

## T. Scott Kelly

Shareholder || Birmingham

Scott Kelly is a shareholder in the Birmingham, Alabama office of Ogletree Deakins and co-chairs the firm's Affirmative Action/OFCCP Compliance Practice Group, whose experienced attorneys counsel and defend federal contractors and subcontractors throughout the United States on jurisdictional, compliance, and enforcement issues involving the United States Department of Labor's Office of Federal Contract Compliance Programs (OFCCP). Scott's national practice includes representing employers in OFCCP compliance evaluations and administrative enforcement actions in each of its six regions. He offers his clients, which span all industries including higher education, a solution-oriented approach to both his work of preparing, managing, and defending affirmative action programs and minimizing back pay liability and other sanctions imposed by OFCCP when investigating and resolving systemic discrimination issues stemming from statistical disparities in hiring and compensation cases. Scott frequently works to design legally defensible hiring process and practices to fit his clients' business models and needs. He has developed an expertise for assisting employers with conducting privileged proactive compensation analyses and fair pay audits, providing best practices and strategies for diversity and inclusion practices and metrics, and complying with the EEOC's and Veterans' Employment and Training Service annual reporting requirements. In his work, Scott routinely applies principles of efficiency he learned while pursuing his greenbelt in Legal Lean Sigma. A litigator by training, Scott has appeared in numerous employment-related claims before courts and administrative agencies, and even spent time as a prosecutor.

Scott is an active member of the American Bar Association's Labor & Employment Law Section ("LEL") and has served in various LEL leadership roles since 2010. He is also an active member and has held leadership roles with the LEL's Committee on Equal Employment Opportunity Law. Most recently, Scott served as Chair Emeritus of the LEL's 12th Annual Section Conference, after serving as Chair of the 11th Annual Section Conference, and Vice-Chair of the 10th Annual Section Conference. He has also served as a LEL Section Council Liaison to the Young Lawyers Division, as Co-Chair of the LEL's Membership, Marketing, and Leadership Development Committees, and is a graduate of the inaugural LEL Leadership Development Program. He also is a member of the Alabama and Tennessee Valley Industry Liaison Groups and the American Employment Law Council. Scott frequently speaks on topics including affirmative action & OFCCP compliance, pay equity, legally defensible selection practices, pre-employment testing, and equal employment opportunity.

Scott has been recognized for his professional accomplishments, including being selected for inclusion in *the Best Lawyers in America* (2016-present), *Super Lawyers-Employment & Labor* (2013-present), and *Super Lawyers-Rising Star* (2011-12). Mr. Kelly has been awarded an AV rating (the highest level) by Martindale-Hubbell.

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## Education & Admittance to Practice

### Education

- J.D., Cumberland School of Law at Samford University, 2000
- B.A., Birmingham-Southern College, 1996

### Admittance to Practice

- Alabama
  - Georgia
  - U.S. District Court, Middle, Northern and Southern Districts of Alabama
  - U.S. Court of Appeals, Eleventh Circuit
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