

SEAN A. MONSON

*Employment & Labor Chair
Shareholder*

BIOGRAPHY

Sean A. Monson is the current department chair of Parsons' Employment & Labor practice group. He focuses his practice in employment counseling and litigation and real estate litigation and transactions. He has represented several large and small Utah businesses in litigation matters involving claims for wrongful termination, discrimination, covenants not to compete, WARN Act disputes, OSHA infractions, and labor disputes. He has represented title companies, businesses and individuals in real property transactions and litigation matters involving boundary, ownership, title insurance and priority of interest lawsuits. He has also represented companies in multimillion dollar real estate purchase and sale transactions as well as lending, development, and leasing agreements. He has appeared before planning commissions and city councils on behalf of real estate developers regarding entitlement and zoning disputes throughout the Wasatch Front. He is the current chair of the Bountiful City planning commission.

ACCOMPLISHMENTS

Academic

University of Michigan Law School (J.D., 1995)
Brigham Young University (B.A., summa cum laude, 1992)

Professional

Recognized as member of Utah's Legal Elite by Utah business magazine for multiple years.

ASSOCIATIONS

Professional

Chair, Real Estate Section of the Utah State Bar
Member, Executive Committee, Litigation Section of the Utah State Bar

Community

Member of Board of Directors, Davis County Citizens Committee Against Violence
Volunteer, Davis County Attorney's Office Protective Order Project



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PRACTICE AREAS

Employment and Labor
Real Estate
Litigation, Trials and Appeals
Construction & Design
COVID-19 Response Team

LICENSED/ADMITTED

Utah

PRESENTATIONS

Co-Presenter: “The Coronavirus ‘Response Act’ – COVID-19 Relief and Tax Benefit Opportunities in 2021,” Parsons Behle & Latimer Virtual CLE (January 14, 2021)

Co-Presenter: “Trends in Employment Law Cases Related to COVID-19,” 32nd Annual Parsons Behle & Latimer Employment Law Seminar - Virtual (November 10, 2020)

“Independent Contractor vs. Employee: The Devil’s Bargain,” 32nd Annual Parsons Behle & Latimer Employment Law Seminar - Virtual (November 10, 2020)

Co-presenter: “PPP Loans: The Cares Act & Flexibility Act - What We Know to Date About Loan Forgiveness,” Webcast with First Utah Bank and Tanner Company (July 14, 2020)

Co-presenter: “Strategies on Acing the SBA’s New PPP Loan Forgiveness Application,” Parsons Behle & Latimer Webinar (May 20, 2020)

May 20, 2020 Co-presenter: “Back in Business: Information Every Idaho Employer Should Know,” Human Resource Association of Treasure Valley (May 13, 2020)

Co-presenter: “COVID-19: Returning to Work,” Generals’ Club (May 13, 2020)

Co-presenter: “What Every Employer Should Know Before Resuming Business in Utah,” Visit Salt Lake (May 12, 2020)

Co-presenter: “Back in Business: Information Every Idaho Employer Should Know,” Idaho Technology Council (May 11, 2020)

Co-presenter: “Reopening Utah’s Restaurants: What Owners Need to Know,” Salt Lake Area Restaurant Association (May 7, 2020)

Co-presenter: “Idaho’s Stay Healthy Order: What Employers Should Know for a Successful Transition,” Idaho Restaurant, Lodging and Retailers Associations (May 6, 2020)

Co-presenter: “Employer Considerations to Successfully Reopen a Business,” South Valley Chamber (May 5, 2020)

Co-presenter: “Employer Considerations to Successfully Reopen a Business,” Parsons Behle & Latimer Webinar (April 29, 2020)

Co-presenter: “Reopening Your Business: Meeting Opportunities and Challenges to Come Back Stronger,” Webcast with First Utah Bank, Traeger Grills and Parsons Behle & Latimer (April 28, 2020)

Co-presenter: “CARES Act and Families First Coronavirus Response Act - What the Acts Means to Your Business and How to Respond,” Family-Owned Business Alliance Webinar (FOBA) (April 2, 2020)

Co-presenter: “Families First Coronavirus Response Act,” Webinar - WTC Utah (March 27, 2020)

Co-presenter: “Families First Coronavirus Response Act,” Parsons Behle & Latimer Webinar (March 23, 2020)

“Employment Basics for Small Businesses and Start Ups,” Utah SHRM Crossroads Conference, Layton, Utah, September 25, 2019

“Employment Basics for Small Businesses and Start Ups,” Parsons Behle & Latimer Utah County Employment Law Seminar, Lehi, Utah, August 28, 2019

“Employment Basics for Small Businesses and Start Ups,” Parsons Behle & Latimer 31st Annual Employment Law Seminar, Salt Lake City, Utah, May 22, 2019

“Fitness for Duty: The ADA and Beyond,” Parsons Behle & Latimer Idaho Employment Law Seminar, Boise, Idaho, October 9, 2018

“Fitness for Duty: The ADA and Beyond,” Parsons Behle & Latimer 30th Annual Employment Law Seminar, Salt Lake City, Utah, May 22, 2018

“Pigs Get Fat, Hogs Get Slaughtered: Detecting and Disclosing Mortgage Fraud,” Stewart Title Guaranty Company, Provo Utah, September 19, 2008

“Resolving Real Estate Title Defects, Salt Lake City,” Utah, June 3, 2008

- “Fundamentals of Real Estate Development,” Sterling Education Services, Salt Lake City, December 6, 2007
- “Basic Commercial Real Estate Transactions,” Utah Bar Association, Fall Forum, Salt Lake City, Utah, November 16, 2007
- “The Duties and Liabilities of Escrow Agents,” Utah Land Title Association Mid-Year Mid-Year Convention, Salt Lake City, Utah, November 2, 2007
- “The Duties and Liabilities of Escrow Agents,” Utah Land Title Association Annual Convention, Midway, Utah, July 15, 2006
- “The Duties and Liabilities of Escrow Agents,” Utah Land Title Association, Salt Lake City, Utah, March 3, 2006
- “The Duties and Liabilities of Escrow Agents,” Utah State Bar Real Estate Section, Salt Lake City, Utah, February 16, 2006
- “Title Examination in Utah,” Salt Lake City, Utah, January 25, 2006
- “How to Obtain Good Title in Utah,” National Business Institute, Salt Lake City, Utah, December 15, 2005
- “Fitness for Duty: Navigating the Legal Maze and the FMLA,” 27th Annual Utah Fall Conference on Substance Abuse, September 28, 2005, Layton, Utah
- “Payroll Basics in Utah, Lorman Education Services,” August 12, 2005, Salt Lake City, Utah
- “Fitness for Duty: Navigating the Legal Maze and the FMLA,” University of Utah School on Alcoholism and Other Drug Dependencies 54th Annual Session, June 23, 2005, Salt Lake City, Utah
- “The Duties and Liabilities of Escrow Agents,” Utah Land Title Association, Capitol Region, March 8, 2005
- “Nuts and Bolts Workshop on Real Property,” Utah State Bar, Salt Lake City, Utah, January 20, 2005
- “Closing the Deal: How to Succeed at Real Estate Transactions in Utah,” National Business Institute, Salt Lake City, Utah, January 18, 2005
- “The Four Mistakes Clients Make With Their Employees,” Bonneville Exchange Club, January 12, 2005, Salt Lake City, Utah
- “Advanced Principles of Title Insurance in Utah,” National Business Institute, October 11, 2004, Salt Lake City, Utah
- “Conducting Escrow Activities,” Stewart Title Guaranty Company, September 10, 2004, Provo, Utah
- “Fitness for Duty: Navigating the Legal Maze,” University of Utah School on Alcoholism and Other Drug Dependencies 53rd Annual Session, June 23, 2004, Salt Lake City, Utah
- “Title Examination in Utah,” Lorman Education Services, September 12, 2003, Salt Lake City, Utah
- “Mastering Real Estate Titles and Title Insurance in Utah,” National Business Institute, August 5, 2003, Salt Lake City, Utah
- “Selecting and Terminating Employees in Utah,” National Business Institute, May 1, 2003, Salt Lake City, Utah
- “Counseling the Small Business Client in Utah,” National Business Institute, June 27, 2002, Salt Lake City, Utah
- “Employment Law Update,” Sterling Education Services, LLC, August 29, 2002, Salt Lake City, Utah
- “Payroll Basics in Utah,” Lorman Education Services, April 3, 2002, Salt Lake City, Utah
- “Selecting and Terminating Employees in Utah,” National Business Institute, August 28, 2001, Salt Lake City, Utah
- “Title Examination in Utah,” Lorman Education Services, March 15, 2001, Salt Lake City, Utah
- “Religious Discrimination,” Bridgerland Chapter of the Society of Human Management's Second Annual HR Legal Seminar, April 17, 1997, Logan, Utah

PUBLICATIONS

Co-author: “New COVID Relief Statute: Second Round of PPP Loans, Extension of FFCRA Leave Rights, and Tax Code Changes,” Parsons Behle & Latimer COVID-19 Response Resources, December 23, 2020

“Dealing With ‘Remote’ Teleworking Employees: Best Practices for Teleworking,” Parsons Behle & Latimer COVID-19 Response Resources, September 15, 2020

“Treasury Department Clarifies Payroll Tax Deferral Executive Order,” Parsons Behle & Latimer COVID-19 Response Resources, September 9, 2020

“A Portion of Payroll Taxes May Be Deferred for the Vast Majority of Workers Beginning Sept. 1, 2020, and Continuing Through Dec. 31, 2020,” Parsons Behle & Latimer COVID-19 Response Resources, August 29, 2020

Co-Author: “Supreme Court Limits Protections for Employees Working for Religious Schools,” Parsons Behle & Latimer COVID-19 Response Resources, July 14, 2020

Co-Author: “Salt Lake County Extends Face Covering Order to Aug. 20, 2020,” Parsons Behle & Latimer COVID-19 Response Resources, July 7, 2020

Co-Author: “Salt Lake County and Summit County Require Individuals to Wear Face Coverings,” Parsons Behle & Latimer COVID-19 Response Resources, July 1, 2020

Co-author: “Looking Forward: How to Manage Your Workforce in 2020 and Beyond,” Parsons Behle & Latimer COVID-19 Response Resources, June 30, 2020

“Title VII Covers LGBTQ Employees,” Parsons Behle & Latimer Employment Update, June 30, 2020

Co-author: “PPP Loan Program Modified – More Time to Spend, Fewer Restrictions on Spending,” Parsons Behle & Latimer COVID-19 Response Resources, June 5, 2020

Co-author: “Strategies on Acing the SBA’s New PPP Loan Forgiveness Application,” Parsons Behle & Latimer COVID-19 Response Resources, May 18, 2020

Co-author: “What to do With Employees at High Risk for Serious COVID-19 Illness: The ADA and Return to Work,” Parsons Behle & Latimer COVID-19 Response Resources, May 12, 2020

Co-author: “Liabilities When Reopening: Steps to Minimizing the Risks,” Parsons Behle & Latimer COVID-19 Response Resources, April 28, 2020

Co-author: “Re-Opening for Business: Employers Should Begin Planning Now,” Parsons Behle & Latimer COVID-19 Response Resources, April 14, 2020

“You’ve Had a Chance to Catch Your Breath, Now What? Five Things Employers Should be Thinking About Right Now,” Parsons Behle & Latimer COVID-19 Response Resources, April 9, 2020

Co-author: “CARES Act PPP Loans Interim Final Rule Released,” Parsons Behle & Latimer COVID-19 Response Resources, April 3, 2020

“Response Act Poster, Leave Policies and Shelter in Place Notices,” Parsons Behle & Latimer COVID-19 Response Resources, March 30, 2020

Co-author: “Additional Guidance From the Department of Labor Including the Frequently Asked Question: “What is the ‘Small Business Exemption’ Under the Families First Coronavirus Response Act?”” Parsons Behle & Latimer COVID-19 Response Resources, March 30, 2020

Co-author: “Emerging Questions For Employers Under The Families First Coronavirus Response Act And Other Coronavirus Employment Issues,” Parsons Behle & Latimer COVID-19 Response Resources, March 24, 2020

Co-author: “Covid-19 Leave and Sick Pay Statute Enacted,” Parsons Behle & Latimer COVID-19 Response Resources, March 19, 2020

Co-author: “Covid-19, Family Medical Leave Act and Paid Time Off – Employer Questions Answered,” Parsons Behle & Latimer COVID-19 Response Resources, March 17, 2020

“EEOC Reverses Course Regarding the Ministerial Exception in Employment Discrimination Cases,” Parsons Behle & Latimer Legal Briefings, February 27, 2020

“The Utah Supreme Court Delivers a Haymaker to the Implied Covenant of Good Faith and Fair Dealing in Employment Cases,” Parsons Behle & Latimer Legal Briefings, December 18, 2019

Co-author: “Federal Government Raises Threshold Salary for Employees to Qualify for Exempt Status,” Parsons Behle & Latimer Employment Law Alert, October 3, 2019

“Dynamex Decision Codified – California is a Land of Employees, Not Independent Contractors,” Parsons Behle & Latimer Legal Briefings, September 27, 2019

Co-author: “Waving Goodbye to a Great Defense: Don’t Do It,” Parsons Behle & Latimer Legal Briefings, June 26, 2019

“An Escrow Agent’s Duty to Disclose Fraud,” Parsons Behle & Latimer Legal Briefings, May 31, 2019

“Proper Inquiries to Job Applicants,” Parsons Behle & Latimer Legal Briefings, May 31, 2019

“2019 Utah Legislative Update – Dodging A Bullet,” Parsons Behle & Latimer Legal Briefings, March 22, 2019

“Employment Practices Liability Insurance – Is it Worth It?” Parsons Behle & Latimer Legal Briefings, February 27, 2019

“Commute Time in Company Vehicles: Don’t Work and Drive,” Parsons Behle & Latimer Legal Briefings, January 23, 2019

“Beware of the Independent Contractor Trap,” Parsons Behle & Latimer Legal Briefings, December 6, 2018

“Changes to Tax Deduction Rules in Sexual Harassment Settlements,” Parsons Behle & Latimer Legal Briefings, November 7, 2018

“The Twisting Path of Personal Liability Under the Utah Payment of Wages Act,” Parsons Behle & Latimer Legal Briefings, November 7, 2018

REPRESENTATIVE MATTERS

Represented foreign bitcoin mining company in recovering cryptocurrency and company assets.

Reduced wage penalty under FLSA audit.

Successfully defended against wrongful termination claim claiming damages of several millions of dollars.

Successfully defended against claims for discrimination.

Obtained significant concessions for zoning request.

Successfully completed sale of large office buildings.

Successfully obtained title insurance coverage for client.

REPRESENTATIVE DECISIONS

Myler v. Blackstone, 2014 UT App 187

Beddoes v. Giffin, 158 P.3d 1102 (Utah 2007)

Taylor v. Smith's Food & Drug Centers, Inc., 2005 U.S. App. LEXIS 3298 (10th Cir. 2005)

Kourianos v. Smith's Food & Drug Centers, Inc., 65 Fed. Appx. 238 (10th Cir. 2003)

St. Jeor v. Patterson Dental Supply, Inc., 19 Fed. Appx. 803 (10th Cir. 2001)

Jones v. TCI Cablevision of Utah, Inc., 2000 U.S. App. LEXIS 18670 (10th Cir. 2000)

Bodell Construction Company v. Stewart Title Guaranty Company, 945 P.2d 119 (Utah Ct. App. 1997)