



## John Gaal

### Of Counsel

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## Profile

**John practices labor and employment law with an emphasis on higher education. He has represented colleges and universities in a wide array of matters, including union organizing (and *Yeshiva* issues), unfair labor practice proceedings under the National Labor Relations Act, collective bargaining, arbitration proceedings and employment discrimination matters before state and federal courts and agencies (the EEOC, U.S. Department of Labor's Office for Federal Contract Compliance Programs and the New York State Division of Human Rights).**

John also has extensive experience advising institutions and providing training on a broad range of student and faculty issues, including policy development and the handling of general student discipline, sexual misconduct and other harassment issues (involving student/student and faculty/student matters) under Title IX and otherwise. He has handled numerous cases involving the U. S. Department of Education's Office for Civil Rights. His experience also extends to affirmative action issues (in both the employment and admissions contexts), Title IX gender equity matters involving athletics, tenure and promotion claims, student and staff accommodation issues under the ADA and Section 504, early retirement/downsizing and program discontinuation issues and faculty/institutional governance matters.

John is an active member of the National Association of College and University Attorneys (NACUA), has spoken frequently at NACUA and CUPA (College and University Personnel Administrators) Annual Conferences, and has served on the Board of Editors of the Journal of College and University Law. Among his publications relating to Higher Education are *Gender Based Pay Disparities in Intercollegiate Coaching: The Legal Issues*, 28 Journal of College and University Law 519 (2003) and *Disability Discrimination in Higher Education*, 28 Journal of College and University Law 435 (2003). Among the institutions John represents are St. Lawrence University, Syracuse University, Clarkson University, Colgate University, Hamilton College, Le Moyne College and Wells College.

## Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*® 2020, Education Law; Employment Law - Management; Labor Law - Management; Litigation - Labor and Employment (listed for 20 years)

## Education

- Notre Dame Law School  
(J.D., *magna cum laude*, 1977)
- University of Notre Dame  
(B.A., *with honors*, 1974)

## Bar/Court Admissions

- New York
- U.S. Supreme Court
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. District Court for the Northern District of New York

- *Best Lawyers* Syracuse Labor Law - Management Lawyer of the Year, 2020
- *Best Lawyers* Syracuse Education Law Lawyer of the Year, 2011, 2017, 2019
- *Martindale-Hubbell*®, AV Preeminent Rated
- *Top-Rated Lawyer in Labor and Employment Law*
- *New York Super Lawyers 2019*®, Employment and Labor (listed for more than 10 years)
- *2015 Top 50 Upstate New York Super Lawyers*
- *2014 Top 50 Upstate New York Super Lawyers*
- *2013 Top 50 Upstate New York Super Lawyers*
- *Who's Who In America*
- *Who's Who In American Law*
- American Bar Association, Labor and Employment Law Section
- New York State Bar Association, Past Chair, Labor and Employment Law Section; Executive Committee; Past Co-Chair Committee on Ethics; Past Member; House of Delegates
- Onondaga County Bar Association
- Fellow, American Bar Foundation
- Fellow, College of Labor and Employment Law Lawyers
- Editorial Board, *Journal of College and University Law*
- NACUA (National Association of College and University Attorneys)
- Seventh Circuit and Note Editor, *Notre Dame Law Review*

## Representative Presentations

- Labor Relations and Collective Bargaining - Northwestern University: football and beyond, National Association of College and University Attorneys Annual Conference, June 24, 2014
- Bond, Schoeneck & King's In-House Counsel CLE Series: Ethics Issues for In-House Counsel, December 11, 2013
- Bond, Schoeneck & King Webinar: 2013 Study of Labor Activity Within Region 3 of the National Labor Relations Board, November 14, 2013
- New York State Bar Association, Labor and Employment Law Section, Frequent Speaker at the Labor and Employment Law Section's Annual and Fall Meetings
- Past Speaker, Annual CUPA-HR Eastern Region Annual Conferences
- Past Speaker, Annual NACUA (National Association of College and University Attorneys) Conferences

## Representative Publications

- Gaal and DiLorenzo, "Ten Degrees of Separation: How to Avoid Crossing the Line on Witness Preparation," *NYSBA Journal*, February 2018
- Gaal and Jones, "Disability Discrimination in Higher Education," 28 *Journal of College and University Law* 435
- Gaal, Glazier, Evans, "Gender Based Pay Disparities in Intercollegiate Coaching: The Legal Issues," 28 *Journal of College and University Law* 519

- "The Disclosure of Financial Information: Competitiveness and the Current Requirements of the Duty to Bargain in Good Faith," 38 *Labor Law Journal* 526
- "The NLRB's Misuse of Witnesses' Statements in Election Objection Proceedings," 33 *Labor Law Journal* 17
- "Pre-Hire Agreements and Their Current Legal Status," 32 *Syracuse Law Review* 581
- Ferguson and Gaal, "Codetermination: A Fact or a Future in America," 10 *Employee Relations Law Journal* 176
- Gaal and DiLorenzo, "The Legality and Requirements of HEW's Proposed 'Policy Interpretation' of Title IX and Intercollegiate Athletics," 6 *Journal of College and University Law* 161

## Other Activities

- Board Member, Crouse Health Foundation
- Board Member, AccessCNY
- Past Board Member, Legal Services of Central New York
- Prior service as Adjunct Professor, Syracuse University College of Law and Syracuse University School of Management