



## Michael E. Hickey

### Member

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### Profile

### Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*®, Employment Law - Management, 2021-2026
    - *The Best Lawyers in America*® Lawyer of the Year, Employment Law - Management (Buffalo), 2024
  - *New York Super Lawyers*®, Employment and Labor, 2020-2025
    - Upstate New York Rising Star, Employment and Labor, 2018-2020
- New York State Bar Association
- Bar Association of Erie County, Labor Law Committee Chair
- Note and Comment Editor, *Buffalo Law Review*
- Editor, *Intellectual Property Law Journal*

### Representative Matters

- Successfully represented a hospital in a multiple-day labor arbitration hearing, resulting in the arbitrator upholding the termination of an employee who engaged in severe misconduct.
- Obtained a summary dismissal of a federal court action, where a former employee alleged gender discrimination and the Court agreed with the employer that insufficient evidence existed to support a conclusion that discrimination occurred.
- Developed a college policy for handling sexual misconduct complaints in compliance with Title IX and N.Y. Education Law § 129-B and advised the college on related issues, including investigation and adjudication procedures.

### Representative Presentations

- 2021 Update on the New York State Sick Leave Laws for Employers, Clarence Chamber of Commerce Business Chat Series, February 11, 2021
- Labor and Employment Issues in the Time of Covid-19, Bar Association of Erie County, March 25, 2020

### Education

- University at Buffalo School of Law (J.D. 2009)
- Ithaca College (B.A. 2006)

### Bar/Court Admissions

- New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Western District of New York

### Practices

- Labor and Employment
- Municipalities
- Class and Collective Action Litigation
- Higher Education
- School Law
- Health Care

- Wage and Hour Law Updates, Clarence Chamber of Commerce Business Chat Series, January 30, 2020
- Employment Law Update 2018, New York State Public Housing Authority Directors Association 2018 Fall Conference, October 24, 2018
- Employees Gone Wild: Social Media, Alcohol, Marijuana Use and More, National Business Institute, October 10, 2018
- DOL's New Overtime Rule, Labor and Employment Law Breakfast Briefing, October 16, 2016
- FERPA Training, New York State Organization of Bursars & Business Administrators 2016 Annual Conference, June 13, 2016

## Representative Publications

- Quoted in, "All Workers in New York State Now Allowed Time Off for Voting," *Buffalo Law Journal*, October 19, 2019
- "Employers Face Immediate Deadline Under Sexual Harassment Legislation," Bar Association of Erie County Bulletin, November 2018
- "Proposed White-Collar Rules May Not Have Intended Effect," *Buffalo Law Journal*, October 26, 2015
- "Federal, State Approaches to Campus Sexual Assault," *Buffalo Law Journal*, October 22, 2015

## Other Activities

- Board of Directors, Artpark & Company