



DAVID S. FEATHER, ESQ.

Employment Law Specialist

David S. Feather, Esq. has been engaged in the practice of law for nearly 25 years and is a seasoned litigator who has focused his legal practice on labor and employment law matters. Representing both employees and employers/management, he practices in both the State and Federal Courts and regularly appears before the Equal Employment Opportunity Commission, the New York State Division of Human Rights and the United States and New York State Departments of Labor. Mr. Feather has vast experience handling discrimination/retaliation cases under Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Family and Medical Leave Act (FMLA), the New York State Executive Law and New York City Administrative Code. He has also litigated wage and hour matters under the Fair Labor Standards Act (FLSA) and New York State Labor

Laws. Mr. Feather has represented unions and union members in grievances and arbitrations pursuant to collective bargaining agreements, and has negotiated, drafted, litigated and mediated employment contracts, severance agreements and non-compete agreements on behalf of both employers and employees.

Early on in his career, Mr. Feather became an avid supporter of Alternative Dispute Resolution and has mediated and arbitrated employment disputes in court-annexed, administrative agencies and private mediation settings. Mr. Feather is well-respected professionally by both sides of the bar, and is known for his fair and objective approach to the resolution of matters.

David Feather has authored and lectured on a myriad of issues relating to labor and employment law including discrimination in the workplace, sexual harassment, the changing role of women in the workplace, the American Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, employment contracts and non-compete agreements, severance agreements and age discrimination in public sector pensions. Mr. Feather was named a 2020 New York Metro Super Lawyer. This honor combines peer nominations, peer review and in-house independent research with only 5% of attorneys being selected for this designation.

David S. Feather, Esq. is available to mediate and arbitrate cases throughout the New York Metro area.

AREAS of EXPERIENCE

- Employment Discrimination based on Age, Race, Gender, National Origin, Disability, Religion and Sexual Orientation
- Reasonable Accommodations in the workplace due to disability(ies)
- Equal Employment Opportunity Law
- Executive Employment Law
- Executive Employment and Severance Agreement
- Fair Employment Practices
- Fair Labor Standards
- Civil Rights

- Disciplinary Proceedings
- Family and Medical Leave Act
- Federal Employment Law
- Harassment
- Personal Policies
- Retaliatory Discharge
- Sexual Harassment
- Title VII Discrimination
- Union Contract Negotiations
- Wage & Hour Law
- Federal and State WARN Acts
- Wrongful Termination

LECTURES and PUBLICATIONS

- Author, *New York Employers Dodge a Bullet: Governor Cuomo Vetoes New York State's "Sweat" Bill*, Nassau Lawyer, 2020
- Panel Member, Webinar: *Arbitration and Mediation in the Workplace – Important Considerations for an ADR Program*, presented to Law.com, 2020
- Speaker, *12th Annual Arbitration Training Institute, A Comprehensive Training in Advance Arbitration Skills - Employment*, American Bar Association, 2019
- Speaker, *Keys to a Successful Mediation*, Webinar presented in cooperation with the Practising Law Institute (PLI), 2018
- Speaker, *New York State Paid Family Leave Act: What You Need To Know*, Practising Law Institute webinar, 2018
- Author, *The Future of Class Action Waivers in Employment Arbitration Agreements*, *New York Law Journal Labor and Employment Special Report*, 2017
- Speaker, "Introduction to Title I of the Americans with Disabilities Act (ADA)", Lawline CLE, 2017
- Speaker, "Ten Ways to Protect Your Business from Claims of Unlawful Employment Practices", ScoreLI, 2017
- Author, *Telecommuting and Leaves of Absences as Reasonable Accommodations Under the ADA*, Nassau Lawyer, 2017
- Speaker/Panel Member, "Reasonable Accommodation in the Workplace Under the ADA / Recent Trends and Practical Tips When Dealing with Restrictive Covenants and Trade Secrets", presented to Epstein, Becker and Green, P.C., 2016
- Webinar, *Noncompete Agreements and Severance Agreements*, National Business Institute (NBI), 2016
- Author, *Does Rule 68 Offer Moot Wage and Hour Collective/Class Actions?*, Nassau Lawyer, 2016
- Speaker, lectured on federal, state and local employment and labor laws that affect New York's small businesses, Score NYC, 2016
- Speaker, *Unlawful Discrimination in the Workplace*, National Law Institute (NLI), 2015
- Author, *Mach Mining: The Death of an Affirmative Defense?*, Nassau Lawyer, 2015
- Speaker, *The Fair Labor Standards Act (FLSA) and New York Wage Law: Changes You Need to Know*, Lorman Education Services, 2011
- Speaker, *Family and Medical Leave Act (FMLA)*, Lorman Business Center, 2008
- Speaker, *Employee v. Independent Contractor: Making the Distinction*, Lorman Education Services, 2008
- Speaker, *Legal Issues Affecting Small Businesses in New York*, Town of Brookhaven's Small Business Advisory Council, 2006
- Speaker, *Family and Medical Leave Act (FMLA)*, Lorman Education Services., 2006

- Author, *The Whistleblower Aspects of the Sarbanes-Oxley Act of 2002*, Nassau Lawyer, 2004
- Speaker, *An Introduction to the Americans with Disabilities Act (ADA) and the Family and Medical Leave Act (FMLA)*, Nassau County Bar Association, 2002

HONORS and AWARDS

- New York Metro Super Lawyer, 2020, 2019

LEGAL EXPERIENCE

- Feather Law Firm, P.C., 1999 – Present
- Rosen, Leff, Esqs., Associate, 1993 – 1998

PROFESSIONAL LICENSES and ADMISSIONS

- New York State Bar, 1994
- Admitted to practice before all Courts of the State of New York, the Eastern District of New York (1994), the Southern District of New York, 1998 and the Second Circuit Court of Appeals, 2007
- Nassau County Bar Association
- Suffolk County Bar Association

PANELS and CERTIFICATIONS

- “Dispute Resolution Commercial Mediation Training Program,” an intensive 3-day seminar on mediation, New York State Bar Association in conjunction with the Nassau County Bar Association, 2016
- Arbitrator, New York State Unified Court System and trained as an arbitrator with the New York State Office of ADR Programs, 2014
- Member, Legal Advocacy Fund of the American Association of University Women, 1999 – 2007

EDUCATION

- Hofstra University School of Law, J.D., 1993
- Interned for the Honorable Francis X. Altimari, Second Circuit Court of Appeals, 1992
- Interned for the Honorable Robert John Hall of the United State Bankruptcy Court for the Eastern District of New York, 1992
- State University of New York at Binghamton, B.A., 1990