Michael D. Billok

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Profile

In addition to his labor and employment practice, Mike co-founded the firm's cybersecurity and data privacy practice. Mike advises employers on the overlap between cybersecurity and data privacy and employment issues, including privacy of employees, as well as the large impact of employees on cybersecurity and data privacy issues.

Mike is a 1996 graduate of the United States Naval Academy, and was a submarine officer in the United States Navy until 2004. He served onboard the USS NEVADA (SSBN 733) based out of Bangor, Washington; instructed students at the Naval Nuclear Power Training Unit in Ballston Spa, New York; and was the Submarine Manpower Analyst for the office of the Chief of Naval Personnel in Washington, D.C. Before returning to upstate New York and joining Bond, Mike was an attorney at the Washington, D.C. office of a multinational law firm.

Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America®,* Employment Law - Management; Labor Law - Management; Litigation - Labor and Employment, 2020-2027 (listed for more than 5 years)
    - Lawyer of the Year (Albany), Labor Law - Management 2021, 2023, 2025, 2027
    - Lawyer of the Year (Albany), Employment Law - Management; Litigation - Labor and Employment, 2024
  - *New York Super Lawyers*®, Employment and Labor, 2023-2026
  - BTI Client Service All-Stars 2017, 2022
- Board Member, Saratoga County Bar Association
- Member, Wage and Hour Defense Institute
- Order of the Coif
- Lisa Niles Distinguished Alumni Award, Leadership Saratoga, 2018
- Associate Editor, *Georgetown Law Journal*

Representative Matters

Education

- Georgetown University Law Center (J.D., *magna cum laude,* 2006)
- United States Naval Academy (B.S. in Physics, *with distinction,* 1996)

Bar/Court Admissions

- New York
- U.S. Supreme Court
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Maryland
- U.S. District Court for the Eastern District of New York
- 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 Western District of New York
- U.S. District Court for the Southern District of Indiana

Practices

- OSHA
- Labor and Employment
- Cybersecurity and Data Privacy
- Manufacturing
- Class and Collective Action Litigation
- Essential Resources for

- *Johnson v. U-Haul Co. of NY & Vt, Inc.*, 2025 U.S. Dist. LEXIS 171021 (N.D.N.Y. Sept. 3, 2025). Mike obtained dismissal in a case of a job applicant who, in signing for receipt of payments provided during the on-the-job interview process, had agreed to arbitrate his claims.
- *Parry-Birnstill v. Ashraf Medical Group*, 2025 U.S. Dist. LEXIS 105570 (S.D.N.Y. June 3, 2025). Mike obtained dismissal in a wage-and-hour case on the basis that the plaintiff was exempt from overtime as a matter of law despite being paid less than the agreed-upon salary level on several occasions.
- *Cole v. Foxmar*, 2024 U.S. App. LEXIS 459 (2d Cir. Jan. 8, 2024). Mike successfully argued at the Second Circuit to affirm the trial court's ruling to overturn a $3.2 million damages verdict, and sustain a much smaller $55,000 verdict.
- *Genpak, LLC and Retail, Wholesale and Department Store Union, Mid-South Council*, 372 NLRB No. 76 (NLRB, April 19, 2023). Mike won a case before the National Labor Relations Board, with the Board affirming that an employee's dismissal was due to a safety violation, and not union activity.
- *Whiteside v. Hover-Davis*, 995 F.3d 315 (2d Cir. 2021). Mike obtained early dismissal in an FLSA case brought by a plaintiff against his former employer. The employee appealed to the Second Circuit. Mike successfully argued in favor of the court affirming the dismissal, and establishing law in the circuit on an issue of first impression: that a plaintiff must satisfy the *Twombly/Iqbal* plausible-pleading standard when alleging willfulness in an FLSA action in order for the three-year statute of limitations to apply.
- *Kinnin v. Skidmore College*, 2023 WL 4072838 (2d Cir. 2023). Mike obtained summary judgment in a case of a former employee claiming gender discrimination and retaliation. When the employee appealed, Mike successfully argued in favor of the court affirming dismissal.
- *Dixon v. Dollar Tree Stores*, 2023 WL 2388504 (W.D.N.Y. 2023). Mike obtained dismissal in a case of a former employee who was subject to an arbitration agreement with an opt-out provision she had not followed, but had argued that she was not subject to the agreement because she had not signed it.
- *Evans v. Epimed International,* 2020 U.S. Dist LEXIS 84931 (N.D.N.Y. May 14, 2020). Mike successfully obtained early dismissal of a case brought by a former employee alleging discrimination.
- *Yaghi v. Pioneer Bank,* 2018 U.S. Dist. LEXIS 173171 (N.D.N.Y. Oct. 9, 2018). Mike obtained summary judgment for the client in the case of a former employee alleging Family and Medical Leave retaliation and national origin discrimination.
- *Nielsen v. Pioneer Bank,* 2018 U.S. Dist. LEXIS 167060 (N.D.N.Y. Sept. 28, 2018). Mike obtained summary judgment for the client in the case of a former employee alleging gender and age discrimination.
- *Colon v. Sabic Innovative Plastics US, LLC,* 2017 U.S. Dist. LEXIS 129223 (N.D.N.Y. Aug. 15, 2017). Mike obtained summary judgment for the client in the case of a former employee alleging pregnancy discrimination and retaliation.
- *Savoie v. Genpak,* 2014 U.S. Dist. LEXIS 168691 (D. Minn. Dec. 15, 2014). After removing the case to federal court, Mike obtained summary judgment for the client in the case of a former employee claiming age discrimination and retaliation.

- *Dipigney v. AutoZoners,* 2014 DNH 214 (D.N.H. 2014). After removing the case to federal court, Mike obtained summary judgment for the client in the case of a former employee alleging national origin discrimination under state and federal law.
- *Joiner v. MVP Service Corp.,* 2014 U.S. Dist. LEXIS 36275 (W.D.N.Y. Mar. 19, 2014). Obtained summary judgment for the employer in a case where a former employee alleged hostile work environment, harassment and discrimination based on her race and gender, and alleged retaliation based on her previous filing of an EEOC charge.
- A wage and hour collective and class action initially brought against a nationwide client on a nationwide basis that was significantly narrowed in scope and size over the course and discovery, and ultimately resolved via court-approved settlement.
- A wage and hour collective and class action brought against a hospital by current and former employees alleging time worked during meal periods, which was ultimately resolved via court approved settlement.

Representative Presentations

- An Interview with Michael Billok and Ryan Marquette, Veterans Day, Legally Bond, November 6, 2023
- Panelist, ABR Straight Talk: So, Now What?, *Albany Business Review*, August 6, 2020
- Ireland/NYS Spotlight Series - New York: Strategic US Entry Location, Globaify & Saratoga County Economic Development Corporation, July 21, 2020
- COVID-19 Liability Issues, The Business Council, May 27, 2020
- COVID-19: Your Questions Answered - A Special Broadcast, *Saratoga's Star Radio*, March 16, 2020
- Implications for Employers of Legalized Recreational Marijuana, The Business Council, 2018 Annual Meeting, September 24, 2018
- Sexual Harassment Law - Look at Law 2018, *LookTV*, September 18, 2018
- Family Leave Act - Look at Law 2018, *LookTV*, August 10, 2018
- Labor Law - Look at Law 2018, *LookTV*, June 6, 2018
- A Look at Law, *LookTV,* May 1, 2018
- Times Up: Navigating Sexual Harassment in an Evolving Legal and Cultural Landscape, ESSAE Annual Conference & Trade Show, June 21, 2018
- What's New and What's Next, Alloya Corporate Federal Credit Union CFO Roundtable, September 29, 2017
- Workplace Violence, New York State Payroll Conference Association 2017 Statewide Conference, September 28, 2017
- Cybersecurity and Data Privacy, New York State Payroll Conference Association 2017 Statewide Conference, September 28, 2017
- Family Leave Act - Look at Law 2018, LookTV, August 10, 2018
- New York Paid Family Leave, Minich MacGregor Wealth Management Employer Insights Breakfast Series, June 15, 2017

- Panel Member, Cybersecurity for Human Resource Professionals, CNY SHRM, April 6, 2017
- Panel Member, Tracking the Latest Initiatives of the New Secretary of Labor, and What is On the Horizon for Labor Agendas in the Year Ahead?, American Conference Institute's 30th National Forum on Wage & Hour Claims and Class Actions, June 12, 2016
- Will Overtime Rules Changes Impact Your Organization? Upcoming Exemption Changes to the Fair Labor Standards Act, Saratoga County Chamber of Commerce, October 18, 2016
- Legal Ethical Implications of Social Networking by Attorneys and Clients, Panel Member, New York State Bar Association Seminar, November 24, 2014
- Saratoga County Chamber of Commerce, Human Resources Seminar, February 19, 2014

Representative Publications

- Quoted in "OSHA Plans to Step up Safety Missions Beyond COVID," *Newsday*, February 23, 2022
- OSHA Released COVID-19 Workplace Safety Rule for Health-Care Employers, *Central New York Business Journal*, July 8, 2021
- Quoted in "2nd Circ. Tells FLSA Plaintiffs To 'Put Up The Goods'," *Law360*, May 12, 2021
- Guest Column: When Dealing with the Coronavirus, the Magic Legal Word is 'Reasonable', *Albany Business Review*, March 20, 2020
- Co-Author, *2019 Chambers USA Regional Employment Guide,* New York Chapter
- Quoted in "Workplace Harassment Becomes Much More Costly," *The Daily Gazette*, July 15, 2019
- Quoted in "What Employers Need to Know About New York's New Harassment Prevention Law," *Albany Business Review,* July 9, 2019
- "Business Report: What About Last-Minute Schedule Pay?," *Saratoga Business Journal*, April 5, 2018; *Glens Falls Business Journal*, April 12, 2018
- Quoted in "Many firms unaware of new OSHA slip and fall requirements," *Newsday*, May 28, 2017
- "Business Report: What To Do When Demand Exceeds Output," *Saratoga Business Journal*, April 7, 2017; *Glens Falls Business Journal*, April 14, 2017
- Quoted in "OSHA limit on silica exposure: excessive?," *Buffalo Law Journal*, July 18, 2016
- Quoted in "Businesses must contend with higher workplace safety fines," *Albany Business Review*, July 6, 2016
- Billok, Michael D. and Stevens, Christopher J., "Keeping Up With Evolving Cybersecurity Regulations," *New York Law Journal*, June 6, 2016
- "OSHA Makes Sweeping Changes to its Illness and Injury Reporting Rule," *Business Journal News Network*, May 21, 2016
- Michael D. Billok and Clifford G. Tsan, "Cybersecurity Insurance: Facing Hidden Risks and Uncertainty," *New York Law Journal*, May 2, 2016

- "Business Report: Is 2016 Open For Business?," *Saratoga Business Journal*, January 8, 2016
- "Court Calls a Fault on Tennis Umpires' Misclassification Argument," *Bond Complex Litigation Quarterly*, Spring 2015

Other Activities

- Board Member, Saratoga Hospital, 2023-present
- Board Member, Saratoga County Chamber of Commerce, 2024-present
- Board Member, Saratoga County Bar Association, 2022-present
- Board Member, Jake's Help from Heaven, 2019-Present
- President, Board of Directors, Adult & Senior Center of Saratoga Springs, 2010-2020
- Board Member, Saratoga-Warren-Washington Workforce Development, 2020
- Board Member, Saratoga County Economic Opportunity Council, 2016-2019
- Leadership Saratoga Graduate, 2014
- Leadership Tech Valley Graduate, 2012