

Covington Taps DLA Piper Atty To Helm NY Employment Team

By **Grace Elletson**

Law360 (January 19, 2024, 3:08 PM EST) -- Covington & Burling LLP brought over a partner from DLA Piper to lead its employment practice in New York, an attorney who has almost two decades of experience handling a wide range of workplace disputes, according to the firm.

The firm announced Tuesday that Evan Parness has joined Covington's New York employment practice group, an arm of Covington's various legal specialties that the firm has set its sights on expanding in the new year, the attorney told Law360. He said he wanted to join the firm to help lead this expansion not only within the state, but across the country and globally as well.



Evan Parness

"To help build out the team and build out an already very strong practice group was an exciting opportunity for me," Parness said. "I was very happy at DLA, I was not actively looking to leave, but this was an opportunity that was too good to pass up."

Parness is the only employment practice group attorney based in New York, according to Covington's website. The firm has about 20 attorneys dedicated to employment law in the U.S. and abroad, as well as many other general litigators who also take on employment matters, a spokesperson told Law360.

Parness said he's been practicing law for almost 17 years. An alumnus of the Cornell University Law School who earned his bachelor's degree at Brown University, Parness has litigated discrimination and retaliation suits, noncompete cases, whistleblower claims, breach of contract actions and ERISA class actions, as well as provided advice on corporate deal-related employment issues.

Advising employers on workplace diversity, equity and inclusion efforts has become a priority of his career, Parness told Law360. He said he frequently conducts investigations into workplace harassment, discrimination and other misconduct disputes, which is why Parness said he's excited to collaborate with Covington's white collar team to provide clients a deep bench of expertise to rely upon.

Parness said most of his time is spent in the courtroom litigating those same disputes. He said he hopes he can do an effective job investigating those issues before they spill into the courtroom, but that when the time comes, he's ready to help clients debunk meritless concerns.

"If somebody belongs to a protected class, oftentimes, unfortunately, there's sort of a knee-jerk reaction to assume that the protected class was the reason why they were terminated," Parness said.

"More often than not, employers are doing right by their employees and making sure they have robust anti-harassment and discrimination policies, and are doing a good job of routine performance reviews or informal performance reviews to help mitigate against some of those claims," Parness said.

The attorney said he's been keeping an eye on how the U.S. Supreme Court's *Students for Fair Admissions v. President & Fellows of Harvard* ruling is impacting workplace diversity, equity and inclusion initiatives. The justices found in June that Harvard's race-conscious admissions policies were unconstitutional, a decision that conservative advocacy groups are using to back lawsuits and demand letters arguing that businesses must roll back their diversity efforts to avoid disadvantaging white employees.

Parness said he believes that employers can still comply with federal civil rights law while operating their diversity programs. For example, he said businesses could steer clear of enforcing strict race-based acquisition quotas, and instead ensure these programs are more generally aspirational.

"There are plenty of businesses out there who are doing the right thing and making sure that they're getting the best talent and making sure that they're reflective of society at large in their recruitment and retention and promotion efforts," Parness said.

Lindsay Burke, co-chair of the firm's employment practice group, said in a news release that Covington was drawn to Parness' litigation experience as well as his investigative skills.

"Evan's addition further strengthens our premier employment practice in New York at a time when our clients are facing increasingly complex employment law and workplace challenges, especially as it relates to sensitive misconduct matters where Evan's investigative experience will supplement our unique capabilities in our institutional culture and social responsibility practice," Burke said.

--Editing by Amy Rowe.