

NIKKIYA BRANCH PENSON, ESQ.

DEPUTY GENERAL COUNSEL



313.815.6341



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Lathrup Village, MI

EXECUTIVE SUMMARY

Multifaceted Deputy General Counsel with experience in municipal, labor and employment, commercial, construction and personal injury law. I possess a **comprehensive background in leading high performing teams, serving as a trusted legal advisor to executives and boards, serving as first chair in litigation, and creating policies that mitigate risk and improve employee retention/engagement.**

My proven leadership, analytical, problem-solving and communication skills will validate my qualifications for this professional opportunity.

EXPERTISE

- Risk Management
- Regulatory Compliance
- Contract Negotiations
- Budget Administration
- Public Administration
- Policy Development
- Labor Relations
- Municipal Law
- Business Law
- Employment Law
- Personal Injury Law
- Team Leadership
- Performance Management
- Legal Research
- Public Policy & Advocacy
- Social Action
- Community Outreach

PROFESSIONAL EXPERIENCE

Deputy General Counsel

Detroit Water and Sewerage Department (DWSD), Detroit, MI | November 2017 – Present

- **Strategically lead and direct the legal operations of one of the nation's largest municipal owned water utilities; trusted legal advisor to 30-40 business partners** across the Human Resources (HR), Operations, Engineering, Procurement, Customer Service and Finance departments, with a strong emphasis on leading employment related compliance and strategies.
- **Oversee key areas such as litigation, risk management, law interpretation, policy development, contract interpretation and drafting, ensuring compliance with local, state and federal laws including the Family Medical Leave Act, the Fair Labor Standard Act, Workers Compensation laws, the Equal Pay Act, Title VII, Eliot Larsen Civil Rights Act and other civil rights related laws and policies.**
- **Manage an annual administrative/operational budget of ~\$2.3M** to cover salaries, professional development training and the procurement of supplies and services.
- **Lead a team comprised of two Associate General Counsels, a paralegal, a FOIA Coordinator and a Damage Claims Manager** to complete daily operations. **Effectively manage Outside Counsel** including reviewing and approving pleadings and coordinating legal strategy.
- **Execute performance management** via leading regular individual and team meetings, providing ongoing coaching and feedback, and completing performance evaluations and appraisals.
- **Advise and counsel senior and executive staff (Executive Director, General Counsel, Director of Organizational Development - HR, Chief Operating Officer (COO), Field Services Directors, and the Board of Water Commissioners** to ensure that company operations are compliant with local, state and federal laws as well as company policies.
- **Conduct legal research** to advise the HR department on routine and complex employee and labor relations matters including but not limited to suspensions, demotions and terminations, disciplinary review and grievance management.
- **Serve as a primary point of contact to review, negotiate, and draft contracts** related to third-party services such as information technology, legal, construction, and personal services; draft memorandums of understanding that define working relationships between intergovernmental agencies.
- **Lead full-cycle litigation for the department** which includes but is not limited to legal research, information gathering, investigations, discovery/depositions, motion filing, dispute resolution and case settlement; strong experience in developing creative litigation strategy, identifying precedents, and performing assessments and spearheading the amendment of to mitigate identified risks.
- **Manage litigation and arbitration** for wrongful termination, property damage, personal injury, and employment claims brought against the company. Handle all employment related matters filed with the Equal Employment Opportunity Commission, the Michigan Department of Civil Rights, the Civil Rights and Inclusion Office (Detroit), the City of Detroit's ombudsman's office and the City of Detroit's Office of the Inspector General, on behalf of the Department.
- **Proven ability to handle complex legal matters and litigation including class actions and claims brought under the Michigan Constitution (Headlee Amendment).**
- **Drafted over 40 HR policies** pertaining to anti-harassment, anti-discrimination, corrective action, drug and alcohol use, and health and safety, anti-harassment, use of force, anti-discrimination, and artificial intelligence (AI)/machine learning.
- **Promoted from Associate General Counsel to Deputy General Counsel in September 2020.**
- **Directed the litigation of long-time delinquent customers which resulted in the recuperation of over \$2.5M.**

EDUCATION

Juris Doctor (J.D.).

Touro College Jacob D. Fuchsberg Law Center

Bachelor of Arts (B.A.), Political Science

Clark Atlanta University

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Deputy General Counsel (Continued)

Detroit Water and Sewerage Department (DWSD), Detroit, MI | November 2017 – Present

- Analyzed, streamlined and improved the damage claim resolution process which **reduced completion time from 200 days to 45 days.**
- Leveraged strong analytical, legal research and negotiation skills to **save DWSD over \$7M in exposure since November 2017.**

Senior Attorney (Managing Partner) & City Attorney for the City of Highland Park, MI

Perkins Law Group, PLLC, Detroit, MI | May 2012 - November 2017

- **Advised clients on legal matters including but not limited to** corporate formations, filing incorporation documents and foreign corporation registrations, drafting operating and partnership agreements, creating articles of incorporation and bylaws, land use issues such as zoning and permitting, and civil rights claims; simultaneously and single-handedly **managed daily legal operations for the city of Highland Park, MI, a city that maintains a population of ~9,000 residents.**
- **Managed a team of two attorneys, one paralegal, and two legal interns** to execute daily operations while leading the performance management process.
- **Served as a trusted advisor and legal SME to the mayor of Highland Park, City Council, city department heads, the treasurer, and city clerk** in key areas including policy development, arbitration, litigation, contract negotiations, etc.
- **Led negotiation of collective bargaining agreements (CBAs)** with three unions including the American Federation of State, County and Municipal Employee (AFSCME) and the Police Officers Association of Michigan (POAM).
- **Drafted, reviewed and negotiated various agreements** including employment agreements, professional service agreements, intergovernmental agreements and agreements associated with real estate transactions, including real estate agreements (commercial and residential).
- Served as a key component in the candidate selection process to interview, hire and evaluate prospective talent.
- **Chiefly responsible for managing all aspects of lawsuits filed against on or behalf of the City of Highland Park** – these matters include federal claims under USC sec. 1983, violations of Federal and Michigan Anti-Discrimination Laws, the Michigan Whistleblower Protection Act and the Family Medical Leave Act.

Key Contributions & Accomplishments:

- **Successfully implemented a pro bono program** within the firm that provided quality legal services to low-income citizens on civil matters.
- **Served as the project manager and primary point of contact for the neutral evaluation process** which avoided the appointment of an Emergency Manager for the City of Highland Park.

ADDITIONAL EXPERIENCE

Adjunct Professor –Externship Clinic, Wayne State University Law School, 2024 – Present

Adjunct Professor – Political Science, South University, 2016 –2019

Policy Analyst/Staff Attorney (Municipal), Office of Council Member Saunteel Jenkins – Detroit City Council 2010-2012

Associate Attorney (Civil Litigation), Kitch, Drutchas, Wagner, Valitutti & Sherbrook 2007-2009

Attorney (Real Estate), Trott & Trott, P.C. 2006-2007

BAR ADMISSIONS

Member, State Bar of Michigan (2005)

Member, U.S. Federal Court – Western District of Michigan

Member, U.S. Federal Court – Eastern District of Michigan

Member, U.S. Federal Court – Sixth Circuit Court of Appeals

PROFESSIONAL AFFILIATIONS & COMMUNITY INVOLVEMENT

Member, State Bar of Michigan Character and Fitness Committee (2023 - Current)

Member, Wolverine Bar Association – Board Member, 2014 – 2017; Treasurer, 2021-2022

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PROFESSIONAL AFFILIATIONS & COMMUNITY INVOLVEMENT (CONTINUED)

Member, Wolverine Bar Foundation – Board Member; 2023 -- 2024
Policy Director, Tawnya Morris for Mayor Campaign (2021)
Chair, State Bar of Michigan Character and Fitness Committee, District H (2020-2022)
Board Chair, Champion Education Network (CEN), 2020 – Present
Member, Delta Sigma Theta Sorority, Inc. - Lifetime

AWARDS & RECOGNITION

Michigan Chronicle, Women of Excellence Awardee (2024)
Finalist, Michigan Chronicle's Best in Black Awards for Best Attorney (2016 & 2017)
Michigan Chronicle, 40 under 40 Awardee (2015)
Pro Bono Award the Detroit Metropolitan Bar Association (2015)