



Beverley L. Adams

OFFICER

Fargo

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Services

Employment, Labor & Benefits

Employment & Labor Litigation

Labor Management Relations

Health Law

Litigation

Internal Investigations

Non-Competes

Through her private practice and in-house experience, Bev thoroughly understands the legal demands and challenges facing employers.

Bev represents employers and executives in the full range of employment-related matters, providing guidance on items such as employment investigations, disciplinary matters, employment contracts and union labor negotiations. She litigates in federal and state trial courts in North Dakota and Minnesota. Bev advises corporations on legal employment issues such as FMLA, FLSA, OSHA, workers' compensation and workforce safety, wage and hour, ADA, Title VII—Civil Rights, whistleblower claims, retaliation claims, non-compete and non-disclosure matters. She also represents clients in union negotiations and grievance procedures under the National Labor Relations Act, including binding arbitration and investigations by the NLRB. She has been the lead union negotiator on behalf of management in numerous collective bargaining negotiations avoiding unfair labor practice charges and without any strikes.

In addition to employment law, Bev brings a depth of health care law experience. She regularly advises health care providers, clinics, hospitals, long-term care facilities and other health care organizations on patient care/HIPAA, physician employment contracts and compensation, medical staff bylaws and malpractice litigation management. She has expertise in health care management and compliance and frequently educates clients on risk management, helping them to better understand and control their risks and liabilities.

Prior to joining Fredrikson, Bev was the Senior Issues Management Advisor and served as General Counsel at Sanford Health, the nation's largest rural nonprofit health care system. As a member of Sanford's in-house counsel, she served as the leadership team's legal advisor on employment issues and as the organization's public policy advisor for North Dakota and Minnesota.

Experience

Employment

- Successfully represented numerous employers in litigation on wage and hour issues, wrongful termination, discrimination, retaliation, sexual harassment,

independent contractor and whistleblower claims in state and federal courts.

- Successfully represented clients before the EEOC, the North Dakota Department of Labor and Minnesota Department of Human Rights on various charges of discrimination and/or retaliation.
- Successfully negotiated numerous collective bargaining agreements without a work stoppage, strike or unfair labor practice (ULP) filed.
- Successfully resolved union/employee grievances and ULP charges with the National Labor Relations Board (NLRB).
- Successfully represented clients in numerous unemployment benefit appeals and OSHA investigations.
- Successfully advised senior leadership on high profile and complex employee discipline/termination matters.

Health Care In-House Counsel Experience

- HIPAA expertise.
- Medical staff bylaws, credentialing and privileging, and fair hearing processes.
- Physician employment contracts.
- Malpractice claims and risk management defense.
- Mergers and acquisitions.
- Federal and state regulatory matters.
- Hospital licensing and accreditation processes.

Labor Management

- Lead negotiator on numerous Collective Bargaining Agreements for a large healthcare system which resulted in a successful contract without any unfair labor practices filed, or strikes.
- Negotiated complex matters within Collective Bargaining Agreements, such as transitioning from an employer-sponsored defined benefit plan to a 401K plan and significant changes to healthcare benefits.
- Successfully negotiated first contracts where no prior contract existed.
- Successfully resolved numerous grievances.

Mediation

- Served as a mediation panel member during teacher contract negotiations for Fargo Public Schools with a \$52 million school budget.

Credentials

Education

- University of North Dakota School of Law, J.D., 1995, *with distinction*
- University of Manitoba, B.A., 1990

Admissions

- North Dakota, 1995
- Minnesota, 1995
- South Dakota, 2011
- U.S. District Court for the District of North Dakota, 1998
- U.S. District Court for the District of Minnesota, 1998
- U.S. Court of Appeals for the Eighth Circuit, 2008

Clerkships

- Law Clerk, Honorable Michael L. Kirk, Seventh Judicial District, Moorhead, Minnesota, 1995

Recognition

- Order of the Barristers
- North Star Lawyer, Minnesota State Bar Association, 2019-2020

Civic & Professional

Professional Activities

- Sanford Health, General Counsel and other legal roles, 2008-2018
- North Dakota State Bar Association
- Minnesota State Bar Association
- South Dakota State Bar Association
- North Dakota Pardon Board, Member, 2001-present
- Fargo-Moorhead Chamber Board, Member, 2016-2018
- North Dakota Parole Board, Member, 2003-2010
- The Ronald N. Davies American Inn of Court, Fargo Chapter, 1998-2009
- National Trial Lawyers' Association, Member, 1998-2008

- Clay County Attorney's Office, Attorney, 1996-1998

Community

- Dakota Boys and Girls Ranch Board, Member, 2020-present
- Pardon Board, Member
- American Quarter Horse Association, Member, 1998

Speaking Engagements

Event | November 2022

Employment and Labor Law Webinar Series 2022

Legal Updates

Legal Update | 04.14.2020

Employment Question of the Day: April 14, 2020

Legal Update | 04.09.2020

Employment Question of the Day: April 9, 2020

Publications & Presentations

"Why Are Gen-Y and Gen-Z So Worked Up About Labor Unions?" *Fargo INC!*, December 2022

Co-Presenter, *Retooling Remote Work for the Future and Wandering Employees*, Fredrikson & Byron's Annual Employment & Labor Law Seminar, October 28, 2021

"COVID-19 Vaccine: The Employer's Conundrum," *Fargo INC!*, February 2021

Co-Presenter, *Pulled from the Headlines: Practical Advice for Employers During the Pandemic and Beyond*, Fredrikson & Byron's Annual Employment & Labor Law Seminar, October 29, 2020

"It's Complicated: Top 10 Issues Affecting COVID-19 Employee Screenings," *Fargo INC!*, August 2020

Co-Presenter, *Your Return to Work Blueprint*, Fredrikson & Byron Employment & Labor Webinar, May 8, 2020

Presenter, *Independent Contractors Are Great For Your Business Except When They Are Really Employees*, Fargo Moorhead Human Resources Association's Food-For-Thought Meeting, January 28, 2020

Presenter, *Employer Pitfalls in the Age of Marijuana Legalization*, Fredrikson & Byron's Annual North Dakota Employment Law Seminars, November 21-22, 2019

Presenter, *The 10 Rules of Termination Decisions*, North Dakota Society of Human Resource Management's Annual Conference, September 19, 2019

Presenter, *Electronic Monitoring Update and Medical Marijuana and CBD Oil*, North Dakota Long Term Care Association's Fall Professional Development Conference, September 2019

"Independent Contractors Are Great For Your Business, Unless they are Technically Employees ," *Fargo INC!*, June 2019

Presenter, *Long Term Care Legal Updates—Financial Responsibility of Children, Granny Cams and Medical Marijuana*, North Dakota Long Term Care Association 2019 Convention, May 2019