

### ***About Julie A. Moore, Esquire, SPHR, SHRM-SCP***

Julie A. Moore, Esquire, SPHR, SHRM-SCP, is president of Employment Practices Group, a legal and Human Resources consulting firm that she founded in 1998. As an attorney, she is admitted to practice law in the Commonwealth of Massachusetts and State of New Hampshire. She has practiced law for twenty-eight (28) years and is a frequent author, lecturer, counselor, and trainer on workplace issues.

#### ***Recent Professional Highlights of Julie:***

- Elected Fellow to College of Labor and Employment Attorneys.
- Elected to be a Board Member and Annual Conference Chair for the Association of Workplace Investigators (AWI), 2013-2015.
- Named to be a New England Super Lawyer as well as a Massachusetts Super Lawyer each year from 2010 to 2019.
- Named to be one of the 2016, 2017, 2018 and 2019 Top Women Attorneys in Massachusetts, as published in *Boston Magazine*.
- Earned the Senior Professional in Human Resources (SPHR) certification through the HR Certification Institute, an internationally recognized certifying organization for the Human Resource profession.
- Achieved the SHRM-SCP certification through the Society for Human Resource Management.
- Certified trainer by the Massachusetts Commission Against Discrimination on harassment prevent and conducting internal investigations.
- Received certificates from T9 and ATIXA training seminars.
- Vice Chair of the Human Resources Board for the Town of Wellesley, 2014 to present.
- Elected to be 2010-2011 Chair of the New Hampshire Bar Association Labor & Employment Section.
- Faculty member for AWI Training Institute for Workplace Investigators in 2012 and 2015.
- Speaker at American Bar Association's Annual Labor and Employment conference in November 2012 in Atlanta.
- Speaker at the American Institute of CPA's conference in November 2018 in New York City.
- Speaker at national conferences for the American Bar Association's Labor and Employment Section and Committee on Employee Rights and Responsibilities in Atlanta and Puerto Rico; BLR in Las Vegas; the Association of Workplace Investigators in California; and the Annual National CLE Conference in Colorado.
- Called upon to give expert witness testimony in employment litigation cases nationwide including the landmark *Haddad v. Wal-Mart* in Massachusetts, resulting in a \$2m verdict.
- Regular participant as a speaker and moderator of programs in continuing legal education courses for the New Hampshire and Massachusetts Bar Associations.

- Co-authored four (4) op-ed pieces for *Fortune Magazine*.
- Quoted in a February 13, 2019 *Washington Post* article entitled, “REI’s CEO and the Era of Zero Tolerance: ‘Errors of Judgment Were Made’”
- Quoted in a November 4, 2019 article in Yahoo!News, by the Agency France-Press (AFP), entitled “Workplace Romance: It’s Complicated in #MeToo Era”

### *Areas of Specialization*

#### *Independent Investigator*

The majority of Julie's work is as an independent factfinder, where she conducts prompt, thorough and impartial workplace investigations into alleged harassment and other forms of misconduct. She has conducted over 200 investigations and has also acted as legal counsel to employers handling matters internally. She has conducted investigations at such educational institutions as Harvard University, Amherst College, Williams College, and Brandeis University, where she assists in the confidential investigation of cases involving allegations of sexual and other forms of misconduct. She received a certificate from ATIXA and T9 Mastered for Title IX training.

In a September 2017 decision following a public hearing that included Julie Moore’s testimony about an investigation she conducted and conclusions she reached, the hearing officer wrote the following:

“Attorney Moore was very disciplined in her approach to determining the consistencies and discrepancies between the two gentlemen's recollection of this telephone conversation.”

“Attorney Moore in a very disciplined and detailed process made determinations of credibility and extensively explored the available corroborative evidence to assist her in reaching her findings regarding [Appellant’s] truthfulness.”

“Attorney Moore applied an extremely pragmatic and disciplined approach to making the determinations of credibility for the purposes of her reports. Having recognized that there were both similarities and disparities in the recollection of [Decision Maker] and [Appellant], she needed to look toward corroborating testimony and materials. Inclusion of these materials and investigatory interviews into both her reports and the record of findings in this hearing is persuasive. Absent any testimonial or documentary evidence being offered to dispute the additional statements that she obtained or the additional documentary evidence she secured to assist her in her findings, those findings and those documents that substantiate those findings should be given weight and credibility in this decision.”

### ***Training and Education***

Julie is a certified trainer and was a member of the 2008 faculty for the Massachusetts Commission Against Discrimination (MCAD) two-day Discrimination Prevention Training Program “*Conducting Internal Discrimination Complaint Investigations.*” In addition, in 2010, she successfully completed the MCAD training on disability discrimination and responding to accommodation requests. She is a certified trainer for sexual harassment and unlawful harassment prevention training with the MCAD.

Julie has also served as a faculty member for the Training Institute of the Association of Workplace Investigators. She has also developed materials in connection with the curriculum and training materials.

Much of Julie’s work involves training and workshops on a variety of topics, including sexual harassment, unlawful harassment, discrimination, the ADA, FMLA, diversity, conducting investigations, workplace violence, hiring and firing, performance management and other workplace issues. Julie conducts in-house seminars for employers and also speaks at employment seminars offered by the New Hampshire Bar Association, Massachusetts Bar Association, Massachusetts Employment Lawyers Association, Council on Education and Management, Lorman Education Services, National Business Institute, and at various meetings for trade organizations, such as the National Human Resources Association, Northeast Human Resources Association, a SHRM chapter, Manchester Area Human Resources Association, a SHRM chapter, Greater Merrimack Valley Human Resources Association, a SHRM chapter, Associated Builders & Contractors, Inc., NH/VT Chapter, Northeast Passenger Transportation Association, Nashua Chamber of Commerce, National Association of Women in Construction, Women in Technology International, American Society for Training and Development, and New Hampshire Women’s Business Center.

### ***Speaking Engagements and Publications***

Julie’s speaking engagements have included talks on a national level, as she spoke at the BLR 2010 National Employment Law Update in Las Vegas and the American Bar Association Labor and Employment conference for the Employee Rights and Responsibilities Subcommittee in March 2011 in San Juan on the use of employment practices experts. She was a featured speaker at the Association of Workplace Investigators’ second annual conference, which was held in Glendale, California in November 2011.

Julie was a speaker at the American Bar Association's Labor and Employment conference in November 2012, which was held in Atlanta, Georgia. She also spoke at the 32<sup>nd</sup> Annual Education Institute, Inc. National CLE Conference in Vail, Colorado in January 2015. Her topic was workplace investigations, focusing on sexual harassment.

Most recently, she presented at the November 2015, 2017, and 2018 annual conference of the Association of Workplace Investigators in California and at the January 2016, 2017,

2018 and 2019 National CLE Conference, sponsored by the Colorado Bar Association, held in Vail and Aspen, alternatively.

In addition to the materials that are published by Bar Associations and other professional groups where Julie speaks, Julie has been a regular contributor to many publications, including the *New Hampshire Business Review*, and has published articles in such other publications as *Massachusetts Lawyers Journal*, *New Hampshire Bar Journal*, *New Hampshire Bar News*, *The Union Leader*, and newsletters for various human resources organizations and trade associations throughout New England. One of her most recent publications was in the April 20, 2016 edition of the *New Hampshire Bar News* where she focused on the EEOC's new guidance on avoiding workplace retaliation claims.

From 2009 to the present, Julie has been a faculty member for the New Hampshire Bar Association's Practical skills course, offered twice per year for all newly-admitted members of the New Hampshire bar. She speaks on the topic of employment law.

Julie is a noted authority in Human Resources and business circles as well. She was quoted in a February 24, 2011 article for Society for Human Resources Management (SHRM) entitled "Diversity Training Pitfalls to Avoid." She has also been consulted and quoted on workplace issues in such publications as *Boston Globe Job Doc column*, *Inc. Technology*, *The Eagle Tribune*, *New Hampshire Business Review*, *New Hampshire Magazine*, and *The Concord Monitor*. Additionally, she was quoted in *Glamour* magazine, March 2006 edition, in a segment on workplace romance and sexual harassment.

She has been on the *Pinkerton Prevents* television show in Derry, New Hampshire to discuss harassment and bullying in schools.

### ***Legal Counsel and Policy Development***

Julie works with employers on best practices of Human Resources management, consistent with the law and industry standards. She focuses on risk management rather than litigation. Julie drafts policies, procedures and handbooks; handles matters before state and federal administrative agencies; and otherwise assists and counsels employers on harassment, discrimination, ADA, FMLA, diversity, terminations, restrictive covenants, and other workplace issues. She also is retained by individuals on a limited basis on matters involving disability accommodation, performance issues, non-competition agreements, separation from employment, and harassment charges.

### ***Expert Witness Testimony***

Julie has been retained as an expert witness by employers and employees in various litigation matters in New Hampshire, Massachusetts, Maine, Pennsylvania, Mississippi, West Virginia, Missouri, Minnesota and elsewhere throughout the country relative to sexual harassment, unlawful harassment, internal investigations, wrongful discharge, the FMLA, the treatment of employees with disabilities under the ADA, terminations and

disciplinary matters, reductions in force, hiring and retention, and other Human Resources issues involving workplace policies and practices. For example, she testified in a 2005 trial involving claims of wrongful termination, discrimination and retaliation in violation of N.H. RSA 354-A in Hillsborough County Superior Court in New Hampshire (Conboy, J.), that resulted in a \$480,000 verdict in the plaintiff's favor.

She also testified as an expert for the plaintiff in a gender discrimination trial against Wal-Mart in 2007 in Berkshire County Superior Court in Massachusetts (Agostini, J.), where the plaintiff received a \$2 million verdict. This verdict gained international attention, and Julie's role was highlighted in a June 28, 2007 article in *BusinessWeek* and a June 21, 2007 article in *Massachusetts Lawyers Weekly*. The Massachusetts Supreme Judicial Court, in an October 2009 decision, upheld the verdict. Julie's testimony was never challenged on appeal.

Julie testified as the plaintiff's expert in two trials in June 2010, both resulting in substantial victories. One case was tried in the Merrimack County Superior Court in Concord, New Hampshire, and Julie offered testimony about the employer's layoff. A six-figure verdict was returned. The second case went to trial in the Business and Consumer Court in Cumberland County, Maine. Julie was retained by the former president of a company who had been accused of sexual harassment, and she testified about industry standards associated with conducting an internal investigation. The jury awarded a record \$7.3 million in favor of the former company president.

Julie was an expert in a 2011 case that settled for \$390,000 on the day she was to take the witness stand in a negligent hiring/retention and workplace negligence lawsuit that was pending in the Delaware County Court of Common Pleas in Pennsylvania.

Julie testified in a December 2013 trial on sexual harassment in New Hampshire. The jury returned a six-figure verdict, including a \$60,000 punitive award to the employer who failed to maintain appropriate policies, train its employees, or respond properly to workplace harassment.

Most recently, in November 2019, Julie testified in an arbitration, conducted pursuant to the federal rules on an investigation that failed to comport with reasonable industry standards.

Julie is an excellent witness who has a proven track record of reliable and convincing courtroom testimony.

### ***Independent Consultant to the EEOC***

Julie has worked with the federal Equal Employment Opportunity Commission ("EEOC") on discrimination and harassment cases. For example, in 2005, she was retained, with the EEOC's approval, as an Independent Consultant to a large employer pursuant to the terms of a Consent Decree negotiated with the EEOC. She was charged with reviewing and identifying weaknesses in the employer's policies on harassment,

discrimination and retaliation and re-drafting them. She drafted new workplace policies and procedures on internal complaints, management's responsibilities upon receipt of a complaint, and conducting investigations. She conducted company-wide training for managers and non-supervisory personnel. She conducted one-on-one sensitivity training with the executive accused of sexual harassment. She was designated as part of the company's internal complaint procedure for the ensuing four years, if any employee felt victimized by workplace harassment. Through the end of 2008, she reported quarterly harassment to the EEOC on the company's compliance with the Consent Decree. In May 2016, Julie testified as a fact witness in the New Hampshire federal court about the work she did for this company.

In 2006, she was again retained to work with the EEOC and an employer. In that case, she conducted training for all employees and managers on the discrimination laws, lawful hiring, and the Americans with Disabilities Act. She created policies on record retention and equal employment opportunity. She is otherwise acting as a legal consultant to ensure the employer complied with the applicable Consent Decree.

#### ***Approved as a Neutral by the MCAD***

In 2014, the Massachusetts Commission Against Discrimination ("MCAD") approved the appointment of Julie as a Neutral in the settlement agreement between two parties. As a Neutral, Julie is the person appointed to investigate complaints by females alleging gender discrimination or retaliation in the particular workplace. The agreement is in effect for two years and requires various reporting and other obligations.

#### ***Contributor to Human Resources Organizations***

As a member of the Board of Directors and Program Committee Chair of the Greater Merrimack Valley Human Resources Association, a SHRM chapter, Julie has been active in volunteering her time to Human Resources groups on a local and national level. She has been a leader in the organization, as a Board Member and Program Chair for many years. She regularly participates in meetings that provide the opportunity for learning, education and sharing of best practices and discussion of industry standards. Julie was invited to attend and has participated in the HR State Council of New Hampshire Leadership Conferences in Concord, New Hampshire since 2007. These are among the many programs Julie attends that count as credit hours toward SPHR recertification through SHRM's HR Certification Institute.

In addition, in conjunction with Julie's leadership in her local SHRM chapter, Julie is the Legislative Liaison to SHRM for her chapter and has been since 2007. She participated in the 2008 SHRM Leadership Conference in Arlington, Virginia, which is by invitation only and available only to SHRM volunteer leaders. The purpose of the annual meeting is to advance the HR profession through leadership development workshops and practice-sharing sessions. She was also the local representative to the SHRM 2009 Employment Law and Legislative Conference, which was held in Washington, D.C. in March of 2009 and the SHRM Annual Conference and Expo in New Orleans in May of 2009 and in San

Diego in June of 2010. She was on the Committee to organize and was a featured speaker at the “1<sup>st</sup> Annual HR State Council of NH Legislative Conference,” sponsored by the New Hampshire State Council for the Society of Human Resources Management and the Granite State Human Resources Conference and held in May 2010. She spoke again at the 2012 Conference.

### ***Educational Background and Experience***

Though Julie does not maintain a litigation practice, her background and experience as a litigator give her an understanding and appreciation of the legal risks associated with workplace issues that can lead to court action. It helps her to be an invaluable member of the plaintiff’s or defendant’s team in her capacity as an expert witness. Prior to founding Employment Practices Group in 1998, Julie practiced employment litigation in Boston from 1995-1998 at Jackson Lewis, a national law firm specializing in management-related employment issues. Julie also gained extensive experience working at Devine Millimet, one of the largest law firms in northern New England, in its Manchester office from 1992 to 1995, defending companies and individuals in various litigation matters concerning employment issues, personal injury, and insurance coverage matters.

Julie graduated from Suffolk University Law School, *cum laude*, in 1992 where she was a technical editor for the *Suffolk University Law Review* and the recipient of the American Jurisprudence Award in Federal Courts. She also received a Bachelor of Arts degree in Economics, *summa cum laude*, in 1988 from Boston College.

### ***Awards and Honors***

Many of Julie’s professional honors and awards are highlighted above.

In addition, due to Julie’s significant professional accomplishments, in 2013, she was nominated by her peers and inducted as a Fellow of the College of Labor and Employment Lawyers. Fellows only are elected to the College after rigorous screening, and induction is limited to labor and employment attorneys who have proven to their peers, the bar, bench and the public that they possess:

- The highest professional qualifications and ethical standards;
- The highest level of character, integrity, professional expertise and leadership;
- commitment to fostering and furthering the objectives of the College;
- Sustained, exceptionally high-quality professional services to clients, bar, bench and public; and
- Significant evidence of scholarship, teaching, lecturing, and/or distinguished published writings on labor and employment law

In 2011, Julie received the Daniel J. Griffiths Award for Outstanding Leadership from the Greater Merrimack Valley Human Resources Association, a SHRM chapter. This award was presented to her for her "outstanding leadership, dedication, and pursuit of excellence." Daniel Griffith nominated her, stating, "I am herein submitting my

recommendation for the Daniel W. Griffiths Leadership Award for 2011. I believe the Julie Moore is the best candidate for this award. She has been associated with the Chapter from the very beginning and was our very first speaker with over 80 people in attendance. She has worked tirelessly for many years as the Program Chair pulling in some of the best speakers we have had over the years all free of charge. Her enthusiasm and passion for the chapter is without question. She has provided legal advice to our members and chapter and has not charged us for this service.”

Julie was named to the 2011 Natick High School Wall of Achievement, which honors alumni for their exceptional achievements and significant contributions to work, home, community or volunteer efforts. She has since been appointed to the Committee to select future recipients.

In 2014, Julie was inducted into Natick High School’s Athletic Hall of Fame for outstanding athletic achievements while in high school. Again, she has been appointed to the Committee to select future recipients.

### ***Personal Achievements***

Julie is an avid runner and has completed fifty-six (56) marathons, including twenty-five (25) Boston Marathons. In April 2010, she successfully completed the “Boston 2 Big Sur Challenge,” which consisted of running the Boston Marathon and Big Sur Marathon (in California) six (6) days apart. She ran both races again in 2011, 2012, 2014, 2015 and 2018. She also completed the inaugural Fenway Park Marathon in September 2018, completing 116 laps around the warning track of America’s most beloved ballpark.

### ***Professional Associations and Organizations***

Julie is a member and leader of a number of professional associations and community and civic organizations. They include:

- ◆ Member, Human Resources Board for the Town of Wellesley
- ◆ Member, American Bar Association
- ◆ Member, New Hampshire Bar Association
- ◆ Member, Massachusetts Bar Association
- ◆ Member, Continuing Legal Education Committee of NHBA
- ◆ Board Member and Chair of Programming Committee, Merrimack Valley Human Resources Association
- ◆ Member, Society for Human Resources Management
- ◆ Former Board Member, Association of Workplace Investigators
- ◆ Former Board Member and Program Director, New Hampshire Women’s Bar Association
- ◆ Former Chair, NHBA Law Day Road Race Subcommittee
- ◆ Former Member, Women’s Business Center Advisory Board

- ◆ Former Member, Sexual Harassment in Education Task Force sponsored by the New Hampshire Department of Education and the New Hampshire Commission on the Status of Women
- ◆ Former Member, National Human Resources Association

A lengthy listing of publications and speaking engagements is also available.