Main Bio

Swen Prior focuses his practice on defending employers (including Fortune 500 companies) in a wide variety of litigation arising under common law and numerous employment-related statutes. He represents and counsels clients in many industries, including hospitality, healthcare, manufacturing, construction, higher education, telecommunications, waste management, transportation, warehousing and distribution, financial services, and retail.

As a labor and employment partner, Swen has been involved in individual and class/collective actions involving:

- Race, national origin, religion and gender discrimination (including sexual harassment) and retaliation under Title VII and state statutes
- Age discrimination and retaliation cases under Age Discrimination in Employment Act (ADEA) and state statutes
- Misclassification and overtime claims under the Fair Labor Standards Act and state statutes
- Discrimination and retaliation claims under the Americans with Disabilities Act and state statutes
- Discrimination claims under the Family and Medical Leave Act (FMLA)
- Restrictive Covenants (non-compete and non-solicitation)
- Retaliation claims under both federal and state statutes (including whistleblower actions under the Surface Transportation Assistance Act)
- Claims arising under the National Labor Relations Act, and a variety of other federal and state employment related laws
- Employment torts, contractual claims, employment agreements, separations, and collective bargaining issues

Swen assists clients with revisions to employee handbooks, employee-related policies, non-competition and intellectual property ownership agreements, and other employment-related documents. He also conducts both employment investigations and training seminars for a variety of clients.

Education

- George Mason University School of Law (J.D., 2004)
- University of Utah (B.A., Political Science, 1998)

Representative Presentations & Publications
- "HR Essentials: Developing and Maintaining a Professional Workforce While Adapting to Transformative Changes in the Workplace," Presenter, Employment Seminar, Reno, Nevada (July 14, 2022)
- "Training, Hiring and Managing Employees," Co-Presenter, Nevada Business Magazine Business First Series, Las Vegas, Nevada (June 2, 2022)
- "HR Essentials: Developing and Maintaining a Professional Workforce While Adapting to Transformative Changes in the Workplace," Presenter, Employment Seminar, Las Vegas, Nevada (April 21, 2022)
- "What Employers Can Expect in a Post-COVID Biden Administration," Co-Presenter, Snell & Wilmer Virtual CLE Series (June 1, 2021)
- "Voting Rights – Key Questions for Employers," Co-Author, Snell & Wilmer Legal Alert (November 2, 2020)
- "Employees' Refusal to Work Over Coronavirus Concerns," Co-Author, Snell & Wilmer Legal Alert (May 14, 2020)
- Reopening or Resuming Business During a Pandemic: What Employers Need to Know," Presenter, Webinar to Firm Clients (April 29, 2020)
- "Managing Business Needs During a Pandemic (Nevada)," Co-Presenter, Telephone Presentation to Firm Clients (March 27, 2020)
- "The DOL Updates Its Model Notice of Employee Rights Under the Families First Coronavirus Response Act," Co-Author, Snell & Wilmer Legal Alert (March 27, 2020)
- "Employment 101 During a Pandemic," Co-Presenter, Telephone Presentation to Firm Clients (March 23, 2020)
Co-Author, Snell & Wilmer Under Construction Newsletter (July 2019)

"Times They Are [Still] a-Changin": The Developing Landscape of Marijuana Legalization in Nevada and What This Means for Nevada Employers," Author, Snell & Wilmer Legal Alert (June 19, 2019)

"Nevada Firms Barred from Using Marijuana Test to Reject Job Seekers," Quoted, Las Vegas Review-Journal (June 12, 2019)

“Employment Hot Topics for 2018: Legal Update and Best Practices for Preventing Bullying and Harassment," Presenter, Nevada Medical Group Management Association, Reno, Nevada (May 3, 2018)

"Reviewing Sexual Mores in a Time of High Sexual Impropriety," Quoted, Vegas Legal Magazine (Spring 2018)

“Cannabis and the Workplace: Legal Update and Best Practices for Employers in the World of Weed,” Presenter, Las Vegas Valley Paralegal Association’s Annual CLE Seminar, Las Vegas (April 14, 2018)

“Cannabis and the Workplace: Legal Update and Best Practices for Employers in the World of Weed,” Presenter, American Board of Vocational Experts (ABVE) Seminar, Salt Lake City, Utah (April 7, 2018)

“Times They Are a-Changin”: Recent Developments Regarding Marijuana Use by Employees in Nevada," Author, Snell & Wilmer Legal Alert (April 2, 2018)

"Reviewing Societal Mores in a Time of High Sexual Impropriety," Quoted, Vegas Legal Magazine (Spring 2018)

“Employment Hot Topics for 2018: Legal Update and Best Practices for Preventing Bullying and Harassment," Presenter, Henderson Chamber of Commerce’s Roadmap to Success Seminar Series, Henderson, Nevada (March 1, 2018)

"Business professionals offer advice on asking for a raise," Quoted, Vegas Inc. (August 21, 2017)


"Nevada Supreme Court Issues Important Opinions Concerning Nevada’s Minimum Wage," Co-Author, Snell & Wilmer Legal Alert (November 16, 2016)

"New DOL Overtime Rules and Employment Law Update," Co-Presenter, Snell & Wilmer seminar, Las Vegas (November 1, 2016)


“Medical Cannabis Employment Issues," Speaker, Clark County Medical Society's Medical Marijuana Symposium, Las Vegas, Nevada (April 16, 2016)


• “e-Discovery, a Legal Perspective,” AIIM Capture Shoot Out, SWITCH Innovation Center, Las Vegas, Nevada (June 24, 2015)

• “Legal and Medical Perspectives of Medical Marijuana,” an Ethics CME Panel Seminar, Presenter, Washoe County Medical Society, Reno, Nevada (January 15, 2015)

• “Balancing Employee Monitoring With Privacy Concerns,” Quoted, Nevada State Bank newsletter and web posting (October 2014)

• "Employment Law: Attorneys Speak Out," Featured, Nevada Business Magazine (September 2014)

• "2014 Employment Tool Kit: Understanding Employment Law in Nevada; Issues Affecting the Workplace Today Including Discrimination, Retaliation, FMLA, ADA, Wage and Hour Issues, Proper Classifications of Employee and Independent Contractors, Enforcing Non-Compete Agreements, Social Media and Medical Marijuana" Presenter and Panel member, Snell & Wilmer seminar (Reno, September 18, 2014; Las Vegas, September 23, 2014)

• "Department of Labor Now Accepting Comments on Regulations Establishing a Minimum Wage for Contractors and Subcontractors," Co-Author with Bryan M. Gragg, Construction Ally-Snell & Wilmer (July 1, 2014)

• "Hiring & Terminating: The Ins and Outs of Employment Law: The Termination Process," Speaker, Sterling Education Services CLE, Las Vegas, Nevada (October 4, 2013)

• "Ninth Circuit Joins Second and Eighth Circuits in Rejecting D.R. Horton," Co-Author with Karl O. Riley, Legal Alert-Snell & Wilmer, (September 13, 2013)

• "Promoting a Welcoming and Courteous Work Environment," Presenter, Employment Seminars, Las Vegas, Nevada (May 2013)

• "Tax Twister: How Employee Misclassification and Other Tax Fraud Distort Markets – and What Subcontractors Can Do About It," Panel Moderator, Las Vegas Nevada, American Subcontractors Association Convention (focusing on employee misclassification issues) (March 22, 2013)


• "Promoting a Welcoming and Courteous Work Environment," Presenter, Employment Seminars, Kaanapali, Hawaii (October 2012)

• "FLSA/Wage and Hour Compliance," Presenter, Labor and Employment Law 2012, Sterling Education Services, Inc., Las Vegas, Nevada (April 2012)


• "Successful Implementation of Records Management," Presenter, AIIM Nevada Chapter and ARMA Silver State Chapter, Las Vegas, Nevada (April 2012)

• "Failure to pay wages? Now there's an app for that," Co-Author, Daily Journal (September 15, 2011)

• "Prevailing Wage Law," Presenter, Lorman Education Services, Henderson, Nevada (September 2011)

"Electronic Document & Records Management: Lessons Learned," Panel Member, AIIM Nevada Chapter, Quarterly Chapter Meeting (August 2009)

"eDiscovery," AIIM Nevada Chapter, Quarterly Chapter Meeting (May 2009)


"What's The Bottom-Line?" Author, Work Place Word, discussing damage awards in employment discrimination cases (September 2007)

"Nevada/Federal Minimum Wage Law," Legal Alert, Author (June 2007)


Professional Recognition & Awards

- Top Lawyer, Labor and Employment Law, Vegas Inc. (2020)
- The Best Lawyers in America®, Litigation - Labor and Employment (2021-2022)
- Top 100 Lawyers of the Year, Readers' Choice, MYVEGAS Magazine (2020)
- Top 100 Men of the Year, Readers' Choice, MYVEGAS Magazine (2015)

Previous Professional Experience

- United States District Court, District of Nevada, Judicial Clerk to Hon. Robert Clive Jones
- United States Senate Committee on the Judiciary, Counsel
- Senator Orrin G. Hatch, United States Senate, Staff Assistant and Nominations Clerk
- United States Court of Federal Claims, Judicial Extern to Hon. Lawrence J. Block
- Senator Robert F. Bennett, United States Senate, Staff Assistant
- Congressman Chris Cannon, Legislative Intern/Correspondent

Bar Admissions

- Nevada

Court Admissions

- Supreme Court of Nevada
- United States District Court, District of Nevada
- United States Court of Appeals, Ninth Circuit