



MELCHERT HUBERT SJODIN
ATTORNEYS AT LAW



Kelly C. Dohm,
Partner

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(952) 442-7724

Kelly listens to her clients' needs and tries to achieve the best outcome for them in the most efficient and cost-effective manner possible. She is a zealous advocate for her clients. She enjoys working on matters that are challenging, as well as straightforward issues with a strong human component.

Practicing law for over 20 years, since admitted to practice in 1995, Kelly was certified by the Minnesota State Bar Association in 2012 as a Labor and Employment Law Specialist.

Kelly is proactive in advising clients on the legal parameters and repercussions of their decisions. She evaluates each case on its merits and provides sound legal advice, always with the best interest of her client in mind. Kelly emphasizes an efficient, cost-effective resolution to employment, business or municipal conflicts. She works to lessen liability exposure to claims and to resolve matters in a timely fashion before incurring unexpected attorney's fees. Her clients also benefit from Kelly's prior experience at a downtown Minneapolis law firm, but without the higher fees typically associated with those firms.

Born in Madison, Wisconsin, Kelly received her B.A., *with distinction*, from the University of Wisconsin-Madison, and her J.D., *cum laude*, from William Mitchell College of Law. She served as a judicial clerk intern for the Honorable Kathleen R. Gearin in Ramsey County before entering private practice. She joined Melchert Hubert Sjodin in 1998 after practicing with a Minneapolis insurance defense litigation firm.

Employment Law

In employment law counseling and litigation, Kelly represents businesses, municipalities, health care professionals and other individuals with employment law concerns. She knows how to see the forest for the trees, priding herself on reaching an early resolution and often resolving matters without litigation.

Waconia Office

Main Street Exchange Building
121 Main Street West, Suite 200
Waconia, Minnesota 55387
Phone: 952.442.7700

Chaska Office

102 5th Street West
Chaska, MN 55318
Phone: 952.442.7700

Hutchinson Office

22 Main Street North
Hutchinson, MN 55350
Phone: 320.587.2046

Kelly provides the full range of employment law counseling services that may be needed by her public and private employment clients, such as:

- Employee Handbook review and drafting
- Day-to-day counseling on various human resource issues
- Drafting and review of agreements, such as non-competes; confidentiality; severance agreements; independent contractor agreements
- Advising businesses as to issues involving discipline and discharge
- Harassment and workplace violence prevention, including offensive behavior training
- Sexual harassment
- Background checks
- Fair Labor Standards Act (FLSA)
- Title VII of the Civil Rights Act of 1964
- Minnesota Human Rights Act
- Minnesota Government Data Practices Act
- Health Insurance Portability and Accountability Act (HIPAA)
- Consolidated Omnibus Budget Reconciliation Act (COBRA)
- Drug and alcohol testing policies and training
- Family Medical Leave Act (FMLA) and American's with Disabilities Act (ADA): Policy development and reasonable accommodation programs
- Reduction in force planning
- Uniform Services Employment and Reemployment Rights Act (USERRA) issues and military leave
- Social media policy development
- Minnesota Women's Economic Security Act
- Occupational Safety and Health Administration (OSHA)

She assists businesses and local government agencies with performance management, regulatory compliance, litigation prevention, and compensation and benefits. She also represents employees in matters including review of employment agreements and issues involving wrongful termination.

In employment litigation, Kelly represents businesses and employees in the full range of employment law issues that may arise, including but not limited to:

- Defamation
- Whistle blower and retaliation claims
- Breach of contract
- Discrimination claims
- Wage and hour lawsuits – Fair Labor
- Unemployment compensation hearings
- Representing clients in charges brought before the EEOC, Minnesota Department of Labor and Industry, and Minnesota Department of Human Rights

Health Care Law

Kelly serves as a “go to” attorney for the legal needs of health care clinics and providers in business contract drafting and negotiations, as well as employment law. Her work includes reviewing business contracts, answering questions regarding health care records and drug record keeping procedures. She also prepares employment agreements and negotiates professional services agreements with contractors and vendors.

Her clients also include pharmacists and other services providers, as well as a wide range of clinics including veterinary, dental, emergency, chiropractic and acupuncture.

Municipal Law

Kelly’s Municipal clients seek her advice on issues involving data privacy laws. She advises municipalities on all employment law matters, Veterans Preference issues, the Public Employment Labor Relations Act (PELRA), the Minnesota Government Data Practices Act, as well as other laws that only affect public as opposed to private employers.

She counsels municipalities on the Open Meeting law, attends council meetings and drafts and reviews various contracts involving employment and independent contractor services. Kelly represents cities with police departments, fire departments, and fire relief associations and handles wage and hour issues, compensatory time off issues, and audits with the State of Minnesota.

Business Law and Litigation

Kelly provides general corporate counseling, including drafting contracts and other forms of transactional documents for clients such as daycare centers, clinics, schools, municipalities, and general businesses. Kelly advises sophisticated business owners on the legal parameters and repercussions of their decisions. She works with them to get the information they need in order to provide the best results. Her clients feel comfortable with Kelly and know they can call her anytime for a speedy answer to their questions.

Kelly represents businesses involved in breach of contract claims as plaintiffs or defendants. She has negotiated settlements regarding a wide variety of business claims, participated in mediations involving business disputes, and sued out matters involving business breach of claims. She also defends businesses when they are being sued under various claims and theories involving employment laws as well as business disputes.

Intellectual Property

Kelly advises clients how to protect their intellectual property and prepares copyright and trademark applications. She also represents her clients if adversarial proceedings arise involving:

- Copyright or trademark disputes.
- Obtaining restraining orders and preliminary injunctions to protect intellectual property.
- Trade secret litigation.

Kelly has handled significant cases involving trade secret violations, trademark infringement and copyright issues. She has been successful in settling many cases involving copyright and/or trademark infringement prior to suing those matters out. However, when litigation becomes necessary, she sues out matters on behalf of businesses as they relate to the Trade Secrets Act and intellectual property issues. She has successfully secured temporary restraining orders in order to protect her client's intellectual property rights involving non-compete agreements, confidentiality agreements and others.

Admissions

- Minnesota (1995)
- U.S. Federal District Court for Minnesota (1995)
- Eighth Circuit Court of Appeals (2011)

Education

- J.D., *cum laude*, William Mitchell College of Law (1995)
- B.A., English and Music Performance, with distinction, University of Wisconsin Madison (1991)

Professional Activities and Community Involvement

- MSBA Certified Specialist in Labor and Employment Law (certified in 2012)
- District 110 Foundation Board Member (2015 – present)
- Waconia Choir Boosters Alumni Organization (2014 – present)
- Waconia Rotary; current Board Member (July 1, 2015 – present); Past President (July 1, 2014 – June 30, 2015); President-Elect (2013-2014); Secretary (2005-2013)
- Waconia Chamber of Commerce; Board of Directors (2000-2002)