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EMPLOYMENT

Harrington, Ocko & Monk, LLP, represents a diverse group of clients, including professional service firms, universities, manufacturing companies, insurance companies and many other businesses, in addressing all manner of legal issues involving employment practices.

Specifically, from counseling corporate clients on various state and federal laws and regulations affecting the workplace, to drafting employment, non-solicitation and non-compete agreements, to litigating, arbitrating and mediating all manner of employment related disputes including wrongful termination claims, breaches of employment contracts and partnership agreements, violations of non-compete and non-solicitation agreements and “business divorces” such as partnership dissolutions and oppressed minority shareholder claims, our firm provides comprehensive guidance and solutions to all of our clients’ needs.

Additionally, our firm has extensive litigation experience defending claims of discrimination in employment and higher education under Federal, state, and local law, including race, sex, pregnancy, and disability discrimination claims.

Committed to assisting employers navigate through issues of potential concern in a challenging economic environment, the managing partner of our employment litigation group has devoted many hours to lecturing human resources professionals and other attorneys on issues ranging from best practices in hiring and firing to defending sexual harassment claims.

Recent Cases:

- The Firm recently secured summary judgment in Federal District Court in the Eastern District of New York dismissing claims against a college brought by a Masters Degree student who claimed race discrimination and retaliation when she received a failing grade in a class and thereafter failed to graduate after being accused by a college professor of plagiarism.
- The Firm recently obtained a decision from the Federal District Court in the Southern District of New York granting summary judgment in a race and ethnic heritage discrimination action brought by a former employee against a not-for-profit corporation; due to plaintiff’s persistent and ongoing discovery violations, including her violation of several District Court Orders, which required the plaintiff to produce paper and electronic documents concerning plaintiff’s attempts to seek employment from other potential employers.

- The Firm was recently able to settle a discrimination action brought by a plaintiff seeking significant damages under Federal and New York State law, including recovery of attorneys' fees. The ultimate settlement amount was negligible, saving the client considerable money, time and resources which would have been required to successfully defend the case.
- The Firm, through persistent use of various discovery tools, was able to force a plaintiff to dismiss an action with prejudice brought against a foreign corporate client under New York Labor Law 191(c) for alleged commissions owed. Through aggressive use of various discovery devices, the Firm was able to demonstrate to plaintiff and its counsel that there would be no recovery on plaintiff's alleged claims, and that plaintiff's allegations were not supported by any documentation.
- The Firm obtained a substantial arbitration award for an accounting firm which was damaged when an acquiring firm failed to honor a contract for fee sharing and consulting services.
- The Firm has successfully brought several suits for professional service firms against departing employees for breach of fiduciary duty, theft of intellectual property, violation of non-solicitation agreements and similar claims.