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WHO'S WHO

in Intellectual Property & Labor Law

By LISA JOSEFAK

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Jonathan Farrell is a partner at Meltzer, Lippe, Goldstein & Breitstone, LLP in Mineola. Farrell is also chair of the firm's labor and employment law practice group and a member of its employee benefits and litigation groups.

Farrell is counsel to manufacturing, service, commercial and management companies; professional practices; non-profit organizations; private educational institutions; and insurance companies. An employment and labor relations specialist, he regularly practices before the National Labor Relations Board, federal and state courts and federal and state human rights' agencies. He counsels employers on a variety of labor and employment-related laws including the NLRA, OSHA, EEOC, ADA, FMLA and ERISA. He also litigates in these areas.

Two recent significant and unreported changes affect employment law, Farrell said.

"The Department of Defense Appropriations Act for 2010 restricts defense contractors' and subcontractors' ability to enter into or enforce arbitration agreements," he said. "For defense contracts in excess of \$1 million, contractors must agree to neither enter into nor seek to enforce an existing arbitration agreement with respect to employment-related disputes with employees."

Under the Act, disputes that may not be resolved through arbitration include, but are not limited to, claims under Title VII of the Civil Rights Act," he said. "While arbitration agreements are popular with employers, many Long Island employers affected by this legislation may be unaware of its existence."

Additionally, President Obama signed the 2010 National Defense Authorization Act into

law expanding exigency and caregiver leave provisions for military families under the Family and Medical Leave Act, further expanding coverage of the FMLA beyond the significant expansion previously made law by President Bush, Farrell noted.

During the last 13 years, Farrell has been



counsel to employers in more than 100 unfair labor practice investigations. Unlike most labor and employment attorneys, he has litigated several unfair labor practice trials before administrative law judges of the National Labor Relations Board, as well as Section 10(j) proceedings of the National Labor Relations Act in federal court. Even more outstanding, he has been successful and victorious against the board.

Farrell has been involved in about 25 unionization campaigns for various companies. In all but three campaigns he has been involved in, the employees elected to remain union free. Farrell also represents unionized employers in their

arbitrations before the American Arbitration Association and NYS Employment Relations Board, assists unionized employers during their collective bargaining negotiations, or conducts the negotiations for them, and advises unionized employers on a daily basis regarding contract interpretation, union issues and union grievances. He is also counsel to two multi-employer associations — in the heating, ventilation and air-conditioning industries and the concrete and asphalt industries.

Farrell has also successfully represented various employers in more than 150 wage and hour investigations at the state and federal level in connection with minimum wage, overtime and prevailing wage actions. He has represented employers before the US Department of Labor, NYS Department of Labor, NYS Bureau of Public Work and New York Attorney General's Office, General Labor Bureau.

He also regularly drafts employee policies designed to save employers time and money and prevent vexatious employment-related litigation.

Farrell is admitted to practice before the federal and state courts of New York and New Jersey. He is a graduate of Hofstra University's School of Law.

Meltzer Lippe, Goldstein & Breitstone is a full-service business law firm providing clients with domestic and international corporate and securities, tax, labor and employment, litigation, health care, intellectual property, financial, employee benefits, bankruptcy/creditors' rights, workout, and real estate legal services, as well as a broad range of personal services including wills and trusts, estate planning and administration.

Formed in 1970, the firm serves Fortune 500 companies and an increasing number of medium and smaller sized public and private corporations, real estate developers, venture capitalists and individuals on Long Island, throughout the US and around the world.