

Melissa Raphan

Partner

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From routine policies to highly sensitive litigation, and from novel issues of law to sometimes outrageous fact patterns, Melissa uses a deft touch and an eye on the long term to find solutions to her clients' employment law challenges.

Melissa is a Dorsey Partner, member of the firm's Policy Committee (Board of Directors), and former Chair of Dorsey's Labor and Employment Practice Group. While she has deep relationships with clients of all types, she has particular expertise litigating disputes and providing advice to clients in the financial services, healthcare, food & agriculture and energy sectors. She is "an experienced, knowledgeable practitioner who consistently delivers high-quality work," reports *Chambers U.S.A.* in its most recent rankings of the top lawyers in America.

Melissa's employment litigation practice includes class actions, collective actions, multi-plaintiff actions and single plaintiff cases nationwide in federal and state courts and agencies. She regularly handles arbitrations before the American Arbitration Association and the Financial Industry Regulatory Authority, Inc. (FINRA), where she has a history of delivering successful results.

Melissa counsels employers on a full range of issues including performance management, selection and termination. Her decades of experience in these matters makes her a go-to partner and a trusted advisor for clients. (Her sense of humor doesn't hurt either.)

Melissa is known as a fierce advocate for diversity in the business community. Knowing that sponsorship is vital to advance the careers of women and minority attorneys, she advocates stridently on their behalf. Her awareness that diverse teams deliver the best results for clients accounts for the highly diverse teams she assembles for the matters she handles.

Education

- Boston College Law School (J.D.)
 - Notes and Comments Editor, *Boston College International and Comparative Law Review*
- Duke University (B.A.)
 - *cum laude*

Bar Admissions

- Minnesota
- Massachusetts

Select Experience

- Lead counsel for insurance companies in multiple jurisdictions handling claims of defamation, discrimination, Equal Pay Act, breach of contract, retaliation and tortious interference with contract
- Lead counsel for financial services companies in multiple jurisdictions handling claims involving breach of contract, fraud/misrepresentation, retaliation and defamation (Form U-5)
- Lead counsel for utility company in cases involving sexual harassment, gender discrimination in pay (Equal Pay Act and Title VII), retaliation and tortious interference with contract
- *Price v. Northern States Power* (8th Cir.): Won affirmance of summary dismissal of three-count complaint for discriminatory pay practices under Equal Pay Act, Title VII and the Minnesota Human Rights Act

Court Admissions

- U.S. Court of Appeals for the Eighth Circuit
- U.S. District Court for the District of Minnesota
- Minnesota Supreme Court

Professional Affiliations

- Dorsey & Whitney's Policy Committee (Board of Directors), Member, 2022-present
- United States District Court District of Minnesota Federal Practice Committee, Member, 2022-present
- Children's Law Center of Minnesota (Board of Directors), Member, 2022-present

Charitable & Civic Involvement

- Appointed to the Attorney General's Advisory Task Force on Expanding the Economic Security of Women (ex-officio member), January 2021-2022
- Children's Law Center of Minnesota, Volunteer Attorney, 2009-present
- Blake School, Board of Trustees, September 2018-2021
- The Children's Theatre Company, Board of Trustees, 2014-2016
- Downtown YMCA, Community Board, 2013-2014

Accolades

- *Best Lawyers in America*®, 2009-2026
- *Minnesota Lawyer*, Legal 250, 2026
- *Chambers USA*, Labor & Employment, Minnesota, 2005-2026
- *Minnesota Super Lawyers*®, 2006-2026
- *Minnesota Monthly*, "Top Lawyers in Minnesota", 2024, 2026
- *Minnesota Lawyer*, POWER 30: Employment Law, 2025
- *Minnesota Super Lawyers*® *Women's Edition*, 2020-2025
- MSBA, North Star Lawyer, 2013-2025
- *Benchmark Litigation*, "Labor & Employment Star – Minnesota", 2021-2022, 2024
- Contributed more than 50 Diversity hours, 2023
- Consistently providing pro bono legal assistance to those in need through Dorsey's

Pro Bono program

- *Best Lawyers in America Employment Law Issue*, 2021
- *Best Lawyers® Lawyer of the Year*, Employment Law-Management, Minneapolis, 2021
- *Legal Leaders*, Woman Leader in the Law, 2018
- Dorsey & Whitney, Scales of Justice Award, 2014
- Dorsey Partner of the Year Award, 2014

Select Presentations

- Frequent speaker on variety of employment law topics including retaliation, constructive discharge, discipline and discharge, sexual harassment.
 - "Annual Construction Symposium," Dorsey & Whitney, May 2018
 - #youtoo: Why the Construction Industry Needs to Focus on Sexual Harassment
 - "Disciplining and Discharging the Problem Employee – Multiple Case Studies," 2014 Upper Midwest Employment Law Institute, May 2014
 - "Discovery Wars: A View From the Trenches and Above," 2014 Upper Midwest Employment Law Institute, May 2014
 - "L&E Review & Preview: A Look Back at 2013 and a Look Ahead to 2014," Dorsey U, February 2014
 - "Annual Civil Litigator Short Course," Minnesota CLE, January 2014
 - "Problem Employees," Minnesota CLE, August 2013
 - "Salespeople – Can't Live With Them – Can't Live Without Them," 2012 Upper Midwest Employment Law Institute, May 2012
 - "How to Discipline & Discharge Without Disaster," 2012 Upper Midwest Employment Law Institute, May 2012
 - "Finding the (Legal) Tipping Point – How Discipline and Discharge Decisions Play Out in the Courtroom," 2011 Upper Midwest Employment Law Institute, May 2011
 - "Hindsight is 20/20: Ten Steps Every Employer Should Take When Making Discipline and Discharge Decisions," Dorsey Employment Law Seminar, April 2011
 - "*Kidwell v. Sybaritic* – Inside Counsel Whistleblower and Ethics Issues," Dorsey U, August 2010
 - "View from the Top: Best Practices in Helping Women Advance in the Legal Profession and Why it Should Matter to Everyone," Dorsey U, June 2010

Publications

- Co-Author (Chapter 7) of *The Federal District of Minnesota Civil Practice Deskbook*, Minnesota CLE (2014)
- Co-Author (Chapter 7) of *The FMLA Handbook*, Minnesota CLE, Inc. (2012)
- Co-Author (Chapter 6) of *Discipline and Discharge Handbook*, Minnesota CLE, Inc. (2010) (updated 2014)

Insights

January 20, 2026

DOJ Sues Minnesota Over Affirmative Action, Certifies Case for Early SCOTUS

Fight on Title VII Precedent

February 10, 2025

What Companies and Higher Education Institutions Need to Know Regarding DOJ's New Memoranda to Enforce the Administration's Directive to "End Illegal DEI" Practices and for the "Total Elimination of Cartels and Transnational Criminal Organizations"

February 13, 2024

Protecting the Protectors: In Murray v. UBS, the U.S. Supreme Court Articulates the New Standard for SOX Whistleblower Claims

February 2, 2023

2023 Equal Employment Opportunity Trends in Litigation and Enforcement

February 28, 2022

New York City's Wage Transparency Law Requires Salary Ranges to be included in Job Advertisements

January 28, 2022

Expansive New Whistleblower Protections for New York Employees and Independent Contractors Take Effect This Week

April 26, 2021

Dorsey Partner Melissa Raphan Predicts Uptick in Post-Pandemic Litigation

February 11, 2021

Dorsey Partner Melissa Raphan Discusses When is a Employee Handbook Binding

February 4, 2021

Employee Handbooks (and Policies): Make Sure that the Policies and Disclaimer Accomplish their Purpose

December 23, 2020

Mandating COVID-19 Vaccinations in the Workplace: Practical Considerations for Employers

August 2018

How to Handle a #MeToo Moment: Legal, Language and Cultural Tips

May 21, 2018

U.S. Supreme Court Affirms (Again) the Validity of Class Action Waivers In Employment Arbitration Agreements

April 27, 2018

Dorsey Partner Melissa Raphan Comments on Bill that Lowers the Bar for Sex Harassment

February 27, 2018

Dorsey Partner Melissa Raphan Remarks on Whistleblowers' Protection

January 17, 2018

**Employers Beware: Tax Law Change Eliminates Tax Deductions Relating to
Certain Settlements**