

# Snell & Wilmer

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## **Audrey E. Chastain**

Associate | Tucson

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### **Main Bio**

Audrey E. Chastain focuses her practice in labor and employment law. She advises employer/management clients on issues that span multiple state and federal jurisdictions, such as restrictive covenants, paid sick time, breach-of-contract matters, wage and hour issues, misappropriation of confidential information/trade secrets, background checks, wrongful termination, medical and recreational marijuana issues, and other related areas. Audrey also assists her clients in defending against harassment, discrimination, and retaliation and/or interference claims under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), and the Arizona Civil Rights Act and represents employers before state and federal agencies, including the United States Equal Employment Opportunity Commission (EEOC) and the Arizona Civil Rights Division (ACRD). Additionally, Audrey trains and advises employers on Fair Labor Standards Act (FLSA), Fair Credit Reporting Act (FCRA), FMLA, ADA, ADEA, National Labor Relations Act (NLRA), and paid sick time and vacation law compliance.

### **Representative Experience**

- Represented a private university specializing in aerospace and aviation in disputes with former faculty members
- Assisted a pediatric dentist's office with takedown of defamatory online reviews
- Defended a teaching hospital against various charges of discrimination before the EEOC and ACRD, including charges alleging national origin, race, color, sex, and disability discrimination
- Advised a beer distributor on various matters, including paid sick time
- Aided a credit union in an FMLA fraud case
- Represented an electrical contractor association in a medical marijuana-related matter
- Represented a hospital in an intentional infliction of emotional distress matter
- Advised various non-profits on hiring and promotion issues
- Assisted local locksmith and safe dealer in defending against a charge of discrimination, including representing the employer in mediation and throughout the ACRD's investigation of the charge
- Advised an equine-assisted rehabilitation company and a health and human services non-profit on wage and hour matters
- Represented an insurance agency in a breach of contract matter, including issuing cease-and-desist letters

- Assisted a state university in an investigation involving alleged harassment
- Represented an aerospace defense contractor and a large financial institution in race discrimination lawsuits
- Represented credit unions in age discrimination and sexual harassment matters
- Represented an RV rental company in a labor relations dispute
- Drafted employee handbooks for companies in the landscape, construction, energy, insurance, custom outdoor kitchen design, data modeling, software, medical, proofreading and paper editing, and defense industries
- Represented a stucco company and a hotel in unemployment insurance tax audits
- Represented a hospital in an age and disability discrimination matter
- Represented a staffing agency in a sex discrimination matter
- Drafted non-disclosure and confidentiality agreements for various concerns
- Drafted employment agreements for a research company developing cannabis-derived compounds for disease treatment and a customer success management consulting partner for software companies
- Composed severance agreements and general releases for various concerns
- Represented a dental office in an employee dispute regarding paid time off benefits
- Represented a global designer and manufacturer of custom LCD display and touch panels, a global electronic device company, a national mortgage lender, an advertising agency, and a hotel in matters involving employee misappropriation of confidential information and trade secrets

## Education

- University of Arizona, James E. Rogers College of Law (J.D., *magna cum laude*)
  - Order of the Coif
  - Law College Association Scholastic Merit Award
  - Writer, Arizona Law Review
  - CALI Awards: Legal Writing, Securities Regulation, Mergers & Acquisitions
  - Outstanding Performance in Oral Advocacy
  - Outstanding Performance in Legal Writing
  - Volunteer Lawyers Program Student of the Month
  - Dean's List
- University of Arizona (B.S.H.S., Physiology, *summa cum laude*, with honors; B.S., Neuroscience & Cognitive Science, with emphasis in Neurobiology, *summa cum laude*)
  - Phi Beta Kappa Society
  - Wildcat Excellence Award
  - Highest Academic Distinction

## Professional Memberships & Activities

- Society for Human Resource Management (SHRM) of Greater Tucson (2020)
- State Bar of Arizona, Employment & Labor Law Section
  - State Bar Annual Convention, Co-CHair (2020-present)
  - Fall Seminar, Co-Chair (2019-2020)

- CLE Committee, Tucson Lunch CLEs Co-Chair (2018-2019)
- Federal Bar Association, Tucson Chapter
  - Secretary (2021-present)
  - Executive Committee (2018-present)

## Representative Presentations & Publications

- "[Federal EEO Law Recent Developments](#)," Co-Author, AZ Attorney Magazine (January 2024)
- "[Legal Perspective: Understanding the Fine Print of Tucson's New Minimum Wage Act](#)," Co-Author, Inside Tucson Business (June 3, 2022)
- "[Protecting your Intellectual Property: From A to Z](#)," Co-Presenter, Tucson Emerging Business Seminar Series (June 1, 2022)
- "[Effective April 1, 2022: Tucson, Arizona's Minimum Wage Ordinance](#)," Co-Author, Snell & Wilmer Legal Alert (March 31, 2022)
- "[Federal Contractor Minimum Wage Increase](#)," Co-Author, Snell & Wilmer Labor and Employment Law Blog (August 13, 2021)
- "[EEOC Announces Conclusion of Conciliation and Mediation Pilot Programs](#)," Author, Snell & Wilmer Labor and Employment Law Blog (January 28, 2021)
- COVID-19 Update on the FFCRA, CARES, Arizona PSL and FMLA," Co-Presenter, Financial Executives and Affiliates of Tucson (October 22, 2020)
- "Updates and Trends in Employment Law 2020/2021," Co-Presenter, Arizona Technology Council (October 8, 2020)
- "[Let's Stay Out of the Weeds—Arizona's Recreational Marijuana Proposition](#)," Co-Author, Snell & Wilmer Legal Alert (September 21, 2020)
- "[Ninth Circuit Confirms That FCRA Disclosure May Be Included as Part of Employment Packet](#)," Co-Author, Snell & Wilmer Legal Alert (April 28, 2020)
- "[Families First Coronavirus Response Act: Summary of the Employment Provisions of the New Law](#)," Co-Author, Snell & Wilmer Legal Alert (March 19, 2020)
- "[EEOC Weighs In on the Coronavirus](#)," Author, Snell & Wilmer Labor and Employment Law Blog (March 5, 2020)
- "Protecting Against Employee Fraud," Co-Presenter, Southern Arizona Home Builders Association (November 21, 2019)
- "Employment Issues and Changes in Employment Law," Co-Presenter, Arizona Technology Council (November 14, 2019)
- "[EEO-1 Deadline Extended](#)," Author, Snell & Wilmer Labor and Employment Law Blog (October 5, 2019)
- "[UPDATE: Scalia Fills Labor Role](#)," Author, Snell & Wilmer Labor and Employment Law Blog (September 26, 2019)
- "3 Tips for Communicating with Employees with Mental Health Issues," Author, Inside Tucson Business (August 2, 2019)
- "5 Steps to Protect IP Against Employee Theft," Co-Presenter, Arizona Technology Council (July 11, 2019)

- ["Fort Bend County v. Davis: SCOTUS Bends Employers' Defense to Title VII Claims, But Doesn't Break It,"](#) Author, Snell & Wilmer Legal Alert (June 13, 2019)
- ["UPDATE: Does your Employee Handbook have a Lactation Accommodation Policy? \(And are you Abiding by it?\),"](#) Author, Snell & Wilmer Labor and Employment Law Blog (April 22, 2019)
- ["The EEOC Releases Enforcement and Litigation Data for Fiscal Year 2018,"](#) Co-Author, Snell & Wilmer Labor and Employment Law Blog (April 11, 2019)
- ["Does your Employee Handbook have a Lactation Accommodation Policy?"](#) Co-Author, Snell & Wilmer Legal Alert (February 12, 2019)
- ["Fair Credit Reporting Act Update: Employers Within the Ninth Circuit Are Required to Provide a "Stand-alone" Background Check Disclosure Form – Yes, Literally,"](#) Co-Author, Snell & Wilmer Legal Alert (February 7, 2019)
- ["A Working Interview? You'd Better Pay Me,"](#) Author, Snell & Wilmer Labor and Employment Law Blog (December 21, 2018)
- ["100 Percent Healed Policies – One of the EEOC's Enforcement Priorities,"](#) Author, Snell & Wilmer Legal Alert and S&W Labor and Employment Law Blog (November 19, 2018)
- ["Public-Sector Employees Are Making Lemonade Out of Lemmons,"](#) Author, Snell & Wilmer Labor and Employment Law Blog (November 7, 2018)
- ["Employers Will Be Required to Utilize a New 'A Summary of Your Rights Under the Fair Credit Reporting Act' Form,"](#) Co-Author, Snell & Wilmer Legal Alert (September 26, 2018)
- ["#MeToo Era Settlements... \\$3.5 Million at a Time,"](#) Co-Author, Snell & Wilmer Legal Alert (August 14, 2018)
- ["Warning: Risk of ADA Claims by Transgender Employees...Proceed With Caution,"](#) Author, Snell & Wilmer Labor and Employment Law Blog (May 28, 2018)
- ["Forget Referring to it as the 'Garden State': New Jersey Just Became the 'Equal Pay' State,"](#) Author, Snell & Wilmer Labor and Employment Law Blog (April 27, 2018)
- "2018 Employment Law Update," Presenter, SHRM of Greater Tucson (April 3, 2018)
- ["1 Reminder: Leave Can Be an ADA Reasonable Accommodation — Due in: Now"](#) Author, Snell & Wilmer Labor and Employment Law Blog (February 12, 2018)
- ["Can Employers Discover Social Media From a Plaintiff in a Harassment Suit? It Depends,"](#) Author, Snell & Wilmer Labor and Employment Law Blog (January 2, 2018)
- ["Why Asking About Salary History Is Risky Anywhere,"](#) Co-Author, Snell & Wilmer Labor and Employment Law Blog (December 7, 2017)
- ["EEOC May Halt Nationwide Pay Data Collection Efforts,"](#) Author, Snell & Wilmer Labor and Employment Law Blog (December 7, 2017)
- ["Why Asking About Salary History Is Risky Anywhere,"](#) Co-Author, Law360 (November 29, 2017)

## Professional Recognition & Awards

- Snell & Wilmer Pro Bono Award (2021)

## Community Involvement

- Tucson Metro Chamber
  - Military Affairs Committee Member (2019-present)

- St. Elizabeth's Health Center
  - Volunteer (2014)
- Parkinson Wellness Recovery (PWR!) Gym
  - Volunteer (2013-2014)

## **Previous Professional Experience**

- Snell & Wilmer, Summer Associate (2016)
- Pima County Superior Court, Criminal Division, Judicial Extern to the Hon. Teresa Godoy (2015)
- Private Tap Dance Instructor/Choreographer (2010-2015)

## **Bar Admissions**

- Arizona

## **Court Admissions**

- Supreme Court of Arizona
- United States District Court, District of Arizona