



## John M. Bagyi

### Member

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## Profile

One of 200 lawyers to be recognized by *Human Resource Executive* magazine as the Nation's Most Powerful Employment Attorneys, John counsels and represents employers on labor and employment issues helping them achieve and maintain legal compliance, while improving employee engagement and workplace productivity.

With years of experience advising employers in a broad range of industries, John provides his clients practical, real world advice, mindful of the need to balance the legal "ideal" with a client's operational reality. He focuses on:

- **Preventative counseling** concerning compliance with federal and state employment laws, including wage and hour, EEO, leaves and other reasonable accommodation concerns, and corrective actions and terminations
- **Training** for executives, board members, supervisors and employees on a wide variety of topics including sexual and other workplace harassment, wage and hour compliance, performance management, progressive discipline and terminations, recruiting, hiring and retention, reasonable accommodations, drug and alcohol concerns and other ADA and FMLA issues, social media, technology and privacy
- **Workplace investigations** relating to discrimination, harassment, retaliation, ethics violations and other workplace misconduct
- **Contracts/agreements** including employment agreements, retention agreements, executive contracts, confidentiality, nonsolicitation and noncompetition agreements, and severance agreements
- **Business transitions**, such as mergers, acquisitions and reductions in force
- **Administrative proceedings** before the EEOC, Division of Human Rights, NLRB, and federal and state departments of labor
- **Personnel policies and procedures and employee handbooks**

## Honors & Affiliations

- Listed in:
  - "Nation's Most Powerful Employment Attorneys – Up-and-Comers," *Human Resource Executive*® 2014, 2015, 2016, 2017, 2018 and 2019
  - "Lawyer of the Year" Albany Labor Law - Management, *The Best Lawyers in America*®

## Education

- Albany Law School of Union University (J.D., *magna cum laude*, 1996)
- University at Albany, State University of New York (B.A. 1993)

## Bar/Court Admissions

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

## Practices

- Long Term Care
- Higher Education
- Labor and Employment
- Health Care
- Financial Institutions  
Regulatory

2014, 2017, 2020

- "Lawyer of the Year" Albany Litigation - Labor and Employment, *The Best Lawyers in America*® 2015
- "Lawyer of the Year" Albany Employment Law – Management, *The Best Lawyers in America*® 2014
- *New York Super Lawyers*®, 2009 - present
- *The Best Lawyers in America*®, 2007 - present
- *Martindale-Hubbell*®, AV Preeminent Rated
- "Friend of the Year," *Capital Region Human Resources Association*, 2012
- *Who's Who in America*®
- *Who's Who in Emerging Leaders*®
- Excellence in Alumni Service Award, Albany Law School, 2005
- 40 Under Forty Honoree, *Capital District Business Review*, 2004
- Executive Editor, *Albany Law Review*
- New York State Bar Association

## Representative Presentations

- Adirondack Regional Chambers of Commerce
- ADK HR
- American Automobile Association, National HR Conference
- American Society for Training & Development (ASTD), Hudson Mohawk Chapter
- Business Council of New York State, Labor and Human Resources Committee
- Capital District Women's Bar Association
- Capital Region Human Resources Association
- Capital Region Recruiters Network
- College and University Personnel Association (CUPA-HR)
- Columbia County Chamber of Commerce
- Columbia County HR Roundtable
- Empire State Society of Association Executives
- Healthcare Association of New York State (HANYS)
- HR Pro (formerly Personnel Management Association)
- International Personnel Management Association (IPMA)
- LeadingAge New York
- Manufacturers Association of Central New York (MACNY)
- Mid-Hudson Human Resource Association
- Mid-Hudson Valley Society for Human Resource Management
- Mohawk Valley Society for Human Resource Management
- New York Credit Union Association
- New York State Association of Health Care Providers
- New York State Association of Homes & Services for the Aging (NYAHS)
- New York State Association of Professional Land Surveyors
- New York State Bar Association, Labor and Employment Section

- New York State Funeral Directors Association
- New York State Industries for the Disabled
- New York State Insurance Association
- New York State Rehabilitation Association
- New York State Job Service Employer Committees (Albany, Fulton/Montgomery, Schenectady, Rensselaer, Columbia & Greene Counties)
- New York State Society for Human Resource Management
- New York State Telecommunications Association, Inc.
- Northeast New York Health Care Human Resources Association
- Rensselaer County Chamber of Commerce
- Society for Human Resource Management

## Representative Publications

- Quoted in "Trump Sued Over 'One Reg In, Two Out' Executive Order," *Society for Human Resource Management Newsletter*, February 2014, 2017
- New York's salary threshold for executive and administrative exemptions has increased," *Business Journal News Network*, February 13, 2017
- Quoted in "Businesses react to changes in OT rules," *The Daily Gazette*, December 19, 2016
- Quoted in "Locally, opinions divided on Obama's overtime rule change," *The Daily Gazette*, May 18, 2016
- John M. Bagyi and James Holahan, "What Employees Don't Know Hurts Everyone," *New York Law Journal Special Report*, March 9, 2014
- John M. Bagyi and W.S Becker, "The Civil Rights Act of 1991," *Human Resources Encyclopedia*, Pfeiffer, 2011
- "Preventing Harassment," *Security Management*, January 2009
- "Legal Q&A," *CRHRA Newsletter*, 2001-2004
- "Employee handbooks: a tool to avoid employer liability," *Professional Insurance Agents Magazine*, June 2004
- John M. John and Peter A. Jones, "Blowing the Whistle: Dealing with Sarbanes Oxley and Beyond," *HR Review*, New York State Society for Human Resource Management, Spring/Summer 2004
- "Union Organizing - what you need to know now, Tools for the Trade," *New York State Association of Health Care Providers*, May/June 2004
- John M. Bagyi and Peter A. Jones, "What HR Professionals Need To Know About HIPAA's Privacy Regulations," *HR Review*, New York State Society for Human Resource Management, Fall/Winter 2002
- "Employee Handbooks Have Become A Necessary Tool For Employers," *Capital District Business Review*, July 5, 2002
- "New Union Election Law Affects Some Employers," *The Human Resource Line*, The Business Council of New York State, February 2002
- John M. Bagyi and Louis P. DiLorenzo, "Employment Litigation in Upstate New York: Results of the Bond, Schoeneck & King Study," *New York Employment Law & Practice*, October 2001 Contributor, Paul Grossman, et al., Employment

Discrimination Law (Supp. 2000; Supp. 2002)

- "Board of Education of Kiryas Joel v. Grumet: Misconstruing the Status Quo as a Neutral Baseline," 60 *Albany Law Review* 543, 1996
- "Carmen Beauchamp Ciparick: The Court of Appeals' Voice of Compassion," 59 *Albany Law Review* 1913, 1996

## Other Activities

- *Board of Directors*, Alzheimer's Association – Northeastern New York Chapter, 2018-present
- *Founder & Facilitator*, CRHRA HR Leadership Program, 2006-present
- *General Counsel*, New York State Society for Human Resource Management, Inc., 2005-present
- *Founder & Facilitator*, CRHRA/Bond HR Executive Briefing Series, 2004-present
- *Co-Chair*, Capital Leadership Steering Committee, Albany-Colonie Chamber of Commerce, 2003-2005
- *Board of Directors*, Capital Region Human Resources Association, 2002-2004