



## Louis P. DiLorenzo

### Member

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### Profile

**Louis has practiced labor and employment law for more than 40 years and is managing member of the firm's New York City office.**

Louis represents employers and management in all aspects of labor and employment law. His areas of experience include collective bargaining, workplace investigations, NLRB proceedings, labor audits, supervisory training, wage and hour issues, arbitration, jury trials in both state and federal courts, wage incentive plans, OFCCP audits and proceedings, employment litigation before the EEOC and the Human Rights Division and alternative dispute resolution techniques. Louis also serves several insurance companies as panel counsel (e.g., AIG and Chubb) with respect to employment litigation matters. From 2002-2004, he served as General Counsel and Secretary to Agway, Inc., a Fortune 500 Company.

Louis co-authored the FDCC Quarterly article entitled *Employers' Settlement Agreements with Departing Employees Under Attack*, Vol. 57, No. 3, Spring 2007. He also co-authored a complete guide for business managers and HR professionals written in plain English entitled, *What Every Business Manager and HR Professional Should Know About ... Federal Labor and Employment Laws* and a two volume treatise entitled *Corporate Counseling* (1988) and was a contributing author to *Public Sector Labor Law* (1988). Louis is also on the editorial board of the two volume treatise entitled *New York Civil Practice Before Trial* (2001). He has authored and co-authored numerous articles on various labor and employment law topics. Louis' published articles include: "Enforcing Employer-Employee Arbitration Agreements After *Circuit City*", 18 *Fordham University Law Journal* 27 (2001); "Forging a Strategy to Combat Sympathy Strikes", 29 *Syracuse Law Review* 847 (1978); "Mid Term Bargaining Over Unit Work Transfers", 45 *CCH Labor Law Journal* No. 7 (1994); "The Growing Menace: Violence in the Workplace", 67 *New York State Bar Journal* 1 (Jan. 1995); "Civility and Professionalism", 68 *New York State Bar Journal* No. 1 (Jan. 1996); "Workers' Compensation Discrimination in New York: Is It Really LoDolce Vita?", 32 *New York State Bar Journal* 220 (June 1982); "Employer Liability for Sexual Harassment After *Ellerth* and *Faragher*", 6 *Duke University of Gender Law & Policy* No. 1 (1999); two articles on Title IX and Intercollegiate Athletics, 6 *Journal of College and University Law* 61 (1980); "Screening Applicants for a Safer Workplace", *HR Magazine*, p. 55 (March 1995); "After-Acquired Evidence in Employment Discrimination Cases", 19 *New York State Bar Association Labor and Employment Law Newsletter* No. 2 (1994); and

### Education

- University at Buffalo School of Law (J.D. 1976)
- Syracuse University (B.A. 1973)

### Bar/Court Admissions

- New York
- U.S. Supreme Court

### Practices

- Municipalities
- Employee Benefits and Executive Compensation
- Environmental and Energy
- Health Care
- Labor and Employment
- Litigation
- Public Finance
- Higher Education
- Long Term Care
- Business and Transactions

"Employer's Responsibilities Under 1986 Immigration Act and COBRA", The CPA Journal p. 32 (May 1988). In May of 1996 Louis was interviewed extensively in a Forbes Magazine cover story on Sexual Harassment. In their January 2003 issue, the Corporate Legal Times described him as the "Great Negotiator". He was also featured in the United Educator's video entitled "Sexual Harassment in Academia, No Real Winners", and has been quoted in several publications including Business Week.

Louis has been a key speaker at numerous seminars throughout the United States and other countries on a wide variety of Labor and Employment Law topics. In addition, he has lectured to: various university groups, including the College and University Personnel Association; local, state and national SHRM Conferences; and a number of national and regional business associations.

## Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*®, Employment Law - Management; Labor Law - Management; Litigation - Labor and Employment, 1997-2024 (listed for more than 25 years)
  - Lawyer of the Year (New York City) Labor Law - Management, 2013
  - 500 Leading U.S. Corporate Employment Lawyers, *Lawdragon*, 2019-2024
  - Corporate Employment Lawyers Hall of Fame, *Human Resource Executive*® and *Lawdragon*, 2019-2024
  - *Chambers USA*, Labor & Employment – New York, 2023
  - *Who's Who Legal*, Thought Leaders Global Elite, 2024
  - *Expert Guides*, The Best of the Best USA, 2015
  - *Martindale-Hubbell*®, AV Preeminent Rated, 20th Anniversary Year
  - Top-Rated Lawyer in Labor & Employment Law
  - Top 20 in Traditional Labor and Employment Law, "Nation's Most Powerful Employment Attorneys," joint project published by *Human Resource Executive*® and *Lawdragon*, 2013-2018
  - *HR Executive Magazine*, Top 10 Labor Lawyers in the U.S., 2010
  - *New York Super Lawyers*®, Employment & Labor, 2023
  - *Benchmark Litigation Labor & Employment Star*
  - *Who's Who in America*
  - *Who's Who in American Law*
  - *Who's Who Legal*, Labor, Employment & Benefits
- Burton Awards, Law360 Distinguished Legal Writing Award, 2020
- New York State Bar Association
  - NYSBA Task Force on COVID-19 Immunity and Liability
  - Past Chair, Labor and Employment Law Section
  - Past Chair, Young Lawyer's Section
- Fellow, College of Labor and Employment Law Lawyers
- Fellow, New York State Bar Foundation

- Fellow, Trial Lawyer Honorary Society
- Fellow, The Litigation Counsel of America
- Member, Federation of Defense & Corporate Counsel
- Member, Worldwide Employment Law Alliance
- Editor, *New York State Bar Journal*
- Adjunct Professor, Syracuse University's Whitman School of Management
- Former Co-Chair, St. John's University Law School's Employment Law Institute

## Representative Presentations

- The Supreme Court Outlawed Affirmative Action in College Admissions: What That Means for Private Employers, Commercial and Federal Litigation Section, NYSBA 2024 Annual Meeting, January 17, 2024
- Ethical Issues When Preparing Witnesses to Testify, State of New York Office of the Attorney General, November 2022
- Unionization Efforts in a Global Economy, Employment Law Alliance, May 20, 2022
- Travel Tuesdays: Doing Business in New York, Employment Law Alliance Podcast, December 14, 2021
- Annual Employment Discrimination Law & Litigation Seminar, Practising Law Institute, 2017-2022
  - Co-Chair; Opening Remarks; Hidden Traps When Settling Employment Discrimination Cases, June 13, 2022
  - Co-Chair, June 14, 2021
  - Opening Remarks, June 17, 2019
  - Co-Chair and Opening Remarks, June 18, 2018
  - Retaliation and Whistleblower Claims: Understanding Employment Law, April 12, 2018
  - Panel Member, Retaliation and Whistleblower Claims: Understanding Employment Law, April 13, 2017
- An Interview with Louis DiLorenzo and Sara Richmond, Bond's New Westchester Office, Legally Bond Podcast, October 11, 2021
- An Interview with Louis DiLorenzo, Writing the Landmark Guide on New York Employment Law, Legally Bond Podcast, April 19, 2021
- Navigating the Federal Sea Change: The Impact of the 2020 Election on Employers, Employment Law Alliance Webinar, December 15, 2020
- 2020 Year in Review, Chambers and Partners Employment Series, December 9, 2020
- Changes in Direction, Chambers and Partners Employment Series, November 17, 2020
- Addressing Employees' Political Speech and Activity, Employment Law Alliance Webinar, October 27, 2020
- Freedom of Speech in the Workplace, Chambers and Partners Employment Series, September 29, 2020

- What U.S. Employers Can Do to Avoid Retaliation Cases in the COVID-19 Era Workplace, Employment Law Alliance Podcast, August 24, 2020
- Panelist, Bringing Employees Back to the Office: Key Steps and Preparations for Law Firms, New York State Bar Association Webinar, May 8, 2020
- Keynote Speaker, Top Ten #metoo Era Mistakes when Investigating Complaints of Sexual Harassment, CNY SHRM Annual Conference, June 14, 2019
- Keynote Speaker, Mapping Your Course: Mastering for Success, CNY SHRM Annual Conference, June 15, 2018
- Co-Presenter, The Trump NLRB: What's Next, Cornell University, NYC - ILR Conference Center, June 6, 2018
- Panel Member, Ethical Considerations – Knotty Issues in Employment Discrimination Cases, Practicing Law Institute's Employment Discrimination Law & Litigation Seminar 2017, June 20, 2017
- Keynote Address: Nuances in New York Employment Law, CNY SHRM Annual Conference, June 2, 2017
- Moderator, The Future of the NLRB Under the Trump Administration, Labor & Employment Relations Association, CNY Society for Human Resource Management and Cornell School of Industrial and Labor Relations, May 31, 2017
- Panel Member, Labor Law Developments, Course Correction - The Winds of Change in a Different Direction, Cambridge Forums, March 2, 2017
- Panel Member, The Legacy of the Obama NLRB, Cornell University, ILR School Conference, October 21, 2016
- Labor Law Developments - Developments at the NLRB, Employment and Labor Law Forum, June 23, 2016
- Trying a Discrimination Case - Ethical Considerations, Employment Discrimination Law & Litigation 2016 Webinar, June 20, 2016
- Top 10 Mistakes Employers Make, CNY SHRM Annual Conference Morning Keynote, June 17, 2016
- Commentator, Judicial Review of Arbitration Awards, NYU 69th Annual Conference on Labor, June 2-3, 2016
- Workplace Harassment Misconceptions & Mistakes and How to Avoid Them, Breakfast Keynote, 2015 Central New York SHRM Conference, June 12, 2015
- Retaliation and Whistleblower Claims, Co-Presenter, Practising Law Institute's Understanding Employment Law 2015, March 27, 2015

## Representative Publications

- New York's Whistleblower Law Expansion Offers Increased Protection From Retaliation, *Westfair Business Publications*, February 15, 2022
- Co-Editor, "The Essential Guide to New York Employment Law," 450 page treatise published by the *New York State Bar Journal*, 2021
- Quoted in "A flood of age discrimination lawsuits is expected from COVID-19 and the economic downturn," *ABA Journal*, September 1, 2020
- Quoted in "Some Employers Have Illegally Fired Workers Who Refuse to Sign COVID Liability Waivers," *Fortune*, July 23, 2020

- Co-Author, "COVID-19 Impact on U.S. Employers," Labor and Employment: Expert View, *Chambers and Partners*, April 23, 2020
- Co-Author, *2019 Chambers USA Regional Employment Guide*, New York Chapter
- Quoted in "NLRB Moving Forward After False Start in Changing Joint-Employer Standard," *Bloomberg Law*, July 5, 2018
- Quoted in "#MeToo is changing HR approach," *The Daily Record*, March 21, 2018
- Gaal and DiLorenzo, "Ten Degrees of Separation: How to Avoid Crossing the Line on Witness Preparation," *NYSBA Journal*, February 2018
- Quoted in "High-stakes election," *Long Island Business Journal*, November 4, 2016
- Louis P. DiLorenzo, Howard M. Miller and Christopher T. Kurtz, "Striking Out A-Rod: The Faithless Servant Doctrine," *Law360*, February 14, 2014
- "10 Things You Never Want to Have to Admit in a Retaliation Case," *HR Specialist*, *New York Employment Law*, July 2013
- "Enforcing Employer-Employee Arbitration Agreements After Circuit City," 18 *Fordham University Law Journal*, 2001
- "Employer Liability for Sexual Harassment After Ellerth and Faragher," 6 *Duke University of Gender Law & Policy* No. 1, 1999
- "Civility and Professionalism," 68 *New York State Bar Journal* No. 1, January 1996
- "The Growing Menace: Violence in the Workplace," 67 *New York State Bar Journal* 1, January 1995
- "Screening Applicants for a Safer Workplace," *HR Magazine*, March 1995
- "After-Acquired Evidence in Employment Discrimination Cases," 19 *New York State Bar Association Labor and Employment Law Newsletter* No. 2, 1994
- "Mid Term Bargaining Over Unit Work Transfers," 45 *CCH Labor Law Journal* No. 7, 1994
- "Employer's Responsibilities Under 1986 Immigration Act and COBRA," *The CPA Journal* p. 32, May 1988
- "Workers Compensation Discrimination in New York: Is It Really LoDolce Vita?," 32 *New York State Bar Journal* 220, June 1982
- "Forging a Strategy to Combat Sympathy Strikes," 29 *Syracuse Law Review* 847, 1978

## Other Activities

- Emeritus NYSBA Law Journal, Board of Editors
- Deans Advisory Council, Member