

## Patrick “Pat” E. Kelly

Partner | Chair, Employment Practices and Benefits Group

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Clients know that when they call me they will get practical, no-nonsense advice to resolve the issue at hand. I will be completely candid with them about their case and I will never recommend a course of action that I don't believe is in the client's best interests.

Pat Kelly is a seasoned **employment** attorney who is the HR “go-to” for companies large and small. He is a trusted advisor and counselor on virtually any employment issue. He is also an experienced **litigator** who will aggressively defend clients before state and federal courts and agencies if that becomes necessary. He appreciates that it is normally in a client's best interest to avoid litigation and to engage in appropriate risk management measures by encouraging employers to treat employees consistently and fairly, implement sensible policies and procedures, and create a work environment in which employees know what is expected of them and feel free to raise concerns without fear of retribution. Employers rely on Pat to help them navigate difficult employee disciplinary and termination actions, draft and enforce Employee Handbooks, employment contracts, and covenants not to compete, train and educate managers, respond to agency audits and investigations, and defend claims of discrimination, harassment, wrongful termination, etc. Clients know that Pat stays on top of the ever-changing employment law landscape in such areas as workplace harassment, gender identity and sexual orientation, social media, the interplay between FMLA and Americans with Disabilities Act claims, and

### Practices

Employment Practices & Benefits  
Litigation  
Professional Services  
Mediation & Arbitration

### Industries

Healthcare  
Local Government  
Real Estate, Hospitality & Construction  
Automotive

### Bar Admissions

North Carolina

### Court Admissions

U.S. Court of Appeals, Fourth Circuit  
U.S. District Court for the Western, Middle, and Eastern Districts of North Carolina

### Education

University of North Carolina School of Law (JD, , 1989)  
United States Military Academy (BS, , 1981)

### Associations

#### Professional

- **American Bar Association**
  - Labor and Employment Section

other legal and regulatory changes affects employers, whether they have 15 employees or 25,000 or employees. Pat's forte is representing closely held businesses in such areas as manufacturing, construction and health care. He also advises and assists business executives, physicians, and other professionals with employment contracts, non-compete agreements, and severance agreements.

### Representative Experience

- Conducted company investigations and Civil prosecution of executive accused of embezzlement which resulted in significant recovery of stolen funds.
- Drafted employee policies and handbook for client with employees in 24 states.
- Advised client in connection with plan to eliminate positions, shut down business operations, and prepare separation agreements.
- Trained employees and management teams on avoiding discrimination claims.
- Obtained favorable jury verdict in federal court race discrimination lawsuit.
- Successfully defended corporate clients accused of wrongful termination.
- Investigated harassment and discrimination claim and prepared effective EEOC position statement resulting in dismissal of claim.
- Negotiated a favorable settlement of a class action disability discrimination claim brought by the EEOC.
- Successfully defended hospital in highly publicized peer review case in State and Federal Court.

### Publications

- Litigation Section
- **North Carolina Bar Association**
  - Labor and Employment Section
- **Mecklenburg County Bar**
  - President (2009-2010)
  - Past President Elect (2008-2009)
  - Vice President (2007-2008)
  - Leadership Institute (2003)
- **Federal Bar Association**
  - Fellow, American Bar Foundation

### Community

- **Veterans Bridge Home**, Board of Directors
- **Catholic Social Services**, Board of Directors
- **Youth Homes**, Board of Directors
- **Habitat for Humanity**
- **Room at the Inn** / Homeless Relief Ministry

### Community

About Our Firm  
Recognition

- **Co-Author, "Trends and Developments", Chambers US Regional Employment 2022 Guide, September 2022**

### **Speaking Engagements**

- Speaker, "Recent Developments and Trends in U.S. Employment Law"
- Speaker, "Maneuvering Through the Maze of Employment Practices"
- Speaker, "Sexual Harassment"
- Speaker, Assurex Global "Loss Control & Claims Meeting"

### **Honors**

- **Super Lawyers®** North Carolina – Employment Law (2010, 2013-2019), Employment & Labor (2020-2023)
- **Super Lawyers®** North Carolina – Top 100 Attorneys in North Carolina (2020, 2021)
- **Business North Carolina "Legal Elite"** – Employment Law (2012, 2016, 2018, 2020-2024)
- **The Best Lawyers in America®** – Commercial Litigation (2013-2024), Employment Law – Individuals (2013-2024), Employment Law – Management (2013-2024)
- **Chambers USA**, Recognized Attorney – Labor & Employment (2014-2023)
- Community Building Initiative's Leadership Development Institute (2007)
- **American Bar Foundation**, Fellow