BOND SCHOENECK & KING ATTORNEYS

Michael E. Hickey

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Profile

Mike is the trusted counselor for many businesses, hospitals, colleges, and municipalities, assisting them in complying with the vast and ever-changing collection of applicable federal and state laws and regulations. He is his clients' tireless advocate when disputes bring them to court, arbitration or before a federal or state agency.

Mike focuses his practice on representing and advising public and private sector employers in a wide-range of labor and employment matters, including:

- labor arbitration;
- wage-and-hour class action litigation;
- defense of harassment, discrimination, retaliation, wrongful termination and ERISA claims; and
- negotiation of collective bargaining agreements.

His experience includes the representation of employers in federal and state courts as well as before the National Labor Relations Board, Public Employment Relations Board, Equal Employment Opportunity Commission and the New York State Division of Human Rights.

Mike also provides colleges and universities advice on policies, procedures and best practices, including providing counsel related to issues arising under FERPA, Title IX and a number of other state and federal laws.

Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*®, Employment Law - Management, 2021-2027
    - *The Best Lawyers in America*® Lawyer of the Year, Employment Law - Management (Buffalo), 2024
  - *New York Super Lawyers*®, Employment and Labor, 2020-2026
    - 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*

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

- 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
- 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, Octover 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