BOND SCHOENECK & KING ATTORNEYS

Andrew D. Bobrek

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Profile

Andy is co-deputy chair of Bond's labor and employment practice. In his practice, he works with a diverse group of employers, including small family businesses, large public companies, governments, entrepreneurs, not-for-profit service organizations and renowned institutions of higher education to help them minimize their risk by achieving and maintaining legal compliance in all labor and employment concerns.

Andy defends employers against claims of employment discrimination, workplace harassment and unlawful retaliation. He has defended employers in both federal and state court litigation as lead counsel, and in administrative proceedings before the U.S. Equal Employment Opportunity Commission (EEOC) and the New York State Division of Human Rights (NYSDHR). Andy has conducted numerous internal investigations for employers on a variety of workplace issues for both private and public sector clients, and has performed customized in-house training on topics such as union avoidance, harassment avoidance, workplace diversity and “wage and hour” compliance.

Andy also focuses his practice on assisting employers with minimum wage, overtime and other compensation issues arising under the Fair Labor Standards Act (FLSA) and New York Labor Law (NYLL) and with navigating the complex array of other wage and hour issues (e.g., accrual and payout of vacation time, employee wage deductions, employee meal breaks). Andy also regularly represents and counsels owners, contractors and subcontractors to ensure compliance on prevailing wage projects under the New York Labor Law (Article 8 and Article 9 project work) and under federal law (Davis Bacon project work). He has defended employers facing wage and hour claims in both administrative proceedings and court actions, and has represented clients facing governmental audits of their wage and hour practices.

As part of his traditional labor law practice, Andy counsels and represents employers in disputes arising from collective bargaining relationships - regularly serving as lead counsel in arbitration proceedings - and has defended unfair labor practice claims before the National Labor Relations Board (NLRB) and the New York Public Employment Relations Board (PERB). Andy also assists clients with labor contract negotiations. He additionally counsels employers on union avoidance strategies and has helped clients craft and implement effective strategies to counter union organizing campaigns and win NLRB elections.

Education

- Syracuse University College of Law (J.D., *magna cum laude,* 2007)
- Syracuse University Maxwell School of Citizenship and Public Affairs (M.P.A. 2007)
- St. Lawrence University (B.A., *cum laude,* 1998)

Bar/Court Admissions

- New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Western District of New York

Practices

- Labor and Employment
- Essential Resources for Business

Andy frequently speaks in front of groups on various labor and employment law matters across New York State and recently was a featured speaker at the national conference of a leading association in the higher education sector. He is also a former President of the Central New York Chapter of the Labor and Employment Relations Association (LERA).

Prior to attending law school, Andy worked as a Congressional Aide to former U.S. Representative James T. Walsh (Syracuse, New York). Among his duties, he served as a liaison to individuals and businesses seeking assistance with matters before federal administrative agencies. In addition, Andy assisted with various federal legislative matters, including the federal appropriations process, and possesses a wealth of experience in the realm of congressional and intergovernmental affairs.

Honors & Affiliations

- Listed in:
  - *New York Super Lawyers 2018*®, Upstate New York Rising Star, Employment and Labor
- New York State Bar Association, Labor and Employment Section
- Syracuse 40 Under 40 Award Winner
- Northern District of New York Federal Court Bar Association
- Onondaga County Bar Association
- Past President, CNY Chapter of the Labor and Employment Relations Association
- Justinian Honorary Law Society
- Order of the Coif
- Associate Editor, *Syracuse Law Review*

Representative Presentations

- An Interview with Andy Bobrek, Labor and Employment, Legally Bond Podcast, June 12, 2023
- Labor and Employment Law Compliance - Annual Update, MACNY, January 19, 2023
- Legislative Breakfast, MACNY, October 11, 2022
- The Ethics of Personal and Professional Relationships Between HR and Staff, MVSHRM, September 27, 2022
- Keynote Speaker, Paid Leave & Remote Work Compliance in the (Hopefully) Post-COVID World – An Update and Refresher for HR Professionals in New York, Professional Development Program and Vendor Show, MVSHRM, April 12, 2022
- NY HERO Act Update; Workplace Safety Committees, Manufacturers Association of Central New York, January 25, 2022
- An Interview with Andrew Bobrek, Mask Mandates and Paid COVID Leave, Legally Bond Podcast, January 31, 2022
- Federal Vaccine Mandate – How Employers Should Prepare for OSHA's Emergency Temporary Standard on Vaccination and Testing, MACNY,

December 15, 2021

- NY HERO Act Update, Manufacturers Association of Central New York, October 13, 2021
- NY HERO Act: Workplace Safety Committees & COVID-19 Plan “Activation” Update, MACNY, September 16, 2021
- Mandating Employee Vaccination—What Employers Should Consider, MACNY, August 9, 2021
- NY Employment Regulations, Masks and the Hero Act, Hudson Valley Live - WKIP/iHeartRadio, May 28, 2021
- New York Health and Essential Rights Act (HERO Act), MACNY, May 26, 2021
- An Interview with Andrew Bobrek, Labor and Employment, Legally Bond Podcast, April 5, 2021
- NY Paid Sick Leave, Commission on Independent Colleges and Universities, October 28, 2020
- The Long Road to Recovery – Legal Issues Related to COVID-19 Webinar, Chemung Chamber of Commerce, September 16, 2020
- COVID-19 and the Road to Recovery Webinar, Chemung Chamber of Commerce, May 14, 2020
- COVID-19: Updates on Labor and Employment & Product Liability Considerations, MACNY, April 28, 2020
- Panelist, 2018 Legislative and Regulatory Developments in New York State Employment Law, NYSBA 2019 Annual Meeting - Labor and Employment Law Section, January 18, 2019
- Legal Update, Syracuse Builders Exchange - Construction Company Growth Accelerator Program, October 11, 2017
- Avoiding Retaliation Claims and Common (But Overlooked) Pitfalls Under the New York Labor Law, MVSHRM, September 12, 2017
- Back to the Books for HR: Extraordinary FLSA Changes Ahead in Higher Ed, CUPA-HR Annual Conference and Expo 2016, September 25-27, 2016

Representative Publications

- Quoted in "Does Legal Marijuana Spell End of Testing for the Drug at NY Businesses?," *syracuse.com,* May 7, 2021
- Quoted in "New NY Law Requires Employers to Give Sick Leave to all Workers; Here’s What You Need to Know," *syracuse.com*, September 1, 2020
- "Driving Change: New N.Y. Law Targets Worker Misclassification," *HR Specialist, New York Employment Law,* June 2014
- Contributing Editor, "2012-2015 Midwinter Meeting Report," Fair Labor Standards Act Subcommittee to the American Bar Association's Committee on Federal Labor Standards Legislation

Other Activities

- Board Member, Friends of the Rosamond Gifford Zoo