

# Ryan E. Mick

## Partner

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Dorsey's clients take compliance seriously, and Ryan helps them achieve that objective. If litigation is necessary despite our clients' best efforts, Ryan is honored to defend them.

For more than two decades, Ryan has counseled corporate clients and HR professionals on non-competition, non-solicitation and other restrictive covenants; employee and independent contractor classification issues; hiring, discipline and termination matters; wage & hour issues; executive employment agreements; compensation plans; reductions in force; employee investigations; and human resources policies and practices.

Known for combining practical wisdom and an emphasis on efficiency with a vigorous approach to litigation, Ryan also has a successful track record of defending employers in complex and single plaintiff cases in federal and state courts, and arbitration. His litigation practice involves defense of high-stakes individual discrimination and retaliation claims; claims involving non-competition, non-solicitation, and confidentiality agreements; federal and state wage and hour actions; and cases involving claims for breach of employment contracts and fiduciary duties. He has extensive experience representing clients in class and collective actions, as well as in appellate proceedings.

Ryan brings his expertise to bear for clients in many industries, including banks, food and agribusiness companies, technology companies, telecommunications companies, financial service firms, medical providers, manufacturers, distributors and retailers. Ryan also serves as a lobbyist for Minnesota employers through the Minnesota Employment Law Council.

## Select Experience

- Successfully defended Abbott in lawsuit by former sales executive alleging age and gender discrimination and retaliation. (*Ramsey County, Minnesota, 2023*)
- Defended Radisson Hotels in lawsuit by former human resources executive alleging violation of the Minnesota Whistleblower Act and constructive discharge. (*Hennepin*

## Education

- University of Iowa College of Law (J.D., 2001)
  - With Highest Distinction; Order of the Coif; Executive Editor, *Iowa Law Review*, Vol. 86
- Luther College (B.A., Major: Political Science; Minors: Economics, Communication, 1998)
  - *summa cum laude*, Phi Beta Kappa

## Bar Admissions

- Minnesota
- Iowa

*County, Minnesota, 2022)*

- Represented international logistics company in U.S. Department of Labor investigation involving class-based regular rate, unpaid overtime and joint employer allegations. (*U.S. Department of Labor, 2022*)
- Defended Ameriprise Financial Services in California PAGA lawsuit claiming franchisee Financial Advisors were misclassified as independent contractors under the California Labor Code. Plaintiff challenged the constitutionality of the “investment advisor” exemption to the “ABC test” under AB-5, raising multiple novel questions under California law, including whether Ameriprise had constitutional standing to defend the constitutional validity of Labor Code provisions, whether Plaintiff had authority to maintain a constitutional challenge to the Labor Code in his capacity as a PAGA plaintiff, and whether the legislature’s exemptions to the ABC test, and the retroactivity of those exemptions under AB-5, withstood rational basis scrutiny. Motion for summary adjudication granted, after which Plaintiff dismissed the case. *Quinn v. Ameriprise Financial Services, Inc., (Alameda County Superior Court, 2021)*

## Court Admissions

- U.S. Court of Appeals for the Eighth Circuit
- U.S. District Court for the District of Minnesota
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the District of Colorado

## Professional Affiliations

- Member, Minnesota State Bar Association and MSBA Labor & Employment Law section
- Member, Hennepin County Bar Association and the HCBA Labor & Employment section
- Member, Iowa State Bar Association
- Board of Directors, Feed My Starving Children

## Clerkships

- U.S. Court of Appeals for the Eighth Circuit, Honorable Donald P. Lay, 2001–2002

## Accolades

- *Chambers USA*, Labor & Employment, Minnesota, 2018-2026
- *Best Lawyers in America*®, 2018-2026
- *Minnesota Super Lawyers*®, 2020-2026
- *Minnesota Monthly*, "Top Lawyers in Minnesota," 2024, 2026
- Consistently providing pro bono legal assistance to those in need through Dorsey’s Pro Bono program
- MSBA, North Star Lawyer, 2013, 2020-2025
- *Benchmark Litigation*, "Labor & Employment Star – Minnesota", 2021-2022
- *Best Lawyers in America Employment Law Issue*, 2021
- *Chambers USA*, "Up and Coming," Labor & Employment, 2015-2017
- *Minnesota Super Lawyers*, "Rising Star", 2011-2016

## Additional Information

## Select Book Chapters

- *Contacting References*, MinnCLE Job Applicant Screening: A Practice Guide (2014)
- *Independent Contractors*, MinnCLE The Ongoing Business Deskbook (2012)
- *To Pay Or Not To Pay: Identifying and Counting Compensable Work Time Under Wage & Hour Laws*, MinnCLE Wage and Hour Handbook: Federal and Minnesota (2011)

## Select Presentations

- "Compensable Work Time Under the FLSA and State Wage and Hour Laws," Federal and Minnesota Wage and Hour Law, Minnesota CLE, August 15, 2023
- "2018 Wage and Hour Update: Trending Topics and Challenges," Labor and Employment Symposium, Dorsey & Whitney, May 7, 2018
- "Annual Construction Symposium," Dorsey & Whitney, May 2018
- #youtoo: Why the Construction Industry Needs to Focus on Sexual Harassment
- "The First Year: Answering Client Questions About the Impact of the New Administration – Employment Law," Minnesota CLE, January 23, 2018
- "The First 100 Days: Answering Client Questions about the Impact of the New Administration," Minnesota CLE, May 3, 2017
- "Independent Contractors – Risks, Benefits & Best Practices," Minnesota CLE, February 2017
- "Labor & Employment Challenges for Farmer Cooperatives," NCFC Annual Conference, February 2017
- "The Evolving World of Employee Leave: How States and Cities are Filling the Gaps Left by the FMLA," MinnCLE webinar, July 8, 2016
- "Who Is the Employer?: Dealing With Misclassification and Co-Employment Risks In the Modern Workplace," Crossroads HR Conference, Salt Lake City, UT, September 22, 2015
- "Hiring Processes and Employment Policies," Best Practices for Protecting Our Children Conference, Shattuck St. Mary's School, Faribault, MN, September 15, 2015
- "The Perils of Multistate Employment: Avoiding State Law Wage & Hour Traps In California and Beyond," 2015 Upper Midwest Employment Law Institute, May 2015
- "Independent Contractor or Employee? Warning Signs and Best Practices to Avoid Misclassification," MinnCLE *Representing the Ongoing Business* CLE, January 2015
- "Employment Law Series: How to Respond to the New Minnesota Women's Economic Security Act," MinnCLE webinar, October 2014
- "FLSA Emerging Trends, Cases and Analysis," panel participant, 2014 Upper Midwest Employment Law Institute, May 2014
- "Independent Contractor or Employee? Warning Signs and Best Practices to Avoid Misclassification," MinnCLE *Closely Held Business* CLE, October 2013
- "Case Studies – The Jokerster, the Gossip, the Bad Attitude: How To Move A Difficult Employee From Problematic To Productive," panel moderator, MinnCLE, August 2013
- "Employment Law Series: FLSA Claims – Settlement and Release Considerations," MinnCLE webinar, October 2012
- "Independent Contractor or Employee? Warning Signs and Best Practices to Avoid Misclassification," MinnCLE *Representing the Ongoing Business* CLE, October 2012
- "The Contingent Workforce and Alternate Staffing Models – In House Counsel Perspectives," panel moderator, 2012 Upper Midwest Employment Law Institute, May 2012

- “Are They Really Independent Contractors? Enforcement Trends and Best Practices to Avoid Misclassification,” 2012 Upper Midwest Employment Law Institute, May 2012
- “To Pay Or Not To Pay: Identifying and Counting Compensable Work Time Under Wage & Hour Laws,” MinnCLE Wage & Hour program, March 2012

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## Insights

April 25, 2024

**FTC Prohibits Noncompete Agreements; Business Groups Sue**

June 1, 2023

**A New World For Minnesota Employers: Minnesota Concludes Legislative Session and New Requirements for Employers Abound**

May 17, 2023

**Minnesota Has Banned Most Non-compete Agreements; It Could Have Been Worse**

February 22, 2023

**Dorsey Partner Ryan Mick Comments on the Supreme Court’s Ruling on Salary Requirement for Overtime Exemption**

October 6, 2021

**FAR Council Issues Guidance to Federal Contractors and Subcontracts Related to Mandatory Vaccination of Certain Employees**

May 17, 2021

**Saying Goodbye to Mask Mandates – Practical Tips for Employers**

March 12, 2021

**Minnesota Gov. Tim Walz Issues Executive Order Paving the Way for Employees to Return to the Office**

January 4, 2021

**Congress Extends the FFCRA’s Payroll-Tax Credit for Employers (but not the Paid-Leave Obligation!)**

November 12, 2020

**Can I please go to work yet?**

April 3, 2020

**DOL Temporary Rule on the FFCRA: Additional Changes and Clarifications**

March 27, 2020

**The Families First Coronavirus Response Act: Twenty (Or So) Questions With Dorsey’s Labor and Employment Team**

May 22, 2019

**Dorsey Partner Ryan Mick Comments on DOL Overtime Rule**

April 25, 2019

**Dorsey Partner Ryan Mick Remarks on DOL Overtime Exemption**

March 8, 2019

**Dorsey Partner Ryan Mick Comments on Department Labor OT Proposal**

November 12, 2018

**Dorsey Partner Ryan Mick Remarks on Revived DOL Guidance Tip Credit**