RAY QUINNEY & NEBEKER | 80 YEARS 1940-2020



Scott A. Hagen

Shareholder

801-323-3328
shagen@rqn.com

Practice Areas

Alternative Dispute Resolution
Employment and Labor Law and Litigation
Healthcare Law
Litigation
Class & Collective Action Litigation

Scott A. Hagen is the Chair of the Firm's Healthcare Law Section and former Chair of the Employment and Labor Section. His practice includes healthcare law, labor relations, employment litigation, employee benefits (ERISA) litigation, and representation of clients before administrative agencies. Mr. Hagen has advised healthcare clients regarding the application of federal and state regulations and represented them in litigation. He has also represented management in collective bargaining, labor arbitrations, unfair labor practice charges, representation elections, collective bargaining, state court injunctions regarding improper picketing, and hybrid lawsuits alleging breach of a collective bargaining agreement and breach of the fair duty of representation.

Mr. Hagen also has experience in employment discrimination, wrongful termination, wage disputes, employment-related tort actions (such as defamation claims and claims of intentional infliction of emotional distress), sexual harassment, class actions, and OSHA citations. In addition, Mr. Hagen has significant experience in enforcing employment-related covenants-not-to-compete through securing injunctive relief, as well as the defense of such actions.

Mr. Hagen has defended numerous claims brought under the Employee Retirement Income Security Act of 1974 (ERISA). His cases have involved claims for benefits, wrongful discharge in retaliation for exercising rights under the Act, breach of fiduciary duty, and violation of ERISA disclosure duties. Mr. Hagen has also represented clients in audits conducted by the Pension and Welfare Benefits Administration of the U.S. Department of Labor and litigation involving the federal Pension Benefit Guaranty Corporation.

EDUCATION

University of Utah, J.D., 1986

- Order of the Coif
- Symposium Editor, UTAH LAW REVIEW

University of Utah, B.A., Economics, 1983

- magna cum laude
- Phi Beta Kappa

PROFESSIONAL EXPERIENCE

- Navy Judge Advocate General's Corps., October 1986 - January 1991
- Special Ass't U.S. Attorney, 1990

ADMITTED TO PRACTICE

- United States Supreme Court
- United States Court of Appeals, Tenth Circuit
- United States District Court, District of Utah
- United States Court of Military Appeals
- Utah Supreme Court
- Utah State Bar

AFFILIATIONS / MEMBERSHIPS

- Salt Lake County Bar Association, Executive Committee, 1996-2003 (President, 2001-2002)
- Federal Bar Association Executive Committee (2003-2007)

PROFESSIONAL AND CIVIC ACTIVITY

- Board Member, University of Utah Alumni Association
- Board Member, Juvenile Diabetes Research Foundation Utah Chapter, 2000-2006, Major Donor Committee, 2005-present
- Foothill Baseball Association (youth baseball), Executive Board (2002-2010), President (2008-2010), Coach (2004-2009).

PUBLICATIONS / PRESENTATIONS

- Presenter, RQN Tax & Business Seminar - What You Should Know About Labor and Employment Law, November 2023
- Article, "Physicians and Labor Law," Utah Physicians Magazine, Feb/March 2023
- Article, "The CMS Vaccine Mandate," Utah Physicians Magazine, Feb/March 2022
- Presenter, RQN Tax & Business Seminar - Vaccine and Mask Mandates and other COVID Issues, October 2021
- Article, "Thoughts on Physician Agreements," Utah Physician Magazine, February/March 2021
- Speaker, Dealing with Problem Physicians, RQ&N Healthcare Seminar, October 12, 2017
- Speaker, Application of the National Labor Relations Act in the Workplace, National Business Institute, June 13, 2017
- Speaker, Preparing for Voir Dire, National Business Institute, August 20, 2015
- Speaker, Recent Developments in Labor & Employment Law, Federal Law Symposium, May 8, 2015
- Speaker, Testimony Tactics, Representing Your Client in Federal Court, National Business Institute, April 29, 2014
- Article, Notes on the Enforcement of Restrictive Covenants in Employment Agreements, The Salt Lake Enterprise, March 17, 2014
- Article, Enforcement of Restrictive Covenants in Physician Employments/Partnership Agreements, Utah Physician Magazine, February/March 2014
- Presenter, "Enforceability and Use of Restrictive Covenants: Non-Compete, Non-Solicit, and Non-Disclosure Agreements," 2013 Salt Lake SHRM Employment Law Seminar
- Presenter, "Employee Use of Social Media and At-Will Employment: Recent Key Issues Under the NLRA," 2013 Salt Lake SHRM Employment Law Seminar
- Labor and Employment Law Update, Federal Bar Association, Utah Chapter, October 2009, St. George, Utah and March 2010, St. George, Utah
- Article, ERISA Standards of Review and the Administrator's Conflict of Interest, Utah Bar Journal, September/October 2005
- Article, Sarbanes-Oxley: Managers Can Be Held Criminally Liable for "Retaliating" Against "Whistleblowers," Utah Business Magazine, May 2005

- Stress and Mental Disorder: New Responsibilities for Employers Under the ADA
- Employee Wage Discussions: Let Them Talk
- Employee or Independent Contractor
- Violence In The Workplace: What Every Employer Should Know
- Sexual Harassment Update, Utah State Bar Mid-Year Meeting
- Sexual Harassment in the Workplace
- Moderator, Personnel Law Update 1998, Council on Education in Management, May 5, 1998
- Moderator, Personnel Law Update 1998, Council on Education in Management, November 2, 1998