



TERESA L. SHULDA

PARTNER

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PROFILE

Teresa Shulda, vice chair of the firm's Employment and Labor Law Team, has been litigating employment disputes and advising on workplace law matters for nearly 20 years. Based in the firm's Wichita office, much of Teresa's practice is focused on employer-side issues. She represents businesses that range from some of the city's largest corporations with thousands of workers around the globe to small, closely held businesses with fewer than 10 employees.

Known for her deep understanding of federal regulations as well as Kansas employment laws, Teresa is a powerful advocate for her clients – both in and out of the courtroom. She regularly defends employers against discrimination claims, including those involving age, race, religion, national origin, gender, or disability allegations. In addition, Teresa handles disputes related to wrongful termination, breach of contract, civil rights, and whistleblower retaliation claims. She is particularly well-versed in federal statutes such as the Family and Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), Title VII, the Age Discrimination in Employment Act (ADEA), and Pregnancy Discrimination Act, as well as the Kansas Wage Payment Act. Teresa also assists clients with labor-law matters, including the negotiation of collective bargaining agreements, litigating labor arbitrations, advising on day-to-day issues that arise under collective bargaining agreements, and providing guidance on National Labor Relations Act (NLRA) compliance to both unionized and non-unionized employers.

Teresa represents clients in federal and state courts, in regulatory agency proceedings, and in alternative dispute resolution forums. In a widely publicized age discrimination suit, she worked on the Foulston team that obtained a decisive victory for her client when the jury rendered a defense verdict in less than two hours, ending a 10-year litigation that originated as a collective action. Her enviable track record also includes numerous summary judgments on behalf of clients, several of which have been confirmed by higher courts. Teresa has also achieved many successful outcomes for her clients who are defending charges of discrimination filed with the Equal Employment Opportunity Commission (EEOC) or the Kansas Human Rights Commission. An accomplished negotiator, she has secured highly favorable settlements for her clients that averted prolonged litigation.

Much of Teresa's practice includes advising clients on compliance-related issues and litigation-avoidance tactics. Working hand-in-hand with human relations departments, company owners, and in-house legal

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counsel, she crafts strategies that meet the company's goals and fulfill federal and state requirements. Because much of her early career was focused on employee representation, she applies her understanding of the workforce perspective when counseling employers.

Teresa is often asked to share her insights with human resources professionals and legal colleagues at seminars and meetings across the region. She serves as the co-editor of BLR's *Kansas Employment Law Letter* and frequently publishes articles and client alerts on timely topics and legal rulings.

Education

- University of Colorado (J.D., 2002)
- University of Kansas (BA in Environmental Studies, 1994)
- Yale School of Forestry and Environmental Studies (Master of Forestry, 1997)

Admissions

- Kansas (2008)
- New Mexico (2006)
- Colorado (2002)
- U.S. District Court for the District of Kansas (2008)
- U.S. District Court for the District of New Mexico (2006)
- U.S. District Court for the District of Colorado (2002)
- U.S. Court of Appeals for the Tenth Circuit

PRACTICE AREAS

- Employment & Labor
- Privacy & Data Security
- Startup/Entrepreneurship

COMMUNITY INVOLVEMENT

- Boys and Girls Clubs of South Central Kansas, Board Member

RELEVANT EXPERIENCE

Associate – Modrall, Sperling, Roehl, Harris & Sisk, P.A., Albuquerque, NM, 2005-2007 Associate – Leavenworth & Karp, P.C., Denver, CO, 2002-2005

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- Selected by peers for inclusion in *The Best Lawyers in America*® in the areas of Employment Law – Management, 2017-2024; and Litigation – Labor and Employment, 2023-2024
- Identified by Chambers USA as a leading lawyer in the United States for Labor & Employment Law, 2017-2023
- Named a "Labor & Employment Star" by Benchmark Litigation, 2018-2024
- Wichita Business Journal Women in Business Honoree, 2019
- American Bar Association
- Kansas Bar Association
- Kansas Employment Law Letter Co-Editor

PRESENTATIONS

2023

- Recent Developments for In-House Counsel, from the Attorney-Client Privilege to the Rise of AI (Foulston Siefkin LLP, Corporate Counsel Series: Ethics)
- Employment, Labor, and Immigration Law Update (Foulston Siefkin LLP, Health Law Institute)
- Congratulations, You've Been Sued: Anatomy of an Employment Lawsuit (Foulston Siefkin LLP, Employment Law Institute)
- *Employee vs. Employer*: An Employment Law Case Mock Trial (Foulston Siefkin LLP, Employment Law Institute)
- Mental Illness in the Workplace: Staying Compliant with the ADA and FMLA (Foulston Siefkin LLP, Employment Law Institute)

2022

- Out of Sight, But Not Out of Mind: Managing Employee Leaves of Absence (Foulston Siefkin LLP, HR Training Series)
- Disruptive Provider Behavior: To Manage or Discipline? That Is The Question (Foulston Siefkin LLP, Health Law Institute)
- Wait, Wait, Don't Sue Me (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- Emerging Legal Issues Involving Gender, Sexual Orientation, and Gender Identity Bias (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- New Court Rulings and Legislation Employers Need to Know About (Foulston Siefkin LLP, Employment Law Institute Webinar Series)

2021

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- Your Fall Plans vs. The Delta Variant: How to Protect Your Workplace Against COVID-19 (Foulston Siefkin LLP, HR Training Series)
- LOA Toolkit: Managing Complex Leave Scenarios (Foulston Siefkin LLP, HR Training Series)
- The Price Is Right – Employment Law Style (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- Navigating Complex Leaves of Absence: Balancing FMLA, ADA, and Workers' Compensation Requirements (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- What Corporate Counsel Needs to Know About COVID-19 in 2021 (Foulston Siefkin LLP, Corporate Counsel Series: COVID-19 Webinar)

2020

- Advanced FMLA Scenarios (Foulston Siefkin LLP, HR Training Series)
- FMLA Nuts and Bolts (Foulston Siefkin LLP, HR Training Series)
- COVID-19 and Employment Matters (Kansas Women Attorneys Association, 31st Annual Conference)
- 2020 Vision: A Look at the Latest (Non-COVID) Employment Law Cases, Issues, and Trends (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- Avoiding Common Employment Law Missteps in the New COVID World (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- COVID-19 Guidance for Hospital Employers - FFCRA, OSHA, and Confidentiality (Kansas Hospital Association)
- Implementing the Families First Coronavirus Response Act (FFCRA) (Foulston Siefkin LLP, Coronavirus Webinar)

2019

- EEOC Issues (Foulston Siefkin LLP, HR Training Series)
- Leave of Absence (Foulston Siefkin LLP, HR Training Series)
- Advanced Skills for Employee Leave Management (2019 FMLA Master Class: Kansas)
- The State of the Law: LGBTQ Rights and Religious Freedom (Foulston Siefkin LLP, Kansas Employment Law Institute)
- When Worlds Collide: Strategies for Work Comp, ADA, and FMLA Compliance (Foulston Siefkin LLP, Kansas Employment Law Institute)

2018

- Not as Easy as One, Two, Three: How the FMLA, ADA, and Workers' Compensation Interact with Employee Leave of Absence and Return to Work (Foulston Siefkin LLP, HR Training Series)
- Anatomy of a Complaint: From Charge to Lawsuit (Foulston Siefkin LLP, HR Training Series)
- Advanced Skills for Employee Leave Management (2018 FMLA Master Class: Kansas)
- The Weinstein Effect: Addressing Sexual Harassment in Today's Workplace (Foulston Siefkin LLP, Employment Law Institute)
- Mental Illness in the Workplace: Staying Compliant with the FMLA and ADA (Foulston Siefkin LLP, Employment Law Institute)

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2016

- In-House Counsel's Ethical Obligations Before and After a Cyber-Attack (Foulston Siefkin Ethics Seminar for Corporate Counsel)

2015

- Keeping the Company out of Hot Water: Conducting Effective Investigations (Foulston Siefkin LLP, Employment Law Seminar)
- "My Boss is Stressing Me Out" and Other Legitimate and Illegitimate Reasons Employees Request Time Off (Foulston Siefkin LLP, Employment Law Seminar)
- In-House Counsel's Ethical Obligations Before and After a Cyber-Attack (Foulston Siefkin Ethics Seminar for Corporate Counsel)

2014

- When the FMLA Gets Tough: Handling Complex Leave Scenarios (Foulston Siefkin LLP, Employment Law Seminar)
- Back to the FMLA Basics (Foulston Siefkin LLP, Employment Law Seminar)
- FMLA Basic (Foulston Siefkin LLP, HR Box Lunch Series)

2013

- In the Beginning – What HR Can Do to Ensure a Smooth and Legal Hiring Process (Foulston Siefkin, Employment Law Seminar)

2012

- Ten Things Employers Do That Drive Their Lawyers Crazy (Foulston Siefkin Employment Law Seminar)
- The Latest FMLA Cases (Foulston Siefkin Employment Law Seminar)

2010

- Leave Issues and the Difficult Employee. Intermittent Leave, Absenteeism, and Other Complicating Issues (Foulston Siefkin, Employment Law Seminar - Wichita)
- Too Much Information: The Dangers of Twitter, Facebook, and Other Social Media for the Workplace (Foulston Siefkin, Employment Law Seminar - Wichita)
- Leave Issues and the Difficult Employee. Intermittent Leave, Absenteeism, and Other Complicating Issues (Foulston Siefkin, Employment Law Seminar - Overland Park)

2009

- Getting to Know the New FMLA Regulations (Foulston Siefkin Employment Law Seminar)

2008

- HR 101: Intro to Employment Law (Foulston Siefkin Employment Law Seminar)

PUBLICATIONS

2022

- KS Court Throws Out FCA Lawsuit Because Whistleblower Failed to Blow Right Whistle
- Midwest Employment Law Letter, Vol. 3, No. 2

2020

- Title VII Prohibits LGBTQ Discrimination, Supreme Court Rules
- Midwest Employment Law Letter, Vol. 1, No. 7

2018

- Real Life is Stranger Than Fiction
-Kansas Employment Law Letter, Vol. 25, No. 10
- Does Discrimination "Because of Sex" Cover Sexual Orientation and Gender Identity Discrimination?
The Evolution of Title VII
-The Journal of the Kansas Bar Association, Vol. 87, No. 10

2015

- Make Sure You're Not Singing the Summertime Blues
-Lexology
- How Will the Supreme Court's Ruling on Same-Sex Marriage Impact Kansas Employers?
-Lexology

2013

- Poor performance is a Valid Reason for Firing Despite Leave Request
-Kansas Employment Law Letter
- Employee's Workers' Comp Claim Hasn't Raced Its Last Lap Yet
-Kansas Employment Law Letter
- FLSA Liability: It Can Get Personal
-Kansas Employment Law Letter

2012

- Don't Judge a Crook by His Cover
-Kansas Employment Law Letter, Vol. 19, No. 4

2011

- Wrong Number - Please Try Again
-Kansas Employment Law Letter

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- Oh Baby! Employee's Pregnancy Bias Claim Fails to Bear Fruit
-Kansas Employment Law Letter
- Employee's Failure to Cooperate Spells End of Harassment Claim
-Kansas Employment Law Letter

2010

- Who's in Charge? Court Holds that FedEx Drivers Are Not Employees
-Kansas Employment Law Letter, Vol. 17, No. 7

2009

- EEOC Flexes Its muscle on Inflexible Leave Policies
-Kansas Employment Law Letter

2007

- Postal Service Delivers With Direct-Threat Defense
-Kansas Employment Law Letter

ISSUE ALERTS

2020

- Supreme Court Rules Title VII Prohibits LGBTQ Discrimination
- Coronavirus: U.S. Department of Labor Issues Regulations Explaining Paid Sick Leave and Expanded FMLA Benefits Under FFCRA

2015

- How Will the Supreme Court's Ruling on Same-Sex Marriage Impact Kansas Employers?