

Seth D. Kaufman

Partner

New York

t: 212.899.9975

f: 212.956.1971

Email



Service Focus

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

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

INSIGHTS

03/13/24

Are Your Student-Athletes Employees? NLRB Regional Director Says So

Seth D. Kaufman, Joshua D. Nadreau, Henry Thomson-Smith

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INSIGHTS

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Colorado and Washington Likely to Join Growing List of States Banning Captive Audience Meetings: 5 Steps Employers Can Take to Comply

Patrick J. Collopy, Seth D. Kaufman, Erik M. Laiho, Henry Thomson-Smith

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INSIGHTS

01/22/24

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Amanda M. Blair, Kathleen McLeod Caminiti, Brian J. Gershengorn, Seth D. Kaufman, Sarah Wieselthier

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Seth D. Kaufman, Henry Thomson-Smith

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09/14/23

New York Breakfast Briefing - How Fair is the New York City Fair Chance Act?

Seth D. Kaufman, Justin Reiter

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NEWS

09/03/23

New York Partner Discusses State's "Captive Audience" Bill

Seth D. Kaufman

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08/11/23

New York, Minnesota, and Maine Ban "Captive Audience Meetings" – But the Fight is Just Beginning

Seth D. Kaufman, Henry Thomson-Smith

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NEWS

07/14/23

New York Partner Discusses Wage & Hour Considerations During Heatwave

Seth D. Kaufman

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EVENT

03/08/23

Wage and Hour Wednesday – A Deeper Dive on "Off the Clock" Compensable Time

Jeffrey A. Fritz, Seth D. Kaufman

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INSIGHTS

03/03/23

Top Workplace Law Stories You May Have Missed from February 2023

Davis C. Bae, Phillip C. Bauknight, Steven M. Bernstein, Michael E. Bonner, Tatiana S. Chiu, Jocelyn Campanaro, Patrick M. Dalin, Theresa D'Andrea, Anet Drapalski, Michael P. Elkon, Todd Alan Ewan, Benjamin M. Ebbink, Darcey M. Groden, Marty Heller, Corina Johnson, Usama Kahf, Seth D. Kaufman, Todd A. Lyon, Radhika Mehta, Brett P. Owens, Kayla M. Panek, Deniz Uzel Reilly, Joel W. Rice, Craig P. Siegenthaler, Hannah Sweiss, Henry Thomson-Smith, J. Hagood Tighe, Sarah Wieselthier, Megan C. Winter, Franklin Z. Wolf, Jeremy F. Wood

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