



Patrick V. Melfi

Member

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Profile

Patrick is a labor and employment law attorney and co-chair of the firm's occupational safety and health law practice.

He represents employers nationwide in the full range of labor and employment issues that can arise out of the employment relationship.

Patrick has handled a federal court trial in Anchorage (*Bice & Harris v. AIAC, Inc.*, A92-0007-JKS (D. Alaska)); litigated a state court wrongful termination case in Honolulu (*Cossey v. Hawaii Insurance Consultants, Ltd.*, 01-0944-03 (1st Cir. - Hawaii)); and bargained labor contracts in several different industries and locations (Steelworkers in Pittsburgh, Autoworkers in Louisville, the CWA in Detroit, etc.).

Patrick was selected for inclusion in the BTI Client Service All-Star Team 2010 (identified in unprompted survey of corporate counsel as one of 13 employment attorneys in nation who provide exceptional services to clients).

Representative Matters

- *Rodriguez v. M&M/Mars*, 1997 U.S. Dist. Lexis 9036 (N.D. Ill.) (granting employer summary judgment in Title VII case where it established plaintiff committed perjury in her deposition).
- *Paine v. Quaker Oats Company*, 98-cv-0052-BJR (W.D. Wash.) (granting employer summary judgment in ADA case where it established allegedly biased supervisor played no role in termination decision).
- *Trass v. AIG, Inc.*, 2000 U.S. Dist. Lexis 3847 (E.D. La.) (granting employer summary judgment in ADA case where it established plaintiff was totally incapable of working for 2-year period preceding termination).
- *NLRB v. IBEW Local 15*, 2001 U.S. Dist. Lexis 16379 (N.D. Ill.) (holding parties involved in NLRB §160(l) injunction proceedings are entitled to pre-hearing discovery).
- *Gilreath v. Bechtel Construction Company, et al.*, 2010 U.S. Dist. Lexis 142494 (S.D. Ohio) (granting employer's motion for judgment on the pleadings on claims arising out of an underlying NLRB proceeding).
- *Interface Solutions v. SEIU Regional Joint Board and Local 701-T*, 2011 U.S. Lexis 123865 (N.D.N.Y.) (granting employer's motion to vacate arbitrator's award providing terminated employee with enhanced retirement benefits).

Education

- Loyola University Chicago (J.D. 1994)
- Loyola University Chicago (M.S.I.R. 1995)
- Nazareth College (B.A. 1990)

Bar/Court Admissions

- New York

Practices

- Agribusiness
- OSHA
- Labor and Employment

Honors & Affiliations

- Listed in:
 - *New York Super Lawyers®*, Employment and Labor, 2021
- American Bar Association, Labor and Employment Law Section; Litigation Section

Representative Presentations

- Farm Labor 102: Guidance on the New Legislation in New York, New York Farm Bureau, July 30, 2020
- Farm Laborers' Right to Unionize: How Employers Can Stay Out of Trouble & Avoid Unfair Labor Practices, New York Farm Bureau, December 4, 2019
- Farm Labor 101: An Introduction to the New Legislation in New York, New York Farm Bureau, October 24, 2019

Representative Publications

- Quoted in "Keeping Your Employees Safe on the Job," *Newsday Business*, February 3, 2019
- Co-Author, "Employers' Settlement Agreements with Departing Employees Under Attack," *FDCC Quarterly*, Vol. 75, No. 3, p. 237, 2007
- Co-Author, "The Administrative/Production Dichotomy Under the FLSA," *HR Advisor*, 1995