Holland & Hart

PRACTICES

Employment and Labor
Labor and Management Relations
Wage and Hour
Disabilities and Leaves
Employment Litigation
Discrimination and Harassment
Trade Secrets and Non-Competes

INDUSTRIES

Cannabis and Psychedelics

EDUCATION

University of Northern Colorado, B.A., 1990

University of Denver College of Law, J.D., 1993

BAR ADMISSIONS

Colorado

COURT ADMISSIONS

U.S. District Court for the District of Colorado
U.S. District Court for the District of Montana
U.S. District Court for the District of Utah
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit

Steven Gutierrez

Partner

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Steve advises employers how to attract, incentivize, and retain talent and helps his clients effectively handle the varied challenges of the modern employment relationship.

Steve understands that in today's competitive landscape employees are one of a company's greatest assets. He helps companies protect trade-secrets, enforce restrictive covenants and meet with Unions to navigate the complex environment of traditional labor. Steve is also an effective advocate in court, has tried numerous cases before judges and juries, and on appeal, in complex employment and labor matters and other tort litigation.

Steve's focus is to be practical and cost-effective. Steve has also developed proven solutions that help clients maintain compliance with federal and state laws. Steve's day-to-day counseling and world-class training for managers, supervisors, and HR professionals on policies and best practices is essential to manage risk in the modern workplace.

Steve's extensive experience providing strategic and tactical counsel in pre-litigation negotiations and resolutions; at hearings for and against emergency injunctive relief; at mediations; and before other administrative bodies, including the NLRB, EEOC, and Colorado Civil Rights Division has saved his clients substantially.

Steve frequently blogs at www.coloradoemploymentlawblog.com.

EXPERIENCE

Discrimination Defense

Employment Litigation & Class Actions

- Administrative proceedings (EEOC and state civil rights commissions)
- Breach of Contract
- Defamation and Free Speech
- Non-Compete and Trade Secrets
- Wrongful Discharge
- Employment-related Torts

HR Counseling, Compliance, and Risk Management

- Employment and Personnel Policies, Procedures, Handbooks

- Investigations and Audits
- Non-Competes, Trade Secrets, and Unfair Competition
- Training for employees, supervisors, managers, executives, Board of Directors
- Workplace Violence

Union Campaigns, Collective Bargaining, and Labor Arbitrations

- Elections
- Negotiating Collective Bargaining Agreements
- Grievances
- Unfair labor practice charges
- Strikes and Picketing
- Unit Determinations

Wage and Hour

- Wage and Hour, Equal Pay, Compensation, and Benefits

CLIENT RESULTS

Steve represented major regional company in Washington state court in defense of commercial claim for breach of contract, breach of the implied covenant of good faith and fair dealing, unfair competition, and trade secret misappropriation. Steve's client also asserted counterclaims. Plaintiff sought to void an executed non-compete agreement. Steve's client successfully defended this declaratory judgment action and prosecuted its own counterclaim for breach of contract.

Steve represented a large world-wide company navigate its labor relations by handling numerous grievances to arbitration, contract negotiations, and defense of unfair labor practice.

Steve tried to a complete defense verdict in Montana a gender discrimination company in favor of his world-wide transportation company client.

Steve has handled a multi-million dollar collective action brought by the EEOC on behalf of numerous Hispanic employees who alleged discrimination in firing and discipline.

Steve successfully defended a very contentious and complex race discrimination and retaliation case in Utah federal court. This very important matter for the client involved a significant number of witnesses, substantial investigation, preparatory work by Steve and his client. After targeted discovery, a carefully crafted and detailed motion for summary judgment was filed in the main case. The Court granted summary judgment in favor of client dismissing all claims.

Steve has successfully handled several “quickie elections” that have

resulted in the defeat of formation of unions throughout the United States.

We assisted our healthcare client with labor negotiations for their 500-employee hospital group. We also have handled several Unfair Labor Practice Charges in Region 28 involving the National Union of Hospital and Healthcare Employees. All negotiations and charges have been favorably resolved.

PUBLICATIONS

"Colorado Supreme Court Cuts Timeframe for Minimum Wage Claims from 6 Years to 2," *Employment Law Update*, October 7, 2025

"The Practitioner's Guide to Colorado Employment Law, Third Edition," *Colorado Bar Association CLE*, December 2023

"Religious Accommodation: SCOTUS Approaching Decision on Title VII 'Undue Hardship' Standard," *Holland & Hart Client Alert*, June 26, 2023

"When to revisit company policies and procedures," *BLR® - Business and Learning Resources*, June 16, 2023

"The Human Limits of Human Capital: An Overview of Noncompete Agreements and Best Practices for Protecting Trade Secrets from Unlawful Misappropriation," *36 Employee Relations Law Journal 59*, Summer 2010

BLOG POSTS

"Religious Accommodation: SCOTUS Approaching Decision on Title VII 'Undue Hardship' Standard," *Employers' Lawyers Blog*, June 26, 2023

"Our Company Is Expecting to Start a New Business Line, Should We Revisit Our Policies and Procedures?," *Employers' Lawyers Blog*, June 21, 2023

SPEAKING ENGAGEMENTS

"Federal Legislative Update," Presenter, *Holland & Hart 2025 Colorado Employment Law Update*, April 9, 2025

"Hot Topics in Federal and Colorado Employment Law," *2022 Holland & Hart Colorado Employment Law Update*, October 12, 2022

"Litigation Session: Best Practices on Prepping Your Witness," *2022 DRI Employment and Labor Law Seminar*, May 12, 2022

"Impact of Colorado's Public Health Emergency Whistleblower (PHEW) law," *Colorado Bar Association (CBA) CLE*, April 21, 2022

"That's a Doobie of an Employment Issue," *Holland & Hart Cannabis Law Higher Learning Seminar*, April 19, 2022

"That's a Doobie of an Employment Issue," *Cannabis Higher Learning: Your Legal Roadmap*, April 19, 2022

"The Impact of Concerted, Protected Activity in Non-Union Workplaces," *DRI - 2022 Labor Law Virtual Boot Camp*, February 9, 2022

RECOGNITION

- *Chambers USA*, Labor & Employment, 2009-2026
- *Lawdragon,* 500 Leading U.S. Corporate Employment Lawyers*,* Labor & Employment, 2020-2026
- *Lawdragon,* The Most Powerful Corporate Employment Lawyers, Top 20 Lawyers in Traditional Labor & Employment Law, 2016-2019
- *Lawdragon,* The Guide to World Class Employment Lawyers, Employment Law, 2011-2013
- *The Best Lawyers in America*®, Litigation – Labor and Employment, 2013-2027; Employment Law – Individuals, 2014-2027; Employment Law - Management, 2025-2027
- *Benchmark Labor & Employment*, Labor and Employment Star West, 2019-2024
- *Human Resource Executive*, Most Powerful Employment Attorneys, 2016, 2019
- *Human Resource Executive*, The Nation's Most Powerful Attorneys–Up-and-Comers, 2011-2014
- Colorado Super Lawyers®, Employment & Labor, 2009-2026
- Martindale-Hubbell®, AV Preeminent™ Peer Review Rated
- American Lawyer Media and Martindale-Hubbell®, Top Rated Lawyer™ in Labor & Employment, 2013
- Corporate Counsel Black Book, Employment Litigation, 2008
- *Business Today*, Top 10 Pioneering Labor & Employment Lawyers in Colorado, 2023

PROFESSIONAL AND CIVIC AFFILIATIONS

- Workplace Violence Prevention & Intervention Committee, Member
- American Bar Association, Member
  Employment Law & Litigation Committee
  Tort Trial & Insurance Practice Section
- Colorado Bar Association, Member
- Colorado Hispanic Bar Association, Member
- Defense Research Institute, Member
  Employment Law Section
  Trial Tactics Committee
  Steering Committee
- Colorado Defense Lawyers Association
  Labor & Employment Committee
- Justice Information Center, Board Member, 1996-2004

- Clinica Tepeyac, Board Member, 2003-2008
- American Diabetes Association, Board Member, 2008-2010
- Firefly Autism, Board of Trustees, Current Board Chair, 2011-present