

## Labor and Employment

### Members

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**Brach Eichler's Labor and Employment practice group represents leading companies, organizations and individuals in solving their most critical business and legal issues.**

**Counseling:** Our Labor & Employment Group helps employers in the private, not-for-profit and public spheres, meet the complex legal, compliance, and human resources challenges common in today's workplace. Our team assists employers with specific federal and state regulation compliance, employment policies and agreement drafting, agency investigations and audits, and employee benefits, among other matters. We are advisors for in-house counsel, HR professionals and management teams looking to develop policies, and strategies. We focus on working with clients to prevent issues before they occur. As labor laws and regulations are increasing and more complicated every year, we aim to keep our clients informed on how these laws affect their business and procedures to enable senior management to make informed, proactive and effective decisions, minimizing litigation risk and reducing risk.

**Litigation:** Our team also represents employers and employees in litigation and arbitrations that arise out of all forms of workplace disputes such as wage and hour claims, pay equity claims, harassment, discrimination, and retaliation claims, whistleblower claims, restrictive covenants disputes, trade secret and confidential information protection, ERISA plan disputes, and all other manner of disputes. We regularly litigate the full range of labor-management issues that arise in federal and state courts, and private labor arbitration for contract disputes. Employers and employees turn to our team when they are headed to trial and their reputations are on the line. While many of our cases resolve before trial, our employment litigation team includes several trial lawyers who have taken these dispute through jury trial and arbitration hearings.

**Unionized Employers:** We also excel at all aspects of the labor-management relationship for those employers with a unionized workforce. Our practice includes all aspects of the union-employer relationship, from advising employers in union election campaigns to conducting collective bargaining negotiations, and handling grievances, arbitrations, labor board proceedings and other matters that arise in the course of contract administration.

**Employee Benefits:** Our Labor & Employment practice provides comprehensive counsel on employee benefits, executive compensation, and compliance with ERISA and other regulatory requirements. We assist employers in designing, implementing, and managing retirement plans, health and welfare benefits, and equity compensation programs. Our team also advises on benefits-related issues in mergers and acquisitions, regulatory audits, and fiduciary responsibilities. With a proactive approach, we help clients navigate complex legal landscapes to ensure compliance and mitigate risk while supporting their workforce effectively.

**Training:** We provide educational advice and workplace training programs for employees, management, and human resources professionals on a variety of key issues human resource concerns including harassment and discrimination, privacy, diversity etc.

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## Statutory Knowledge and Experience

Our Labor and Employment Practice has experience with and knowledge of the majority of labor and employment laws including, but not limited to:

- Age Discrimination In Employment Act (ADEA)
- Americans with Disabilities Act (ADA)
- Child Labor Law
- COBRA laws, federal and state
- Computer Fraud and Abuse Act
- Computer Related Offenses Act
- Conscientious Employee Protection Act (CEPA)
- Construction Industry Contractor Classification Act
- Construction Industry Fair Play Act
- Domestic Workers Bill of Rights
- Employee Polygraph Protection Act
- Employee Retirement Income Security Act (ERISA)
- Employment and Personnel Services Act
- Fair Credit Reporting Act
- Fair Labor Standards Act (FLSA)
- Family and Medical Leave Act (FMLA)
- Family Leave Act (FLA)
- Genetic Information Non-Discrimination Act (GINA)
- Immigration and Naturalization Act

- Jury Duty Protection Act
- Labor Management Relations Act (LMRA)
- Labor Management Relations Disclosure Act
- Law Against Discrimination (LAD)
- National Labor Relations Act (NLRA)
- New York Labor Law
- New York State and City Human Rights Laws
- Occupational Safety and Health Act (OSHA)
- Overtime Restrictions for Health Care Facilities Act
- Paid Family Leave Act (PFLA)
- Pregnancy Discrimination Act (PDA)
- Prevailing Wage Act
- Rehabilitation Act
- Sales Representative Act
- Sales Representatives Rights Act
- Security and Financial Empowerment Act (SAFE)
- Servicemembers Civil Relief Act
- Temporary Disability Insurance Law
- Title VII of Civil Rights Act of 1964 (Title VII)
- Trade Secrets Act
- Unemployment Compensation Law
- Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Wage and Hour Law
- Wage Garnishment Law
- Wage Payment Law
- Wage Theft Prevention Act
- Worker Adjustment and Retraining Notification (WARN) laws
- Workmen's Compensation Law

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## Employers

Our Labor and Employment attorneys know what companies need in their labor and employment counsel: timely, reliable, and practical advice dealing with every aspect from workplace policies in general, to specific employee disputes and issues, internal investigations, government investigations, administrative proceedings, and litigation. Given the number of statutes and regulations that apply to the employer-employee relationship, no company can operate without competent labor and employment counsel. There is virtually no situation outside of this group's experience and capabilities. Our attorneys provide employers with answers and solutions – instead of never-ending questions and “what ifs.”

Our attorneys provide counsel in the areas of:

- Counseling and compliance services
- Employee benefits and qualified plans
- Administration and management of qualified retirement plans
- Regulatory investigations and hearings
- Litigation and alternative dispute resolution

[Contact our Labor and Employment Practice to schedule a consultation.](#)

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## Insights

[Alerts - January 7, 2025](#)

**Job Applicants Have No Right to Sue Under New Jersey's Adult-Use Cannabis Law**

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[Newsletters - December 6, 2024](#)

**What Employers Need to Know About New Jersey's Pay Transparency Law**

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[B|E in the News - December 4, 2024](#)

**New Associates Yearbook 2024**

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[Events - November 7, 2024](#)

**HHS Section 1557 Final Rule: Nondiscrimination in Health Programs and Activities (Webinar)**

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[Awards - November 7, 2024](#)

**Brach Eichler LLC Receives Top Ranking by Best Law Firms® in 2025**

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[Alerts - October 28, 2024](#)

**Attention Employers: Seek Legal Guidance before Testing Employees for Cannabis Use**

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[B|E in the News - October 23, 2024](#)

**Gig Worker Test's Legal Challenges Undercut by Standing Ruling**

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[Videos & Podcasts - October 2, 2024](#)

**WRNJ Radio Non-Compete Discussion with Bert Baron and Jay Sabin, Esq.**

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[Events - September 11, 2024](#)

**Navigating Pregnancy Discrimination: Legal Obligations and Best Practices**

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[B|E in the News - August 26, 2024](#)

**US Gig Worker Rule Defense Argues Lack of Harm to Challengers**

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