaliation case.
- Obtained defense verdict on behalf of a national media company in an age discrimination case.
- Won summary judgment on behalf of a food processing company in a federal disability discrimination and retaliation lawsuit filed by a former employee. Upon plaintiff's appeal to the United States Court of Appeals for the 11th Circuit, the case was resolved through mediation.
- Represented a major drywall company in a lawsuit to enforce non-compete agreements against two former employees. Obtained a favorable settlement.
- Successfully defended a major food processing company in a \$2 million federal lawsuit filed by a former employee alleging discrimination claims under 42 U.S.C. 1981 and Title VII. Obtained dismissal of multiple claims via a motion to dismiss and a motion for summary judgment and obtained a complete defense verdict on the remaining claims following a jury trial. The U.S. Court of Appeals for the Eleventh Circuit affirmed the district court's ruling.
- Defended a medical practice in a class action lawsuit for unpaid vacation time. Successfully compelled class action for unpaid vacation time to arbitration and resolved prior to certification.



### Professional Honors & Activities

- Listed in *Chambers USA* as a leading Labor & Employment lawyer in Alabama (2023 – 2025)

- Listed in *The Best Lawyers in America*® for Litigation - Labor and Employment (2021 – 2025)
- Listed as a Mid-South Rising Star in Employment & Labor (2016 – 2018)
- Listed in *Alabama Rising Stars*, Employment & Labor (2012, 2014 – 2015)
- Listed as among *B-Metro Magazine's* Top Women Attorneys (2022)
- 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
  - Member, Alabama State Bar's 2017 Leadership Forum Class 13
- Court Appointed Special Advocate for Jefferson County Foster Care System



## Publications

- "Employers' Top Five COVID-19 Vaccination Questions Answered," republished in *HR Daily Advisor* (May 2021)
- 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

- Panelist – "Top 10 Legal Tips for Small Business Owners," The Hoover Small Business Alliance (August 2023)
- "Shedding Light on the FLSA: Wage and Hour Update," Society for Human Resources Management, Birmingham Chapter (September 2020)
- "Legal Consideration for the Gig Economy," Birmingham Bar Association (February 2020)
- "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

- Alabama Employers' COVID-19 Questions Answered (September 2021)



## 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
- U.S. Circuit Court of Appeals for the Fifth Circuit