

PEOPLE



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Special Counsel

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Advises clients in all areas of employment and employee benefits law, including compensation, disciplinary actions, discrimination, labor relations and ERISA litigation.

Scott counsels private capital firms, independent schools and colleges, multiemployer employee benefit funds, home care employers, family offices, and a wide variety of other clients. He routinely advises on union-related issues in corporate transactions and financing.

THE BEST PART OF MY JOB IS

Helping clients navigate the complex interaction of federal, state and local employment laws.

Practices

EMPLOYMENT AND EMPLOYEE BENEFITS

EDUCATION

NONPROFIT

Bar Admissions

New York

Education

Georgetown University Law Center, J.D.

Cornell University, B.S.

London School of Economics, G.C.

Publications

- “US Department of Labor Issues Final Rule on Independent Contractor Classification,” *Schulte Alert*, March 15, 2024
- “Employment Law Updates,” *Schulte Alert*, Sept. 12, 2023
- “The NLRB Sets Forth A New Standard for Recognition of Unions,” *Schulte Alert*, Sept. 7, 2023
- “New Guidance and Proposed Regulations From the EEOC,” *Schulte Alert*, Aug. 23, 2023
- “Recent Employment Law Updates,” *Schulte Alert*, June 7, 2023
- “NLRB Restricts Non-Disparagement and Confidentiality Clauses in Severance Agreements,” *Schulte Alert*, March 2, 2023
- “Employment Law Updates,” *Schulte Alert*, Feb. 24, 2023
- “FTC Proposes Rule to Ban Non-Compete Clauses,” *Schulte Alert*, Jan. 10, 2023
- “End-of-Year Employment Law Developments,” *Schulte Alert*, Dec. 22, 2022
- “Recent Employment Law Updates,” *Schulte Alert*, Nov. 16, 2022
- “U.S. Department of Labor Proposes New Worker Classification Rule,” *Schulte Alert*, Oct. 21, 2022
- “New York Schools Subject to New State Healthcare Worker Bonus Program,” *Schulte Alert*, Sept. 19, 2022
- “New York Launches Hotline for Workplace Sexual Harassment Complaints,” *Schulte Alert*, Aug. 22, 2022
- “New York Employment Update: Upcoming Windows to Claim Damages as a Result of Certain Sexual Offenses,” *Schulte Alert*, Aug. 8, 2022
- “Updated EEOC Guidance on Employer COVID-19 Testing,” *Schulte Alert*, July 20, 2022

- “EEOC Guidance on Artificial Intelligence in Hiring and Disability Discrimination,” *Schulte Alert*, July 13, 2022
- “PBGC Issues Final Rule for Special Financial Assistance Program,” *Schulte Alert*, July 11, 2022
- “The Department of Labor Releases Guidance on Mental Health Protections Under the Family Medical Leave Act,” *Schulte Alert*, July 7, 2022
- “New York City Council Votes to Delay Effective Date of New Salary Transparency Law to Nov. 1, 2022,” *Schulte Alert*, May 5, 2022
- “Guidance Issued on NYC Salary Disclosure Law,” *Schulte Alert*, April 6, 2022
- “EEOC Issues New Guidance on Caregiver Discrimination and COVID-19,” *Schulte Alert*, April 4, 2022
- “Current State of COVID-19 Protocols for Employers,” *Schulte Alert*, Mar. 29, 2022
- “Legislation Ending Forced Arbitration of Sexual Misconduct Claims,” *Schulte Alert*, Feb. 24, 2022
- “Updates on New York Employment Laws,” *Schulte Alert*, Feb. 18, 2022
- “New York State Lifts Indoor Mask Mandate for Most Locations,” *Schulte Alert*, Feb. 11, 2022
- “New Year, New Employment and Benefits Developments for Employers,” *Schulte Alert*, Jan. 20, 2022
- “New York City’s COVID-19 Vaccine Mandate for Private Employers and Other Recent Developments,” *Schulte Alert*, Dec. 21, 2021
- “New Vaccination Requirements for New York City Private Schools,” *Schulte Alert*, Dec. 8, 2021
- “OSHA Issues COVID-19 Vaccination and Testing Emergency Temporary Standard,” *Schulte Alert*, Nov. 10, 2021
- “Amendment Expands New York Whistleblower Protection Law,” *Schulte Alert*, Nov. 8, 2021

- “Connecticut Employers Required to Disclose Wage Ranges Under New Law,” *Schulte Alert*, Sept. 29, 2021
- “NY HERO Act: Update to Model Plan,” *Schulte Alert*, Sept. 28, 2021
- “New York State Employers Must Activate Exposure Prevention Plans Under the NY HERO Act,” *Schulte Alert*, Sept. 13, 2021
- “New Requirements for Employers Using Criminal Background Checks in New York City,” *Schulte Alert*, Aug. 6, 2021
- “Update on NY HERO Act,” *Schulte Alert*, July 21, 2021
- “Updated Vaccination Guidance and New York Law Developments,” *Schulte Alert*, June 11, 2021
- “What Employers Need to Know About the NY HERO Act,” *Schulte Alert*, May 11, 2021
- “Time Off for COVID-19 Vaccinations,” *Schulte Alert*, March 29, 2021
- “COVID-19 Updates,” *Schulte Alert*, March 9, 2021
- “Amendments to New York City’s Paid Safe and Sick Leave Law,” *Schulte Alert*, October 13, 2020
- “Back to the Future: Employer Considerations for Returning to the Workplace,” *Schulte Alert*, May 18, 2020; republished in *The Hedge Fund Journal*, June 2020
- “Employer Concerns – New York Businesses and Nonprofits Required to Have All Employees Work From Home,” *Schulte Alert*, March 23, 2020
- “Employer Concerns – Federal and New York Legislation Responding to COVID-19 (with Chart of Requirements),” *Schulte Alert*, March 19, 2020
- “Employer Concerns – COVID-19,” *Schulte Alert*, March 17, 2020; republished in *The Hedge Fund Journal*, March 2020
- “New Regulations for New York Employers Effective in the New Year,” *Schulte Alert*, Dec. 23, 2019

- “First Circuit Court of Appeals Finds Private Equity Funds Not Liable for Pension Liabilities of Portfolio Company,” *Schulte Alert*, Dec. 5, 2019
- “New York State Passes a Host of New Employment Laws,” *Schulte Alert*, Aug. 12, 2019, co-author
- “New Developments for Employers Regarding Employee Reproductive Health Decisions, Marijuana Drug Testing and Wage Reporting Requirements,” *Schulte Alert*, June 6, 2019, co-author
- “DOL Proposes Changes to Federal Overtime Laws,” *Schulte Alert*, April 24, 2019, co-author
- “Changes to New York City Earned Safe and Sick Time Act Take Effect,” *Schulte Client Alert*, May 11, 2018, co-author
- “Overtime Exemptions for Educational Institutions,” *Schulte Client Alert*, April 20, 2018, co-author
- “New York Paid Family Leave Benefits Law to Take Effect,” *Schulte Client Alert*, Dec. 1, 2017, co-author
- “New Requirements for Independent Contractor Agreements in New York City,” *Schulte Client Alert*, May 12, 2017, co-author; republished in *Westlaw Journal – Employment*, June 6, 2017
- “New York State Industrial Board of Appeals Revokes Payroll Debit Card and Direct Deposit Regulations Set to Take Effect on March 7,” *Schulte Client Alert*, Feb. 23, 2017, co-author
- “Texas Court Blocks New Federal Overtime Rule,” *Schulte Client Alert*, Nov. 23, 2016, co-author)
- “California Passes Legislation Limiting Enforceability of Forum Selection and Choice of Law Provisions in Employment Contracts,” *Schulte Client Alert*, Oct. 14, 2016, co-author
- “Update for Schools on the New Final Overtime Rule,” *Schulte Client Alert*, June 8, 2016, co-author
- “Update on the New Federal Overtime Regulations and the New York Minimum Wage,” *Schulte Client Alert*, May 27, 2016, co-author; republished in *Westlaw Journal – Employment*, July 6, 2016

- “Federal Court Finds Private Equity Funds Liable for Pension Liabilities of Portfolio Company,” *Schulte Client Alert*, April 8, 2016, co-author; republished in *Pratt’s Journal of Bankruptcy Law*, June 2016
- “New York City Commission on Human Rights Issues Enforcement Guidance on Fair Chance Act and Clarifies Credit Check Law Exemption,” *Schulte Client Alert*, Nov. 11, 2015, co-author; republished in *Benefits Law Journal*, Spring 2016
- “Recent Labor Department Actions Target Independent Contractor Misclassification, Overtime,” *Westlaw Journal – Employment*, Sept. 15, 2015, co-author
- “Now We Know How NYC’s Credit Check Ban Will Be Interpreted,” *Law360*, Sept. 4, 2015, co-author
- “New York City Commission on Human Rights Issues Enforcement Guidance on Credit History Law,” *Schulte Client Alert*, Sept. 3, 2015, co-author
- “Recent Department of Labor Actions Seek to Limit Independent Contractor Misclassification and Raise the Salary Requirements for Overtime Exemption,” *Schulte Client Alert*, Aug. 7, 2015, co-author
- “Second Circuit Adopts New ‘Primary Beneficiary Test’ for Determining Whether Unpaid Interns Are Employees,” *Schulte Client Alert*, July 27, 2015, co-author; republished in *Westlaw Journal – Employment*, Aug. 18, 2015
- “New York City to Ban Employer Pre-Offer Inquiries About Applicant Criminal Records,” *Schulte Client Alert*, July 2, 2015, co-author
- “NYC Employers Should Check Themselves Before Employees,” *Law360*, May 22, 2015, co-author
- “NLRB’s Office of the General Counsel Addresses Employee Handbook Policies,” *Schulte Client Alert*, May 12, 2015, co-author
- “New York City to Restrict Employers’ Use of Credit History in Employment Decisions,” *Schulte Client Alert*, April 30, 2015, co-author

- “New York State Eliminates Annual Wage Notice,” *Schulte Client Alert*, Jan. 22, 2015, co-author; republished in *Westlaw Journal – Employment*, March 3, 2015
- “EEOC Issues New Guidance on Pregnancy Discrimination, Adding to New York City’s Protections,” *Schulte Client Alert*, July 31, 2014, co-author
- “Court Determines California Teacher Tenure Laws Are Unconstitutional,” *Schulte Client Alert*, June 27, 2014, co-author; republished in *Westlaw Journal – Employment*, July 22, 2014
- “New Challenges to Pay Confidentiality Policies,” *Law360*, June 23, 2014, co-author
- “Update on New York City’s Paid Sick Leave Law,” *Schulte Client Alert*, April 11, 2014, co-author
- “2014 Employment Law Updates for New York Employers,” *Schulte Client Alert*, Jan. 31, 2014, co-author
- “Recent Employment Law Updates for New York Employers,” *Schulte Client Alert*, Oct. 24, 2013, co-author
- “New York State Minimum Wage Increases and New York City’s Paid Sick Days Requirements,” *Schulte Client Alert*, May 14, 2013, co-author
- “Unemployed Persons: A New Protected Class in NYC,” *Schulte Client Alert*, April 4, 2013, co-author
- “New Poster and Forms for US Employers,” *Schulte Client Alert*, March 19, 2013, co-author)
- “IRS Broadens Program for Re-Classification of Independent Contractors as Employees,” *Schulte Client Alert*, Jan. 14, 2013, co-author
- “New Requirements for Employers’ Background Checks and Social Security Number Usage,” *Schulte Client Alert*, Dec. 3, 2012, co-author)

Speaking Engagements

- “Misclassification of Employees – Litigation and Transactional Issues Across the Employment Spectrum,” Bloomberg BNA Webinar, Dec. 2015
- “Post-Conference Master Class: Social Media and Employment Law – Best Practices for Establishing a Social Media Employee Policy and Minimizing Your Exposure to Employment Litigation Arising from the Use of Social Media,” ACI 15th National Forum on Wage & Hour Claims and Class Actions, New York, May 2012
- New York State Association of Independent Schools Wage and Hour Laws Webinar, April 2011
- “Recent Amendments to the New York City Human Rights Law,” National Employment Lawyers Association Conference, May 2006

Memberships

- Member, Section of Labor and Employment Law, American Bar Association
- Member, Labor and Employment Law Section, New York State Bar Association
- Member, Board of Directors, Neighborhood Housing Services of New York City

Distinctions

- Lawyers Alliance for New York – 20-Year Circle Honoree
- Lawyers Alliance for New York 2010 Cornerstone Award
- Neighborhood Housing Services of New York City Fran Justa Award
- New York State Bar Association Empire State Counsel Honoree
- WHEDco Pro Bono Leadership Award

Prior Experience

- Chadbourne & Parke
- Benetar Bernstein Schair & Stein