

PHILIP K. DAVIDOFF

Partner / New York City

pdavidoff@fordharrison.com / P: 212-453-5915



Phil Davidoff represents management in employment law matters, including claims involving discrimination, sexual harassment, wage & hour laws, family and medical leave laws, breach of contract, restrictive covenants and common law torts.

He has defended litigations in federal and state courts and administrative agencies across the United States, as well as in arbitrations before the National Association of Securities Dealers, FINRA and the American Arbitration Association. He also regularly counsels employers on all aspects of employment law and workplace issues.

He has practiced employment law in New York for over 18 years and has significant experience in employment law matters including developing workplace policies, presenting management and other training programs and counseling senior management on all aspects of employment law. He is a contributing author and featured expert in a number of publications and newspapers including *Human Resources Report*, *The New York Law Journal*, *Forbes Magazine* and *The Miami Herald*.

During law school Phil served as Editor in Chief of the *St. John's Journal of Legal Commentary* and authored "The Drug War in The Workplace: Employee Drug Testing Under Collective Bargaining Agreements," 5 *St. John's Journal of Legal Commentary* 1, 1989 (New York, NY).

Representative Experience

- » Represented franchisor company in connection with claims of discrimination and retaliation claims by franchisee employee. Obtained dismissal on motion to dismiss based on nature of franchisor/franchisee relationship.
- » Represented large municipal employees union in its capacity as employer in contractual grievance arbitration and state human rights division proceedings alleging discrimination on the basis of disabilities. Obtained arbitral award dismissing claims in their entirety following 6 days of

EDUCATION

- » St. John's University School of Law (J.D., 1991)
- » Mercy College (B.S., 1988)

BAR ADMISSIONS

- » New York

COURT ADMISSIONS

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

hearings.

- » Represented technology company in connection with restrictive covenant litigation. Obtained dismissal on forum non conveniens grounds despite choice of forum provision.
- » Represented company in nationwide EEOC investigation concerning class-wide claims of religious discrimination/failure to accommodate. Obtained favorable conciliation agreement containing no monetary penalties and minor policy changes.
- » Represented several well known restaurants in federal court in class/collective actions alleging violations of Fair Labor Standards Act and New York State wage and hour laws. Negotiated favorable settlements.

Honors & Awards

- » *The Best Lawyers in America* - Employment Law - Management, and Labor Law - Management (2012-2024)
- » "New York Metro Super Lawyers" by *Super Lawyers Magazine* (2013 -2021)

Memberships

- » New York State Bar Association (Labor & Employment Law Section)

News & Insights

- » August 17, 2023 - One New York City-Based FordHarrison Attorneys Listed in the 2024 Best Lawyers in America and Two Listed in Ones to Watch
- » April 20, 2022 - New York State Budget Increases Minimum Wage for Home Care Workers
- » February 14, 2022 - New York Expands Protections for Employees who Report Alleged Workplace Violations
- » December 21, 2021 - NYC Issues Guidance on Private Employers' Mandatory Vaccine Requirement
- » December 06, 2021 - NYC Announces Mandatory Vaccine Requirement for All Private Employers

Offices

- » *New York:*
366 Madison Avenue, 7th floor
New York, New York 10017

