

**T. Scott Kelly**

Shareholder

scott.kelly@ogletree.com**Location:****Birmingham** (Office: 205-986-1024, Fax: 205-328-6000)**Education:**Certificate, Diversity & Inclusion Management, Cornell University (ILR), July 2020
J.D., Cumberland School of Law at Samford University, 2000

B.A., Birmingham-Southern College, 1996

Practice Areas:Affirmative Action and OFCCP Compliance, Employment Law, Litigation, Higher Education, Defense Contracting Industry, Pay Equity, Manufacturing, Diversity and Inclusion

Scott Kelly co-chairs the firm's Affirmative Action/OFCCP Compliance Practice Group and is a Shareholder residing in the Birmingham, Alabama office. Scott counsels and defends federal contractors and subcontractors throughout the United States on jurisdictional, compliance, and enforcement issues involving the U.S. 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 and assisting in the preparation, management and defense of affirmative action programs (AAPs). His clients have operations spanning numerous industries, including higher education, financial services, technology, and manufacturing, among others. Scott frequently works to design legally defensible hiring processes and practices to fit his clients' business needs and to assist employers with voluntary, privileged and proactive compensation analyses and fair pay audits.

Scott offers his clients a solution-oriented approach, especially with his efforts to minimize back pay liability and other sanctions that OFCCP imposes when investigating and resolving systemic discrimination issues stemming from statistical disparities in hiring and compensation cases. He is skilled in providing diversity, equity and inclusion related legal advice and counseling, including best practices on gathering and analyzing workforce data. Scott also assists employers with complying with the Equal Employment Opportunity Commission's (EEOC) and Veterans' Employment & Training Service's annual reporting requirements.

In his work, Scott routinely applies principles of efficiency he learned from earning his Green Belt certification in Legal Lean Sigma. He also earned a Certificate in Diversity & Inclusion Management from Cornell University's School of Industrial and Labor Relations. A litigator by training, Scott has appeared in numerous employment-related claims before courts and administrative agencies, and spent time early in his legal career as a prosecutor.

Scott has served in various leadership roles of the American Bar Association's Labor and Employment Law Section (LEL) and the LEL's Committee on Equal Employment Opportunity Law. Scott served as chair emeritus of the LEL's 12th Annual Section Conference, the chair of the 11th Annual Section Conference, and vice-chair of the 10th Annual Section Conference. He has also served as an LEL section council liaison to the Young Lawyers Division—facilitating the involvement of young lawyers in section activities—and as co-chair of the LEL's Membership and Marketing, Committees, in which he worked to raise awareness of section benefits and programming for its members. Scott is also a graduate of the inaugural LEL Leadership Development Program, which trains and develops a select group of section members to offer tools for advancement in leadership, and was tapped to be the first management co-chair of the program.

Scott is a member of the Alabama Valley Industry Liaison Group, the Tennessee Valley Industry Liaison Group, and the American Employment Law Council. He frequently speaks before federal contractors and subcontractors, human resources professionals, ILG members, and others on topics including affirmative

action and 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 as a Fellow in the College of Labor and Employer Lawyers and for inclusion in *The Best Lawyers in America* (2016–present), *Super Lawyers – Employment & Labor* (2013–present), and *Super Lawyers – Rising Stars* (2011–2012). He has also been awarded an AV Preeminent® rating (the highest level) by Martindale-Hubbell.