

## **Seth D. Kaufman**

### ***Partner***

New York

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### ***Service Focus***

- Class and Collective Actions
- Litigation and Trials
- Labor Relations
- Mergers and Acquisitions
- Wage and Hour

### ***Industry Focus***

- Hospitality

### ***Overview***

Seth Kaufman is a partner in the firm's New York office, representing employers – both large corporations and small start-ups – in a range of industries, including hospitality, fast food, healthcare, media, and real estate, among others.

Seth has successfully defended employers as lead counsel in a wide variety of employment litigation, including complex class and collective wage and hour cases in state and federal court, investigations involving New York City's Fair Workweek and just cause law for fast food employers, single-plaintiff employment discrimination and retaliation claims, and labor arbitrations and matters before the National Labor Relations Board (NLRB).

Moreover, Seth also regularly advises employers in all aspects of traditional labor matters, including representing employers as lead counsel during collective bargaining, advising on union representation elections and campaigns, advising on collective bargaining matters for multi-employer bargaining associations, and handling Circuit Court appeals of NLRB decisions.

Seth's practice also includes advising clients on compliance matters to avoid litigation, with a focus on wage and hour issues under both the Fair Labor Standards and New York Labor Law, issues implicating the National Labor Relations Act (NLRA) in both union and non-union workplaces, compliance with New York City's Fair Workweek and just cause law, and issues involving corporate transactions.

Seth began his legal career with the Realty Advisory Board on Labor Relations, where he advised employers in the New York City real estate industry on collective bargaining matters and contract interpretation issues, and handled grievances and arbitrations on behalf of employers.

Seth has also guest lectured on employment law topics at the Tisch Institute for Sports Management, Media and Business at New York University's School of Professional Studies.

## ***Recent Experience***

### **Experience**

- Defended client in a Fair Labor Standards Act (FLSA) collective action jury trial in federal court.
- Defended against certification of wage and hour class and collective actions, including gaining early dismissal of putative class actions.
- Lead counsel in labor arbitrations and cases before the National Labor Relations Board (NLRB).
- Defended against New York City-wide Fair Workweek (FWW) case, and other FWW and just cause allegations before NYC Department of Workforce and Consumer Protection.
- Lead counsel during collective bargaining, including negotiations of first contracts.
- Conducted misclassification audits of employers and advised on reclassification roll outs and implementation.
- Advised on labor and employment matters for corporate transactions.
- Advised employers on NLRB elections and represented employers during NLRB representation hearings.

## ***Credentials***

### **Education**

- J.D., 2010, cum laude, Cornell Law School
- B.S., 2007, magna cum laude, Syracuse University

### **Bar Admissions**

- New Jersey

- New York

## Court Admissions

- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- 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. District Court for the Western District of New York

## Recognitions

- *New York Metro Super Lawyers - Rising Star* (2019-2020)

## Affiliations

### Professional Activities

- Member, New York State Bar Association: Labor & Employment Law and Young Lawyers Section
- Member, American Bar Association

## Insights

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INSIGHTS

03/06/25

### SCOTUS Makes It Harder for Plaintiffs to Recover Attorney's Fees: How a Driver's License Case Could Impact Employers

Seth D. Kaufman, Tyler T. Rasmussen

[Read more →](#)

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EVENT

01/28/25

### Handbook Headaches: How to Ensure Compliance with the NLRB and NY/NJ's Ever-Changing Landscape

Seth D. Kaufman, Alba V. Aviles

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NEWS

12/05/24

### Law360 Interviews NYC Partner on Skidmore Doctrine

Seth D. Kaufman

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INSIGHTS

11/12/24

## **FP SCOTUS Predictions: Supreme Court Will Make It Harder for Plaintiffs to Recover Attorney's Fees in Civil Rights Actions and Beyond**

Seth D. Kaufman, Tyler T. Rasmussen

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INSIGHTS

10/29/24

## **Hospitality Industry Braces for NYC's Safe Hotels Act: Top Things Employers Need to Know About What Could Become a Nationwide Trend**

Seth D. Kaufman, Andria Lure Ryan

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EVENT

Tuesday, October 22, 2024 and Tuesday, October 29, 2024

## **A Strategic Response to The Cemex Decision, One Year Later**

Alba V. Aviles, Seth D. Kaufman, Steven M. Bernstein, Rick Grimaldi

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NEWS

09/17/24

## **Republished Insight: Yet Another U.S. Supreme Court Decision Will Allow Employers to Challenge Federal Regulations More Easily: 5 Steps to Plan for the New Future**

Catherine "Ree" Harper, Seth D. Kaufman

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EVENT

08/13/24

## **Mastering Wage and Hour Compliance: Essential Strategies for New York Employers in an Ever-Changing Federal and State Environment**

Seth D. Kaufman, Amanda Davinson

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NEWS

07/23/24

## **Partner Discusses Overtime Rule in a Post-Chevron World**

Seth D. Kaufman

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INSIGHTS

07/09/24

## **Yet Another SCOTUS Decision Will Allow Employers to Challenge Federal Regulations More Easily: 5 Steps to Plan for the New Future**

Catherine “Ree” Harper, Seth D. Kaufman

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