

Carmen N. Decot

Partner

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Carmen N. Decot is a partner and litigation attorney with Foley & Lardner LLP and is a member of the firm's Labor & Employment Practice and Automotive and Food & Beverage Industry Teams and Manufacturing Sector. Carmen represents and counsels employers in all aspects of the employer-employee relationship, including but not limited to, compliance with statutory and regulatory requirements under Title VII of the Civil Rights Act of 1964, the Family and Medical Leave Act (FMLA), the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Americans with Disabilities Act (ADA), Section 1981 of the Civil Rights Act of 1866, Executive Order 11246, and other affirmative action laws and regulations; union grievances, National Labor Relations Board charges, labor arbitrations, and collective bargaining; employment litigation before federal, state, and local courts and administrative agencies; reductions in force; and various matters related to employee recruitment, hiring, performance, discipline, and discharge. Carmen also provides clients with practical guidance and proactive counseling regarding policies and best practices designed to help employers avoid labor and employment disputes and comply with the law.

Representative Experience

- Provided strategic advice for a manufacturing client in all areas of labor and employment law, including labor arbitrations, wage and hour related issues, and employment litigation matters.
- Obtained summary judgment victories for an automotive industry client in religious discrimination and multi-plaintiff gender discrimination and retaliation lawsuits.
- Successfully defended a food and beverage industry client in numerous employment litigation and labor matters.
- Played a key role in a major restructuring effort for a media client by advising on compliance with federal and state anti-discrimination laws, WARN Act notice requirements, contract compliance, and wage and hour issues and successfully defended the client in multiple post-restructuring employment discrimination lawsuits and administrative agency proceedings.
- Provided proactive compliance counseling in the areas of employment discrimination, family and medical leave, and affirmative action compliance to an energy industry client.

- Successfully represented a health care industry client in a variety of employment matters, including federal wage and hour litigation, federal and state employment discrimination matters, and a federal Section 1983 lawsuit and appeal.

Awards and Recognition

- Recognized by *Chambers USA: America's Leading Lawyers for Business* for Labor and employment law (2019-2025)
- Named to the *Wisconsin Super Lawyers – Rising Stars®* lists (2012 – 2016)
- Named to the *Wisconsin Law Journal's* list of “Up and Coming Lawyers” (2012)

Affiliations

- Wisconsin Bar Association
- American Bar Association
- Association for Women Lawyers
- Hispanic National Bar Association
- Formerly served on the board of the Labor & Employment Law Section for the State Bar of Wisconsin

Community Involvement

- Pro bono litigation counsel
 - Served in domestic violence injunction hearings and court-appointed civil rights cases in addition to representing various pro bono clients in employment matters
- Volunteer legal counsel, Better Business Bureau of Wisconsin
- Member, Board of Directors, Wisconsin Equal Justice Fund
- Member, Board of Directors, COA Youth & Family Centers
- Member, Board of Directors, PEARLS for Teen Girls
- Volunteer, Milwaukee Bar Association's Milwaukee Justice Center project
 - Providing counseling to low income persons in need of basic legal services
- Member, United Way's Emerging Leaders
- Member, University of Wisconsin-LaCrosse Alumni Association
- Member, University of Wisconsin-Richland Alumni Association
- Former Member, Board of Directors, Hispanic Professionals of Greater Milwaukee
- Former Member, Board of Directors, Curative Care Network

Presentations and Publications

- “Recent EEOC Lawsuits Serve as a Reminder of Employer Obligations Regarding Pregnancy-Related Accommodation,” *Labor & Employment Law Perspectives* (September 30, 2024)
- “Texas Court Strikes Down NLRB's Latest Joint Employer Rule,” *Labor & Employment Law Perspectives* (March 11, 2024)
- Co-presenter, “Independent Contractor and Joint Employer Challenges – The New Rules from the NLRB and DOL,” Foley & Lardner LLP Web Conference (March 27, 2024)

- Co-presenter, “Protecting Competitive Interests in a World Without Non-Competes,” Hispanic National Bar Association Corporate Counsel Conference (March 11, 2023)
- “NLRB’s Latest Memo Serves as a Grinchy Reminder of Upcoming Changes for Representation Elections,” *Labor & Employment Law Perspectives* (December 11, 2023)
- “Proposed Modifications to Scheduling Letter Would Result in Additional Burdens for Contractors Responding to Audits,” *Labor & Employment Law Perspectives* (January 9, 2023)
- Co-presenter, “2022 Labor & Employment Law Update – The Year in Review,” Foley & Lardner LLP CLE Week (December 12, 2022)
- “Seventh Circuit Decision Reminds Employers Not to Discourage FMLA Leave,” *Labor & Employment Law Perspectives* (June 6, 2022)
- Co-presenter, “How It Started, How It’s Going – 2021 Labor & Employment Law Update,” Foley & Lardner LLP CLE Week (December 13, 2021)
- “OFCCP Introduces New Online Contractor Portal for Annual Certification of AAP Compliance,” *Labor & Employment Law Perspectives* (December 6, 2021)
- “Federal Court Rules Military Leave is Not Comparable to Other Types of Employer-Provided Paid Leaves,” *Labor & Employment Law Perspectives* (June 7, 2021)
- “Federal Court Issues Nationwide Order Enjoining Enforcement of Trump Executive Order on Diversity Training,” *Labor & Employment Law Perspectives* (December 28, 2020)
- Co-presenter, “The Election is Over, Now What? Preparing for the Labor & Employment Issues Coming in 2021,” Foley & Lardner LLP CLE Week (December 10, 2020)
- “EEOC Updates Guidance Again – COVID-19 Concerns Warrant Flexibility but May Not Be Used to Prevent Older or Pregnant Workers from Returning to Work,” *Labor & Employment Law Perspectives* (June 15, 2020)
- “Tis the Season – DOL’s Final Rule on Regular Rate of Pay Could be a Gift to Both Employers and Employees,” *Labor & Employment Law Perspectives* (December 16, 2019)
- Co-author, “Top Legal Issues Facing the Automotive Industry in 2019,” Foley & Lardner LLP Whitepaper (January 23, 2019)
- “Recent OFCCP Activity Signals Greater Transparency and Collaboration for Federal Contractors,” *Labor & Employment Law Perspectives* (October 1, 2018)
- “Sixth Circuit Confirms Title VII Protections for Transgender Status and Rejects Religious Belief Defense,” *Labor & Employment Law Perspectives* (March 26, 2018)

Sectors

- [Environmental & Product Stewardship](#)
- [Food & Beverage](#)
- [Manufacturing](#)
- [Supply Chain](#)

Practice Areas

- [ADA & FMLA Compliance](#)

- Discrimination, Harassment & Retaliation
- Environmental, Social, and Governance (ESG)
- Labor & Employment
- Labor & Employment Class Actions
- Litigation
- Trade Secret Noncompete Litigation
- Union/Employer Matters

Education

- University of Iowa College of Law (J.D., with distinction, 2004)
 - Awarded the College of Law's Dean's Achievement Award
 - Writer and articles editor for the *Journal of Corporation Law*
- University of Wisconsin-LaCrosse (B.S., 1999)
 - Political Science

Admissions

- Wisconsin
- Eastern District of Wisconsin
- Western District of Wisconsin
- Northern District of Illinois
- Southern District of Illinois
- Western District of Michigan
- 7th U.S. Circuit Court of Appeals
- U.S. Supreme Court