

(She/Her)

Principal, Indianapolis

P 317-489-6940

F 317-489-6931

Dorothy.McDermott@jacksonlewis.com

## Practices

- National Compliance and Multi-State Solutions
- Class Actions and Complex Litigation
- Construction
- Corporate Diversity Counseling
- Employee Benefits
- ERISA Complex Litigation
- Healthcare
- Higher Education
- Life Sciences
- Employment Litigation
- Retail
- Technology
- COVID-19
- Workplace Training
- Disability, Leave and Health Management
- Wage and Hour

## Education

- University of Illinois College of Law, J.D. 2003
- Valparaiso University, B.A. 1999

## Admitted to Practice

- U.S. Supreme Court 2023
- 6th Circuit Court of Appeals 2009
- 7th Circuit Court of Appeals 2005
- 10th Circuit Court of Appeals 2018
- Colorado - D. Colo. 2015
- Indiana - N.D. Ind. 2003
- Indiana - S.D. Ind. 2003
- Wisconsin - E.D. Wis. 2006
- Wisconsin - W.D. Wis. 2009
- Indiana 2003
- Wisconsin 2006

Dottie McDermott is a principal in the Indianapolis, Indiana, office of Jackson Lewis P.C. She oversees defense of demand letters, charges, litigations and advice and counsel across Jackson Lewis's nationwide footprint of offices, making portfolio management easier for in-house counsel and leadership across jurisdictions. Clients ranging from Fortune 500 companies to small family-owned businesses, in-house counsel, and members of human resources and management teams appreciate Dottie's sage and practical input as she aligns proposed defense and resolution strategies with business goals and objectives.

Dottie has more than 20 years of experience defending employers of all sizes, human resources professionals, and management teams in the defense of civil rights and employment-related claims and complex ERISA litigation, single plaintiff ERISA cases. This includes matters before federal and state courts and administrative entities involving claims of discrimination, harassment, wrongful termination and/or retaliation under the ADA, ADEA, COBRA, Equal Pay Act, FMLA, GINA, Title VII, Section 1981, and USERRA. Additionally, she participates in internal FLSA audits on behalf of employers, and the defense of FLSA and ERISA 401(k) collective and class action litigation and defense of other wage hour claims.

Dottie also advises employers and management on human resource issues, background checks and the FCRA, reductions in force and WARN compliance, employee handbooks, policies, severance agreements, EEO training, and workplace violence prevention restraining orders. She also leads internal corporate investigations regarding claims of sexual harassment and claims of discrimination. Moreover, she provides analysis and guidance regarding drug testing laws and medical marijuana/marijuana-related legislation impacting employers in numerous states across the United States.

Dottie is a member of Jackson Lewis's Hispanic Attorney resource group, which is committed to increasing the firm's visibility and success for Hispanic and other minority attorneys, providing mentoring and guidance. She is also the Chair of the Labor & Employment Division of the Hispanic National Bar Association.

Examples of Dottie's experience include:

- Prevailing in Sixth Circuit on ERISA denial of disability benefits claim.
- Prevailing in the Sixth Circuit on an ADA claim alleging discrimination and failure to accommodate for a retailer.
- Securing summary judgment for a large company in a case involving claims of age discrimination and tortious interference with a business relationship.
- Assisting a retirement plan administrative committee in processing over 100 claims and/or appeals.
- Obtaining a no sanction result with the Indiana Department of Labor in a FLSA audit for a national company.

- Prevailing in Tenth Circuit on FLSA class and collective action claim.

## Honors and Recognitions

- *The Best Lawyers in America*®, “Litigation – Labor and Employment” (2025)
- *Indiana Super Lawyers*®, "Rising Stars" (2014-2016)
- *Legal 500 USA*, "Recommended Attorney" (2018)
- *Martindale-Hubbell*®, "AV Preeminent® - Peer Rated for Highest Level of Professional Excellence" (2014-present)

## Pro Bono and Community Involvement

- United States District Court, Southern District of Indiana, Mediation Assistance Program

## Published Works

- "PBGC to Back-Date Certain 2020 Contributions and Refund Premiums," *Bloomberg Tax* (November 2020) [Co-Author]
- "Mendez family fought for todos los niños," *Res Gestae* (November 2019) [Author]

## Speeches

- “Artificial Intelligence: Legal Impact on Employers and Well-Being,” Indiana Chamber of Commerce Indiana Wellness Summit (Indianapolis, IN, September 2023) (co-presenter)
- “Cannabis Regulation in the United States – Implications for Corporate Counsel,” Hispanic National Bar Association Corporate Counsel Conference (New Orleans, LA, February 2022) (co-presenter)
- “The Future of Diversity, Equity, and Inclusion: Fostering Systemic Change and the Importance of Allyship,” Elevate Indiana! Diversity, Equity & Inclusion Best Practices for Business and Industry (Carmel, IN, October 2021) (employer panel moderator)
- “Recent Developments in Employment Law,” ICLEF (Indianapolis, IN, December 2019) (co-presenter)
- “Mock Sexual Harassment Trial”, Indiana Chamber of Commerce 55th Annual Conference (Indianapolis, IN, April 23, 2019) (co-presenter)
- “Employers vs. Marijuana in the Workplace in 2019”, Indiana Chamber of Commerce 55th Annual Conference (Indianapolis, IN, April 22, 2019) (co-presenter)
- “Bolstering Preventative Practices to Meet the New Wave of Sex Harassment Claims,” Jackson Lewis Spring Employment Law Conference (Indianapolis, IN, May 17, 2018) (co-presenter)
- "Termination in the Review Mirror: A Mock Trial Defending an Employment Termination Decision," Indiana Chamber of Commerce (Indianapolis, IN, May 7, 2018) (co-presenter)
- “HR Due Diligence: Tips from a Benefits and Labor and Employment Attorney”, National Business Institute (Indianapolis, Indiana, December, 2017) (co-presenter)
- “Mary Jane in the Workplace,” South Central Indiana HR (Bloomington, IN, 2017) (presenter)
- “FLSA – The New DOL Regulations and How to Avoid Flubs and Fumbles in Your Workplace,” American Payroll Association 2016 Indiana Statewide Payroll Conference (Indianapolis, IN, September 15, 2016) (presenter)
- “Impact of New Overtime Rules on Employee Benefits,” Indiana Chamber of Commerce (Indianapolis, IN, September 12, 2016) (presenter)
- “Managing Benefits During and After a Leave of Absence,” Indiana Chamber of Commerce (Indianapolis, IN, September 12, 2016) (presenter)

- “The FMLA: 2016 – ‘This Could Happen to You’ Real Life FMLA in Action,” Indiana Chamber of Commerce (Indianapolis, IN, January 21, 2016) (presenter)
- “Pandemic Preparedness: Legal, Employment and Ethical Considerations,” Indianapolis Bar Association (Indianapolis, IN, October 13, 2015) (presenter)
- “Overworked and Underpaid: Compensation Update,” Indiana Chamber of Commerce Employee Benefits Seminar (Indianapolis, IN, September 15, 2015) (presenter)
- “Emerging Infectious Diseases - Ebola and the Workplace,” Marion County Public Health Department” (Indianapolis, IN, November 10, 2014) (presenter)
- “Post-Windsor Updating Plan Definitions of Spouse,” Indiana Chamber of Commerce Employee Benefits Seminar (Indianapolis, IN, September 17, 2014) (presenter)
- “Speakers Panel: ERISA at 40: Top 10 Cases for Dinner Party Conversations,” Indiana Chamber of Commerce Employee Benefits Seminar (Indianapolis, IN, September 17, 2014)
- “Preparing for the Unexpected, Managing Plan Beneficiary Designations,” Indiana Chamber Benefits Seminar (Indianapolis, IN, September 12, 2013) (presenter)
- “Patient Protection and Affordable Care Act – Workplace Accommodations for Nursing Mothers,” Indiana Chamber of Commerce (Indianapolis, IN, September 13, 2011) (presenter)
- “And GINA Makes Four: The FMLA, ADA, Workers’ Compensation and GINA,” Indiana Chamber of Commerce (Indianapolis, IN, June 16, 2011) (presenter)
- “What is a Disability Under the ‘New’ ADA?,” Indiana Chamber of Commerce (Indianapolis, IN, February 23, 2011)
- “Are We There Yet – The Twists and Turns of FMLA Documentation,” Indiana Chamber of Commerce (Indianapolis, IN, December 9, 2010) (presenter)
- “Medicare Reporting: New Requirements for Employee Benefit Plans and Employment Claim Settlements,” Indiana Chamber of Commerce (Indianapolis, IN, April 22, 2010)
- “Conducting Effective Workplace Investigations,” Park 100 Partners (Indianapolis, IN, February 2010) (presenter)