

NICOLE M. FALCEY

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Nicole has extensive experience representing management in a full range of employment matters, including discrimination, harassment and wrongful termination lawsuits, wage and hour compliance, whistleblower matters and counseling and litigation avoidance.

Nicole empowers her clients to tackle complex employment law challenges with confidence. Combining broad litigation experience with proactive compliance counseling, Nicole is committed to providing practical, strategic solutions that protect her clients. Known for her sharp insights and unwavering dedication, Nicole helps her clients navigate the constantly evolving landscape of employment law, minimizing risk while driving favorable results.

Nicole is regarded by her clients and colleagues as a perceptive, calculating, and results-driven attorney. She understands the balance between the strict requirements of employment law and the practical realities of running a business, working collaboratively with her clients to find solutions that make both legal and operational sense.

While Nicole works with employers of all sizes, she has a particular passion for assisting smaller and mid-sized employers in ensuring compliance and staying up to date with the ever-changing landscape of New Jersey employment laws. Having worked with many small business owners, she understands the stresses business owners face and the importance of having someone to rely on regarding unfamiliar aspects of their operations. Understanding how a single compliance mistake can have devastating consequences for hardworking business owners, she is dedicated to helping them maintain compliance and protect their businesses.

Nicole was selected as a 2024 Fellow of the Leadership Council on Legal Diversity (LCLD), reflecting her commitment to fostering diversity and inclusion within the legal profession. She also remains actively engaged in recruiting future talent at the firm.

EDUCATION

- » University of Denver College of Law (J.D., 2011)
- » Boston College (B.S., 2006)

BAR ADMISSIONS

- » New Jersey
- » New York

COURT ADMISSIONS

- » U.S. District Court for the District of New Jersey
- » U.S. District Court for the Southern District of New York
- » U.S. District Court for the Eastern District of New York
- » New York State Courts
- » New Jersey State Courts

Representative Experience

- » Secured early dismissal of a whistleblower claim for a Fortune 200 technology company at the pleading stage, avoiding prolonged litigation and associated costs.
- » Earned a significant victory for a leading industrial supplier company in a federal jury trial involving complex employee pension claims under ERISA by securing a judgment as a matter of law.
- » Successfully defended an appeal to a favorable summary judgment decision for a national supplier in an ERISA case.
- » Negotiated a significant reduction in misclassification penalties with the New Jersey Department of Labor for national at-home medical care company by demonstrating compliance with New Jersey's strict classification standards.
- » Represented a brewery in a New Jersey Department of Labor wage investigation, resulting in a quick and favorable outcome.
- » Served as lead trial counsel and won a directed verdict in New Jersey State Court defending a national grocery chain in a breach of contract and breach of duty of fair representation lawsuit involving the alleged breach of a collective negotiations agreement by an employee.
- » Successfully defended and obtained summary judgment on behalf of the American sector of an institutionalized religious organization filed by a member of the clergy alleging breach of contract and defamation in connection with his employment.
- » Defended a University in a discriminatory pay claim brought by a professor under the Diane B. Allen Equal Pay Act.
- » Obtained a favorable global settlement on behalf of a leading multi-campus hospital in plaintiffs' claims of discrimination in violation of NJLAD.

Honors & Awards

- » Leadership Council on Legal Diversity (LCLD), 2024 Fellow
- » *Best Lawyers in America: Ones to Watch*
- » "New Jersey Rising Star" listed in *Super Lawyers* magazine
- » **Nicole was selected to the Rising Star list issued by Thomson Reuters. The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

News & Insights

- » SourceBook - Editor, FordHarrison's Labor & Employment Sourcebook, Pay Equity
- » December 23, 2024 - Nicole Falcey Awarded 2024 Atlas Award by Leadership Council on Legal Diversity
- » October 31, 2024 - Lassie Looking Peaked? NYC "Pawrents" May Soon be Entitled to Paid Leave for Pet Care
- » October 09, 2024 - New Jersey's Proposed Pay Transparency Law: Preparing for Potential New Compliance Obligations
- » September 03, 2024 - Are U.S. Employers Ready for a Right to Disconnect Law?

Events

- » November 25, 2024 - Are U.S. Employers Ready for a Right to Disconnect Law? - What U.S. Employers Need to Know – Complimentary Webinar
- » December 13, 2023 - 2023 New Jersey Employment Law Update
- » June 14, 2023 - New Jersey's Temporary Workers Bill of Rights: Takeaways, Guidance, and Implementation - Complimentary Webinar

Offices

- » *Berkeley Heights:*
300 Connell Drive
Berkeley Heights, New Jersey 07922