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PEOPLE

Donna K. Lazarus

Partner

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Concentrates in the areas of employment law and education law, handling employment discrimination and labor relations matters and advising clients on hiring, managing and terminating employees in compliance with federal, state and local laws.

Donna advises clients on harassment and discrimination matters, and assists with drafting employment-related policies. She also works with a broad range of educational institutions, including independent schools, colleges, universities, professional training programs and education-related associations, advising them on a variety of legal matters, including board liability, student discipline, learning and other disabilities, employment matters, harassment and bullying, admissions, contracts and litigation issues.

Donna was named a New York "Rising Star" by *Super Lawyers* magazine in 2016 and 2017.

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Practices

EMPLOYMENT AND EMPLOYEE BENEFITS

EDUCATION

NONPROFIT

Bar Admissions

New York

Education

New York University School of Law, J.D.

Binghamton University, B.A.

- *summa cum laude*
- Phi Beta Kappa

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Publications

- "US Department of Labor Issues Final Rule on Independent Contractor Classification," *Schulte Alert,* March 15, 2024
- "US Supreme Court Overturns Affirmative Action in College Admissions: Considerations for Independent Schools," *Schulte Alert*, July 26, 2023
- "NYS Concussion Management Law Now Applicable to Private Schools," *Schulte Alert*, June 27, 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
- "End-of-Year Employment Law Developments" *Schulte Alert*, Dec. 22, 2022
- "Recent Employment Law Updates," *Schulte Alert*, Nov. 16, 2022
- "US 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
- "Federal Courts in Maryland and California Rule School's Federal Tax-Exempt Status Constitutes Federal Financial Assistance Under Title IX," *Schulte Alert*, Aug. 15, 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

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- "EEOC Guidance on Artificial Intelligence in Hiring and Disability Discrimination," *Schulte Alert,* July 13, 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*, March 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
- "Amendment Expands New York Whistleblower Protection Law," *Schulte Alert*, Nov. 8, 2021
- "Federal Law to Address Cybersecurity Risks for K-12 Educational Institutions," *Schulte Alert*, Oct. 27, 2021
- "NY HERO Act: Update to Model Plan," *Schulte Alert*, Sept. 28, 2021

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- "New York State Employers Must Activate Exposure Prevention Plans Under the NY HERO Act," *Schulte Alert*, Sept. 13, 2021
- "The Mahanoy Area School District Supreme Court Decision: Impact on Private Schools," *Schulte Alert*, Aug. 4, 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
- "COVID-19 Updates," *Schulte Alert*, March 9, 2021
- "Videoconferencing: Tips for Schools to Navigate Security and Privacy Risks," *Schulte Alert*, April 14, 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
- "Trend Lines: Creating Policies for Social Media Discipline," *National Association of Independent Schools*, Spring 2020
- "New Regulations for New York Employers Effective in the New Year," *Schulte Alert*, Dec. 23, 2019
- "New York State Ends Religious Exemptions to Vaccinations," *Schulte Alert*, June 19, 2019, co-author
- "New York City Issues New Guidance on Racial Discrimination on the Basis of Hair," *Schulte Alert*, March 20, 2019, co-author
- "New York Adopts Child Victims Act Extending and Reviving Statute of Limitations for Abuse Claims," *Schulte Alert*, Feb. 14, 2019, co-author
- "New York Child Abuse Reporting Requirements Will Extend to Private Schools," *Schulte Alert*, Jan. 11, 2019, co-author
- "Overtime Exemptions for Educational Institutions," *Schulte Alert*, April 20, 2018, co-author

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- "New York Paid Family Leave Benefits Law to Take Effect," *Schulte Alert*, Dec. 1, 2017, co-author
- "Connecticut Supreme Court Lets Jury Verdict Stand in *Munn v. Hotchkiss School*," *Schulte Alert*, Sept. 7, 2017, co-author
- "Further Amendments to the Nonprofit Revitalization Act of 2013 Signed into Law," *Schulte Alert*, Jan. 12, 2017, co-author
- "EEOC Issues New Guidance on National Origin Discrimination," *Schulte Alert*, Jan. 4, 2017, co-author
- "New York Court Finds Implied Private Right of Action in Nonprofit Revitalization Act's 'Whistleblower Policy,'" *Schulte Alert*, Nov. 17, 2016, co-author
- "Update for Schools on the New Final Overtime Rule," *Schulte Alert*, June 8, 2016, co-author
- "New York City to Provide Certain Non-Public Schools with Funds to Hire and Train Security Guards," *Schulte Alert*, Feb. 17, 2016, co-author
- "Amendments to the New York Nonprofit Revitalization Act of 2013 Signed into Law," *Schulte Alert*, Jan. 29, 2016, co-author
- "Court Determines California Teacher Tenure Laws Are Unconstitutional," *Schulte Alert*, June 27, 2014, co-author; republished in *Westlaw Journal – Employment*, July 22, 2014
- "The Nonprofit Revitalization Act of 2013 Takes Effect on July 1, 2014," *Schulte Alert*, May 7, 2014, co-author
- "The Nonprofit Revitalization Act of 2013," *Schulte Alert*, Oct. 1, 2013, co-author
- "US Supreme Court Issues Affirmative Action Decision," *Schulte Alert*, July 16, 2013, co-author
- "Independent Schools Should Review Student Travel Policies in Light of Recent Jury Verdict," *Schulte Alert*, April 22, 2013, co-author
- "New Poster and Forms for US Employers," *Schulte Alert*, March 19, 2013, co-author

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- "NY State Legislature Amends Dignity Act to Expand Definition of Harassment and Bullying," *Schulte Alert*, Oct. 26, 2012, co-author

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Speaking Engagements

- Schulte 30th Annual Private Investment Funds Seminar, Jan. 2021
- "Legal Considerations for the Reopening of Schools," NYSAIS Webinar, Aug. 2020
- "Return-to-the-Office – Employment Issues Amidst the Pandemic," Schulte Webinar, July 2020
- "Compliance Crossroads – Helping Schools to Address Sexual Misconduct Regulations," NYSAIS, New York, Dec. 2019
- Schulte Employment & Employee Benefits Luncheon for Investment Managers, New York, June 2019
- "Come Work for Us: Employment Contract or Offer Letter?" NBOA 2019 Annual Meeting, San Diego, CA, March 2019
- "Insta-Suspension #detention @expelled: Student Discipline in the Age of Social Media," NAIS 2019 Annual Conference, Long Beach, CA, March 2019
- Schulte Employment & Employee Benefits Luncheon for Investment Managers, New York, Nov. 2018
- "School Trips: The Hidden Risks," National Business Officers Association 2018 Annual Meeting, March 2018
- "Risk Management in a New Era," NYSAIS Business Affairs Conference, New York, May 2017
- "Harassment Claims," Employment Discrimination Law & Litigation 2016, Practising Law Institute, New York, June 2016
- "Legal Issues 101" and "Legal Issues and Admissions Q&A," NYSAIS Admissions Directors Conference, New Paltz, NY, April 2016
- "Important Legal Issues for Trustees," NYSAIS Webinar, April 2015
- "The Legal Ins and Outs of After-School Programs," NYSAIS After School Conference 2014, Rensselaerville, NY, Nov. 2014

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- "Legal Q&A," ERB 86th Annual Conference – Journey to Academic Excellence, Fort Worth, Texas, Oct. 2013
- "Legal Q&A," ERB 85th Annual Conference – Journey to Academic Excellence, San Diego, Oct. 2012
- "Legal/Financial Issues," H1N1 Pandemic Flu Preparedness, New York State Association of Independent Schools, New York, Sept. 2009

Distinctions

- *IFLR1000* – Rising Star, Labor and Employment
- *New York Super Lawyers* – Rising Star, 2016-2017

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