



Principal, Denver

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Practices

- National Compliance and Multi-State Solutions
- Affirmative Action, OFCCP and Government Contract Compliance
- Pay Equity
- Artificial Intelligence & Automation
- Higher Education
- Corporate Diversity Counseling
- Workplace Training
- Technology

Education

- American University Washington College of Law, J.D. 1998
- Michigan State University James Madison College, B.A. 1993

Admitted to Practice

- Colorado 2013
- Maryland 1998

Michelle Duncan is a principal in the Denver, Colorado, office of Jackson Lewis P.C. With over 26 years of employment law experience, Michelle is a seasoned and pragmatic attorney who counsels employers on real-world compliance issues. On a daily basis, Michelle helps employers tackle topics such as the use and validation of pre-employment tests, compliance with emerging artificial intelligence laws, how to evaluate and mitigate risks related to hiring, and compliance with federal EEO, affirmative action and non-discrimination laws. Michelle also routinely provides guidance to employers on their compensation practices and directs proactive EEO pay analyses for all types of employers including institutions of higher education.

Michelle is a sought-after speaker on topics including artificial intelligence, the use (and misuse) of statistics in employment discrimination matters, EEO pay analyses, and how to effectively manage audits or investigations by DOL agencies. Michelle has a unique ability to present complex topics in a way that appeals to a variety of audiences from hourly employees to the “C-suite.”

Michelle began her legal career as a trial attorney with the U.S. Department of Labor (DOL) where, over the course of nearly 14 years, she litigated some of DOL’s most complex cases. Michelle handled all aspects of litigation in federal court and before administrative tribunals related to the many laws enforced by DOL agencies including OFCCP, the Wage and Hour Division, and OSHA. She also defended the DOL against claims of discrimination brought by federal employees before EEOC and the MSPB. This unique “insider” experience enables her to provide both strategic and practical advice to Jackson Lewis clients.

Honors and Recognitions

- *The Best Lawyers in America*®, “Employment Law – Management” (2025)

Speeches

- “What a Difference an Election Makes: EEOC and OFCCP Practitioner Update,” SIOP Annual Conference (April 2025)
- “The Times They are A-Changin’ - Colorado’s AI Act,” SIOP Annual Conference (April 2025)
- “Take 5: Aggressive Immigration Enforcement: What Employers Need to Know,” Institute for Workplace Equality Podcast (March 2025)
- “DEI: Navigating the Current Landscape of Risk,” Michigan ILG (March 2025)
- “Lifting the Veil on Colorado’s AI Act,” Jackson Lewis Podcast (October 2024)
- “Using Artificial Intelligence in Employment Decisions,” Southern CA ILG Summit (October 2024)
- “Colorado AI Act,” Colorado ILG (September 2024)
- “AI Has Landed in HR,” San Antonio ILG (September 2024)
- “Top 10 DOL Audit Debacles,” National ILG Conference (July 2024)

- “The Uniform Guidelines on Trial: Can They Meet the Challenge of Evaluating Artificial Intelligence?” National ILG Conference (July 2024)
- “What Will a Trump Administration Mean for Federal Contractors,” North Texas ILG (July 2024)
- “Pay Equity is Complicated,” North Texas ILG (July 2024)
- “Federal Approach to Regulating AI,” Institute for Workplace Equality Annual Conference (May 2024)
- “OFCCP and Compensation Analyses,” Institute for Workplace Equality Annual Conference (May 2024)
- “State Artificial Intelligence Laws,” Institute for Workplace Equality Annual Conference (May 2024)
- “Affirmative Action and EEO Law,” AAAED Professional Training and Development Institute (ongoing, biannual course)
- “EEOC/OFCCP Practitioners: Biden or Trump 2.0? What to Expect in an Election Year.” SIOP Annual Conference (April 2024)
- “Ignite Session: Supreme Court’s decision in SFFA v. Harvard and UNC,” SIOP Annual Conference (April 2024)
- “Looking Under the Hood 3.0: Tuning Up Practitioner Relationships in the AI Era,” SIOP Annual Conference (April 2024)
- “Adverse Impact, EEO Statistical Disparities, and OFCCP Compensation Basics,” Institute for Workplace Equality (March 2024)
- “The Year Ahead 2024: Technology/AI,” Jackson Lewis Podcast (January 2024)