



## Bobbi K. Dominick

Attorney

Gjording Fouser PLLC

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Bobbi represents businesses and governmental entities in employment and appellate cases.

### Employment Practice

Bobbi is an advisor to businesses in the private sector, non-profits, and governmental entities on all phases of human resources and employment law. Bobbi is nationally certified as a Senior Professional in Human Resources and she served in a Human Resources Director role for a large organization for three years, which means she understands human resource systems and training and how to help employers prevent claims from reaching litigation. Bobbi is the co-author of the nationally published book, *Investigating Harassment and Discrimination Claims: A Practical Guide*, and the coming publication of *Preventing Workplace Harassment in a #MeToo World*. These books provide a hands-on guide for human resource professionals who are called upon to address harassment in the workplace and/or conduct a legally sound investigation into harassment, discrimination or retaliation complaints.

### Employment Consultation

Bobbi reviews employee handbooks for the latest effective policies, helps respond to Idaho Human Rights Commission (IHRC) or Equal Employment Opportunity Commission (EEOC) complaints, assesses discipline and termination issues, and assists in performing HR audits to ensure that an employer's HR functions are fully compliant with federal and state law. Bobbi also consults with other employment law practitioners to offer advice on unique or difficult employment law issues.

### Investigations

The art of responding appropriately to workplace complaints is one of Bobbi's unique skills. She has conducted over 100 investigations of workplace misconduct, including serving as co-investigator in one of the largest harassment and discrimination investigations in Washington history between 2002 and 2005, *Greene v. Washington*. She understands what the law requires, how to conduct proper investigations and can conduct an investigation under the protection of attorney-client privilege through herself or another attorney. If efforts to resolve the complaint are unsuccessful, and litigation results, she can testify to the adequacy of the investigation.

### Workplace Training

Bobbi has 30+ years of experience designing and delivering the right kind of workplace training to help employees understand respectful workplace and company policies. She provides trainings on respectful workplace, discrimination,

retaliation and any number of employment law topics. She also offers sensitivity training for the valuable employee that an employer wants to retain, but who needs behavior modification to model a respectful workplace.

#### *Expert Witness*

Based on Bobbi's experience as an investigator and a prior Adjunct Professor at Northwest Nazarene University (NNU), Bobbi is qualified to serve as an expert witness, prepare reports, and testify regarding the adequacy of an employer's response to workplace complaints.

#### **Appellate Practice**

Bobbi is recognized as one of the Best Lawyers in Appellate Practice, both by *Best Lawyers in America* and by practitioners across the state. Her decades of appellate experience includes briefing and arguing more than 45 cases involving insurance coverage, bad faith, employment, statutory interpretation and constitutional law, and criminal issues before the Idaho Supreme Court, Idaho Court of Appeals and the Ninth Circuit Court of Appeals. Bobbi is one of the few attorneys in Idaho who specializes in appeals; almost all other Idaho appellate attorneys handle appeals only as part of a general trial practice. Bobbi also serves as a consultant on appeals. As a consultant, she evaluates the case, reviews briefs and assists with preparation for oral arguments. Her appellate expertise led to her admittance into the prestigious American Academy of Appellate Lawyers. She also was asked by the Ninth Circuit Court of Appeals to serve two terms on the Court's Internal Rules Committee, and asked by the Idaho Supreme Court to serve two terms on the Appellate Rules Committee. Bobbi was a co-author and editor of an edition of the *Idaho Appellate Handbook*.

#### **ACCOLADES**

- Martindale-Hubbell "AV" Preeminent rating (rated 5 out of 5, the highest rating available for a lawyer's legal ability and professional ethics)
- Recognized as one of the Best Lawyers in Appellate Practice, Boise, *Best Lawyers in America* (2007-2019)
- Martindale-Hubbell Bar Register of Preeminent Women Lawyers (top 5% of women lawyers nationally) (2011-2012)

#### **PROFESSIONAL INVOLVEMENT**

- Association of Workplace Investigators, Member
- Appellate Practice section, Idaho State Bar (ISB), Member

- Employment & Labor Law section, Idaho State Bar (ISB), Member and Vice Chair, 2017-2018
- Human Resources Association of Treasure Valley (HRATV), Member
- Society of Human Resource Management (SHRM), Member

#### SELECT PRESENTATIONS AND PUBLICATIONS

- Co-author of the nationally published book *Investigating Harassment and Discrimination Claims: A Practical Guide*, published by Jossey-Bass
- Author of book, *Preventing Workplace Harassment in a #MeToo World*, national publication expected July 2018
- Speaker, "How to be a #MeToo Leader in Stopping Harassment," TEDx Boise, May 2018
- Author of numerous articles on various aspects of employment and legal issues
- Presenter on aspects of appellate practice
- Provided numerous seminars and training programs to private employers and public entities, including seminars and workshops for Council on Education in Management, National Business Institute (NBI), Lorman Education Services, Idaho State Bar Law Foundation, Idaho Department of Transportation Civil Rights Conference, Treasure Valley Human Resources Association, BSU Center for Workforce Development, and the Idaho Association of Cities

#### IRRELEVANT ACCOMPLISHMENTS

- She has degrees from three different universities, and certifications from two others
- She was born and raised in Boise, Idaho, but she moved 27 times, mostly within the Boise city limits, with short stints in Ohio, California and Pocatello, before graduating from Borah High School in Boise
- In college, she had her own pool cue and regularly played competitively
- She has held nearly every service position in the restaurant industry, including busgirl, dishwasher, waitress, cook and cashier. She can still carry multiple dishes with ease.

#### EDUCATION & CERTIFICATIONS

- Boise State University, *cum laude*, B.A. in history
- University of Idaho College of Law, *cum laude*, J.D. (class rank: 1/86)
- Loyola University New Orleans, *cum laude*, MPS in Pastoral Administration

- Awarded Certification as a Senior Certified Professional by the Society for Human Resource Management (SHRM-SCP) (2015-present)
- Awarded Certification as a Senior Professional in Human Resources (SPHR) by Human Resources Certification Institute (2002-Present)