

# Snell & Wilmer

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## Marian Zapata-Rossa

Partner | Phoenix

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### Main Bio

Marian Zapata-Rossa is licensed in Arizona, California, and on the Navajo Nation. She defends employers against discrimination, harassment, and retaliation claims, and represents employers in disputes involving employment agreements, restrictive covenants, and non-compete agreements. Marian litigates both single plaintiff and class action employment lawsuits, including wage and hour, and prevailing wage claims, and helps employers resolve administrative matters before numerous state and federal government agencies.

Marian also advises employers on all aspects of the employer-employee relationship with a focus on providing clients with business-oriented solutions to identify and mitigate risk and support diversity and inclusion. To this end, Marian conducts workplace investigations, including under Title VII, Title IX, and various whistleblower statutes. She has also trained thousands of managers and employees on preventing harassment, discrimination, and retaliation in the workplace.

In addition, Marian counsels employers and human resources professionals on best practices for handling day-to-day employment issues, including hiring, employee discipline, paid sick time, leaves of absence, wage and hour compliance, terminations, and whistleblower liability. Marian routinely drafts employment agreements, policies, and handbooks, and keeps her clients abreast of current trends and the latest developments in local, state, and federal employment laws.

### Education

- Howard University School of Law (J.D., *cum laude*)
  - Trustee Merit Scholar
  - Huber I. Brown Trial Advocacy Moot Court Team (Co-Captain)
  - Dean's Fellow
  - Law Clerk for Administrative Judge Gladys O. Collazo at the U.S. Equal Opportunity Commission
- The Ohio State University (B.A., *cum laude*)

### Professional Memberships & Activities

- State Bar of Arizona
  - Bar Leadership Institute Class IV
  - Minority Bar Convention, Co-Chair (2010)

- Los Abogados Bar Association
  - Board Member (2017)
  - Vice President (2012-2013)
  - Treasurer (2010-2012)
- American Bar Association
- Hispanic National Bar Association
- National Employment Law Council (NELC)

## Representative Presentations & Publications

- "[U.S. Department of Labor Issues New Final Rule for Classifying Independent Contractors, Effective March 11, 2024](#)," Co-Author, Snell & Wilmer Legal Alert (January 12, 2024)
- "A Survey of Labor and Employment Laws Across North America," Speaker, Legal Summit of the Americas 2023, American Bar Association (August 5, 2023)
- "[Board Diversity Initiatives Falter in the Courts but Investor Interest Is Likely to Remain Strong](#)," Author, Corporate Communicator (Summer 2023)
- "[Board Diversity Initiatives Falter in the Courts but Investor Interest Is Likely to Remain Strong](#)," Author, SW Benefits Blog (June 27, 2023)
- "Employment Law Update: NLRB Developments, Legal Shifts in a Post-Pandemic Workplace, and AI Best Practices in the Workplace," Presenter, Snell & Wilmer Virtual CLE Series (June 20, 2023)
- "Diversity and Inclusion in the Workplace: Accommodating Mental Health, Pregnancy, and Physical Disabilities in a Hybrid Work Environment," Co-Presenter, Arizona State Bar Convention (June 15, 2023)
- "The NLRB and How it Impacts Non-Union Employees," Presenter, SHRM Labor Conference (April 26, 2023)
- "Practical Guide to Employee Compensation Issues," Co-Presenter, SHRM Greater Phoenix West Valley Chapter Meeting (March 16, 2023)
- "Labor & Employment Update: HR Best Practices, Wage and Hour & Union Organizing," Presenter, Association of Corporate Counsel CLE (January 17, 2023)
- "Impact of the Dobbs Decision: An Employee Benefits and Labor & Employment Perspective", Co-Presenter, Western Pension & Benefits Council (Sept. 22, 2022)
- "The Dobbs Decision: Employee Benefits and Labor and Employment Perspective," Co-Presenter, The Dobbs Ruling: Understanding the Legal Implications in an Evolving Business Environment Webinar (July 27, 2022)
- "[California's Board and Ethnic Diversity Statutes Declared Unconstitutional](#)," Co-Author, Snell & Wilmer Corporate Communicator Newsletter (Summer 2022)
- "ESG and the Role of Human Resources," Presenter, Association of Corporate Counsel, Arizona Chapter (April 26, 2022)
- "Diversity, Equity and Inclusion (DE&I) in the 2021 Workplace," Speaker, National Association of Stock Plan Professionals Webinar (September 29, 2021)
- "[SEC Approves Nasdaq's Board Diversity Rules](#)," Co-Author, Snell & Wilmer Corporate Communicator (Fall 2021)

- ["Who Can Know About Employee Vaccination Status?"](#) Quoted, HR Magazine (July 6, 2021)
- ["Fully Vaccinated Workers May Need COVID-19-Related Accommodations,"](#) Quoted, HR Magazine (June 9, 2021)
- "Diversity, Equity and Inclusion," Presenter, Snell & Wilmer Virtual CLE Series (June 1, 2021)
- ["Affinity Groups and Labor Laws,"](#) Co-Author, Snell & Wilmer Legal Alert (May 12, 2021)
- "HR Tips for the New Normal," Presenter, AZHCC Business Success Webinar (May 5, 2021)
- ["2021 Workplace Focus: Diversity, Equity & Inclusion,"](#) Episode Host, CalCurrent Podcast (April 08, 2021)
- "Telecommuting as a Reasonable Accommodation under the ADA: Case Review and COVID-19 Impact," Co-Presenter, 2020 Arizona Annual Bar Convention (December 3, 2020)
- "Diversity and Inclusion in the 2020 Workplace," Co-Presenter, Financial Executives and Affiliates of Tucson (November 12, 2020)
- ["Voting Rights – Key Questions for Employers,"](#) Co-Author, Snell & Wilmer Legal Alert (November 2, 2020)
- "The World Has Changed: Legal Considerations for Organizations Returning to the Workplace or Managing a Remote Workforce," Co-Presenter, Southwest Nonprofit Conference (October 28, 2020)
- ["Eligibility for Families First Coronavirus Response Act Leave Under Different School Reopening Models,"](#) Co-Author, Snell & Wilmer Legal Alert (August 31, 2020)
- "Telework Accommodations Under the ADA," Presenter, Snell & Wilmer 2020 Year-End CLE Series (August 18, 2020)
- ["Employees' Refusal to Work Over Coronavirus Concerns,"](#) Co-Author, Snell & Wilmer Legal Alert (May 14, 2020)
- ["Reopening and Returning to Work,"](#) Presenter, Snell & Wilmer Telephone Presentation (May 6, 2020)
- ["Updated EEOC Guidance for Employers Permits Testing for COVID-19,"](#) Co-Author, Snell & Wilmer Legal Alert (April 30, 2020)
- ["Families First Coronavirus Response Act: Summary of the Employment Provisions of the New Law,"](#) Co-Author, Snell & Wilmer Legal Alert (March 19, 2020)
- ["Paid Sick Time Under the Families First Coronavirus Response Act,"](#) Author, Snell & Wilmer Legal Alert (March 16, 2020)
- ["New CROWN Laws: Natural Hair and Protective Hairstyles in the Workplace,"](#) Co-Author, Snell & Wilmer Legal Alert (January 8, 2020)
- "Where Has the #MeToo Movement Taken Us?" Co-Presenter, Employment Law Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 6, 2019)
- ["No Crystal Ball for the ADA: Future Disabilities Not Protected Under Act,"](#) Co-Author, Snell & Wilmer Legal Alert (November 5, 2019)
- ["Proposed New FMLA Forms Under Review,"](#) Author, Snell & Wilmer Labor and Employment Law Blog (August 24, 2019)
- ["Construction Industry Update Regarding Marijuana: Arizona and Nevada Laws Continue to Evolve,"](#) Co-Author, Snell & Wilmer Under Construction Newsletter (July 2019)
- ["Let's Get Out of the Weeds; Understanding Arizona's Medical Marijuana Laws,"](#) Co-Author, Snell & Wilmer Legal Alert (February 27, 2019)

- "Sexual Harassment Law in the #MeToo Era," Co-Presenter, Employment Law Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 7, 2018)
- "[How the #MeToo Movement Has Shifted the Legal Landscape and What Businesses Are Doing About It](#)," Co-Author, Snell & Wilmer Workplace Word (October 12, 2018)
- "Top 10 Labor & Employment Updates for In-House Counsel In-the-Know," Presenter, Last Chance CLE Opportunity, Snell & Wilmer, Phoenix, AZ (June 2018)
- "Religion and the Workplace: Navigating the Issues for Employers and Employees," Presenter, State Bar of Arizona Annual Convention 2018, Chandler, AZ (June 28, 2018)
- "Point72 Complaint Ignites Discussion on Relevant Fact in Hostile Environment Lawsuit," Quoted, The Hedge Fund Law Report, (March 22, 2018)
- "#MeToo Sexual Harassment and Arizona's Paid Sick Time Law," Co-Presenter, Labor & Employment Law Update, Snell & Wilmer, Phoenix, AZ (March 2018)

## Professional Recognition & Awards

- [Los Abogados Exemplary Service Award Recipient \(2023\)](#)
- The Best Lawyers in America<sup>®</sup>, Labor and Employment Litigation (2023)
- AZ Business Leader, AZ Business Leaders Magazine (2021)
- [Phoenix Business Journal, 40 Under 40 Award](#) (2018)
- [Hispanic National Bar Association, HNBA Top Lawyers Under 40 Award](#) (2018)
- [Latina Mentoring Project, Latina Leader of the Year](#) (2018)
- Southwest Super Lawyers<sup>®</sup>, Rising Stars Edition, Employee Litigation: Defense (2014-2018)
- 20 People to Know in Law, Phoenix Business Journal (2016)
- Los Abogados Emerging Leader Award Recipient (2016)
- Arizona's Top Lawyers, Arizona Business Magazine (2014)
- Appointed by Arizona Supreme Court Chief Justice Rebecca White Berch to serve on the Commission on Minorities in the Judiciary (2012-2016)
- Forty Hispanic Leaders Under 40 Honoree (2011)

## Community Involvement

- Latina Mentoring Project (LMP), Mentor Attorney (2009-2018)
- Xico, Inc.
  - Board of Directors, Vice President
- A Day for Downtown, Volunteer
- Volunteer Lawyers Program, Volunteer Attorney
- Wills for Heroes

## Previous Professional Experience

- Quarles & Brady LLP, Partner
- U.S. Congressional Hispanic Caucus Institute Fellow

## Bar Admissions

- Arizona
- California
- Navajo Nation

## **Court Admissions**

- Supreme Court of Arizona
- Supreme Court of California
- Tribal Courts of the Navajo Nation
- United States Court of Appeals, Ninth Circuit
- United States District Court, Central District of California
- United States District Court, District of Arizona
- United States District Court, Eastern District of California