



## **CHRISTY E. PHANTHAVONG**

**Counsel**

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### **BIOGRAPHY**

For more than 20 years, Christy Phanthavong has been providing employment counseling and employment litigation defense to management clients. She is one of the Firm's "go to" experts for matters relating to all aspects of the Family and Medical Leave Act (FMLA), providing advice on such topics as managing intermittent leaves, responding to suspected fraud, and ensuring compliance with regulations. She regularly contributes FMLA-related posts to the Firm's benefits blog, publishes FMLA-related articles, and provides training to HR professionals and managers on the FMLA, the Americans with Disabilities Act (ADA), and other employment law topics. She also advises clients regarding employee relations matters (including hiring, discipline, investigations, and termination), drafts employee handbooks and policies, provides counsel regarding reductions-in-force, and prepares separation agreements.

Ms. Phanthavong is an experienced litigator before state and federal courts and administrative agencies. She has been involved in the defense of management in single and multiple-plaintiff actions involving federal and state statutory discrimination, retaliation and wage and hour claims, including claims under Title VII, ADA, FMLA, ADEA, FLSA, ERISA, and the IHRA. She also has represented employers in class and collective actions under the ADEA and federal and state wage and hour statutes, as well as with respect to state law retaliatory discharge, breach of contract and tort claims.

Ms. Phanthavong has briefed and argued cases before the United States Courts of Appeals for the Fourth and Seventh Circuits and the Michigan Court of Appeals, and has handled both federal and state jury trials.

## **CIVIC INVOLVEMENT & HONORS**

- University of Illinois – *Law Review*; National Moot Court Team

## **PROFESSIONAL AFFILIATIONS**

- American Bar Association – Labor and Employment Law Section

## **COMMITTEE CONTENT**

- Recruiting Committee

## **ADMISSIONS**

- Illinois, 1999
- United States Courts of Appeals for the Fourth, Seventh and Tenth Circuits  
United States District Courts for the Central and Northern Districts of Illinois; Northern and Southern Districts of Indiana; and Eastern and Western Districts of Wisconsin

## **EDUCATION**

University of Illinois, J.D., *summa cum laude*, 1999

Wheaton College, B.A., *summa cum laude*, 1995

## RELATED PRACTICE AREAS

- Employment & Labor
- Investigations
- Regulation, Compliance & Advisory
- Litigation & Dispute Resolution
- Employment Class & Collective Actions
- Cross-border Employment Issues
- Business & Commercial Disputes

## EXPERIENCE

- In a multiple-plaintiff case alleging race discrimination against a food products manufacturer, obtained summary judgment on two plaintiffs' claims and obtained a full defense verdict following jury trial on two plaintiffs' claims.
- Obtained dismissal of age and race discrimination claims against a retail pharmacy following public hearing before an Administrative Law Judge.
- Obtained reversal at the appellate level of a judgment against a food products manufacturer in a breach of contract action.
- Obtained summary judgment and dismissal of complaints at the pleading stage in numerous cases, as well as dismissals of / no substantial evidence findings in numerous administrative charges.
- Represented and counseled clients in various industries, including manufacturing companies, food companies, communications companies, non-profits, hospitals, lending and banking companies, pharmacies, and educational institutions.

## RESOURCES

### PUBLICATIONS

- ["US COVID-19: COVID-Related Leave – When Does The FMLA Apply?"](#) BCLP Employment Blog, February 10, 2021, co-authored with Lily Kurland
- ["US COVID-19: DOL Issues FMLA, FFCRA Guidance,"](#) BCLP Employment Blog, January 7, 2021, co-authored with Lily Kurland

- ["US COVID-19: New COVID Relief Bill \(including FFCRA Tax Credit Amendments\) Becomes Law,"](#) BCLP Employment Blog, December 8, 2020, co-authored with Lily Kurland
- ["US COVID-19: New COVID Relief Bill Extends Certain FFCRA Tax Credits, But Does Not Mandate Extension of Leave Benefits,"](#) BCLP Employment Blog, December 23, 2020, co-authored with Lily Kurland
- ["US COVID-19: FFCRA Entitlements Expire On December 31, "](#) BCLP Employment Blog, December 15, 2020
- ["US COVID-19: DOL Issues Revised FFCRA Regulations In Response to NY Decision,"](#) BCLP Employment Blog, September 15, 2020, co-authored with Lily Kurland
- ["US COVID-19: DOL Issues FFCRA Guidance Regarding School Reopening Plans,"](#) BCLP Employment Blog, August 31, 2020
- ["U.S. COVID-19: New York Federal Court Invalidates Several Provisions of FFCRA Regulations,"](#) BCLP Employment Blog, August 5, 2020, co-authored with Lily Kurland
- ["US COVID-19: Risky Business – Navigating Workplace Issues Involving High Risk Employees,"](#) BCLP Employment Blog, July 31, 2020, co-authored with Lily Kurland
- ["US COVID-19: Remember the FMLA: DOL Issues New Q&A on COVID-related FMLA Issues,"](#) BCLP Employment Blog, July 24, 2020
- ["US COVID-19: New FFCRA Q&A – Return to Work Issues,"](#) BCLP Employment Blog, July 21, 2020
- ["New FMLA Forms Available From DOL,"](#) BCLP Employment Blog, July 21, 2020
- ["US COVID-19: FFCRA Implications of School Reopening Plans,"](#) BCLP Employment Blog, July 13, 2020
- ["US COVID-19: Managing FFCRA “Child Care” Leave During The Summer,"](#) BCLP Employment Blog, June 30, 2020
- ["US COVID-19: EEO Reminders to Include in Return to Work Communications,"](#) BCLP Employment Blog, June 23, 2020
- ["U.S. COVID-19: Chicago Ordinance Bars Retaliation For Taking COVID-19 Related Leave,"](#) BCLP Employment Blog, June 1, 2020
- ["U.S. COVID-19: New FFCRA Q&A – Key Takeaways Regarding the “Need” for Leave, Joint Employers and Domestic Workers,"](#) BCLP Employment Blog, May 14, 2020, co-authored with

Lily Kurland

- ["U.S. COVID-19: Illinois Employers Take Note: Key Employment Provisions of the Illinois COVID-19 Executive Order Effective May 1, 2020,"](#) BCLP Employment Blog, May 4, 2020, co-authored with Suzanne Hart
- ["U.S. COVID-19: As the FFCRA Goes Live, the DOL Continues to Publish Revised and New Guidance for Employers,"](#) BCLP Employment Blog, April 27, 2020, co-authored with Lily Kurland
- ["U.S. COVID-19: My Employee Has COVID-19 – What Leave Entitlements Apply?"](#) BCLP Employment Blog, April 15, 2020, co-authored with Lily Kurland
- ["U.S. COVID-19: Workplace Temperature Screening: How To Develop and Implement A Screening Protocol,"](#) BCLP Employment Blog, April 14, 2020, co-authored with Patrick DePoy and Mimi Moore
- ["U.S. COVID-19: Employee Temperature Screening: What Employers Need To Consider When Deciding Whether To Implement a Screening Process,"](#) BCLP Employment Blog, April 14, 2020, co-authored with Patrick DePoy and Mimi Moore
- ["U.S. COVID-19: DOL \(Yet Again\) Publishes Revised Guidance on the Families First Coronavirus Response Act,"](#) BCLP Employment Blog, April 6, 2020, co-authored with Lily Kurland
- ["U.S. COVID-19: DOL Publishes Temporary Rules on the Families First Coronavirus Response Act,"](#) BCLP Employment Blog, April 2, 2020, co-authored with Lily Kurland
- **FMLA Treatise Cumulative Supplement**, published by BNA Books in conjunction with the ABA, Senior Editor 2009, 2010, 2011, 2013, 2015; Appendix Editor (DOL Opinion letters) 2006, 2008

## RELATED INSIGHTS

Blog Post

May 15, 2024

### **Keys to the Pregnant Workers Fairness Act and implementing regulations**

The Equal Employment Opportunity Commission ("EEOC") recently issued regulations implementing the Pregnant Workers Fairness Act (the "PWFA"). Although the PWFA has been in effect for almost a year, the regulations serve to emphasize its broad scope and provide a reminder about important differences between the PWFA and another federal statute that requires workplace accommodations, the Americans with Disabilities Act (ADA).

Blog Post

Aug 21, 2023

### **Pay Transparency Requirements Are Coming to Illinois in 2025**

Blog Post

June 6, 2023

## **Busy Inside the Beltway: Recent Activity by the DOL, EEOC, NLRB and FTC**

Blog Post

May 16, 2023

## **Chicago Prohibits Discrimination Based on Choices Relating to Bodily Autonomy and Protects Workers' Health Care Information**

Blog Post

May 16, 2023

## **Windy City Watch-Out: Chicago's Sexual Harassment Requirements Apply to Employers Outside of Chicago if Even One Employee Works Occasionally in Chicago**

Blog Post

Apr 17, 2023

## **Reminder For Illinois (And Other) Employers: Restrictions Apply When Using Artificial Intelligence Analysis During The Hiring Process**

Illinois and other jurisdictions have adopted, or are considering, laws establishing parameters for employer use of AI during the hiring process.

Blog Post

Jan 26, 2023

## **Illinois Joins the Fold and Adopts Paid Leave – What Employers Need to Know**

Blog Post

Jun 14, 2022

## **Harassment Prevention - The Chicago Way: Windy City Employers Face New Sexual Harassment Posting, Policy, Training, and Document Retention Requirements**

Blog Post

Jun 13, 2022

## **Walking the Talk: FMLA Leave for Mental Health Issues**