



James E. McGrath III

Member

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Profile

Honors & Affiliations

- Listed in:
 - *The Best Lawyers in America*®, Labor Law - Management, 2024, 2026
 - *New York Metro Super Lawyers*, Employment & Labor, 2012-2025

Representative Matters

- *Parris v Schneider Elec. Mobility NA, Inc.* [Kapsch TrafficCom NA, Inc.], 197 AD3d 710, 2021 NY Slip Op 04755 (2d Dept. 2021), *lv. to appeal denied*, ___ N.Y.3d ___, 2022 NY Slip Op 61546 (Feb. 10, 2022).
- *Webb v. Greater New York Automobile Dealers Association, Inc.*, 2017 NY Slip Op 65281 (U) (2d Dept. Feb. 24, 2017)
- *Webb v. Greater New York Automobile Dealers Association, Inc.*, 144 A.D.3d 1136 (2d Dept. 2016)
- *Lundy v. Catholic Health System of Long Island*, 711 F.2d 106 (2d Cir. 2013)
- *Goodman v. Burlington Coat Factory*, 2012 U.S. Dist. LEXIS 166910 (D.N.J. Nov. 20, 2012)
- *Smith v. Marks [Fordham University]*, 65 A.D. 3d 911, 885 N.Y.S. 2d 463 (1st Dep't 2009), leave to appeal denied by, 2010 N.Y. LEXIS 2237 (N.Y. Aug. 31, 2010)
- *Yoon v. Fordham University Faculty and Administrative Retirement Plan*, 2000 U.S. Dist. LEXIS 14910 (S.D.N.Y. 2000) aff'd in part remanded in part, 263 F.3d 196 (2d Cir. 2001), later proceeding, *Yoon v. Fordham University Faculty and Administrative Retirement Plan*, 2004 U.S. Dist. LEXIS 26070 (S.D.N.Y. 2004), aff'd 173 Fed. Appx. 936, 38 Employee Benefits Cases (BNA) 1295 (2d Cir. 2006)
- *Risley v. Fordham University*, 2001 U.S. Dist. LEXIS 1202 (S.D.N.Y. 2001)
- *Risley v. Rubin [Fordham University]*, 272 A.D.2d 198 (1st Dept. 2000), re-argument denied, 2000 N.Y. App. Div. LEXIS 10285 1st Dept. 2000, leave denied, 96 N.Y.2d 701, 722 N.Y.S.2d 793 (2001)
- *De La Concha v. Fordham University*, 5 F.Supp.2d 188 (S.D.N.Y. 1998), aff'd, 1999 U.S. App. LEXIS 5804 (2d Cir. 1999)

Education

- Albany Law School (J.D.)
- University of Virginia (*Graduated with Distinction*)
- University of Connecticut

Bar/Court Admissions

- New York (1987)
- Connecticut (1986)
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the District of Connecticut

Practices

- Class and Collective Action Litigation
- Labor and Employment
- Manufacturing

- *Ericson v. Syracuse University*, 98 Civ. 3435, 45 F. Supp. 2d 344 (S.D.N.Y. 1999)

Class Action:

- *Goodman v Burlington Coat Factory*, 11-cv-4395 (D.N.J.) (wage and hour class action concerning alleged misclassification of assistant store managers)
- *Kawa v. Burlington Coat Factory* 14-cv-2787 (D.N.J.) (wage and hour class action concerning alleged misclassification of assistant store managers)
- *Pustilnik v Premier Home Health Care Services*, No. 155081/2016 (N.Y. Cnty Sup. Ct) (wage and hour class action concerning 24-hour shifts and other wages)
- *Siancas v. Rallye Motors*, 14-cv-6151 (E.D.N.Y.) (wage and hour class action concerning alleged failure to pay OT and other wages)
- *Ansoumana v. Gristede's Operating Corp. et al.*, 2001 U.S. Dist. LEXIS 6717 (S.D.N.Y. 2001)

Representative Presentations

- Pregnancy, Accommodation and Caregiver Discrimination, Employment Discrimination Law & Litigation, June 10, 2024
- NLRB Update 2023, The Council of Industry, March 29, 2023
- Annual Labor Law Seminar, Greater New York Automotive Dealers Association, December 7, 2022
- Evolving Concepts of Reasonable Accommodations in the Wake of COVID-19, Employment Discrimination Law & Litigation, Practising Law Institute, June 13, 2022
- Disability Discrimination, Reasonable Accommodation and the Interactive Process in 2021, Practising Law Institute, June 14, 2021

Representative Publications

- "Disability-Related Accommodations in 2021: Individuals Particularly Vulnerable to COVID-19, Vaccine Mandates, and 'Long COVID'," *PLI Chronicle: Insights and Perspectives for the Legal Community*, September 2021