



# James M. Leva

## Partner

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## Overview

James Leva, a labor and employment lawyer, regularly defends employers against all types of employment-related claims, including discrimination, harassment, whistleblower and retaliation claims. He represents clients before state and federal courts, as well as government agencies. James has represented employers of all sizes from a number of different industries, including the financial, telecommunications, retail, pharmaceutical, logistics, manufacturing and insurance industries.

In addition to handling complex employment litigation, James routinely counsels employers on day-to-day compliance with the spectrum of laws governing the employer-employee relationship. He also regularly assists companies with protecting their confidential information and trade secrets. James has successfully represented companies and individuals in injunction hearings arising from and related to non-disclosure, non-competition, non-solicitation and other restrictive covenant agreements. He also routinely works with clients to prepare such agreements and to strategize the onboarding and offboarding of employees subject to restrictive covenants.

James has substantial experience counseling employers on Occupational Safety and Health Administration (OSHA) compliance and with OSHA investigations. He defends employers with OSHA whistleblower cases and before the Occupational Safety and Health Review Commission.

## Experience

*No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.*

Successfully defended Fortune 500 company against retaliation claims in 5-day bench trial

Obtained summary judgment on behalf of Fortune 500 company on age discrimination claim

Obtained summary judgment on behalf of large employer on former employee's hostile work environment, and race and age discrimination claims

Successfully represented several employers in wage/hour audits before United States Department of Labor and Connecticut Department of Labor

## Practices & Industries

[Cannabis](#)

[Employment & Labor](#)

[Employment Contracts](#)

[Employment Counseling & Training](#)

[Employment Litigation](#)

[Labor Management Relations](#)

[Litigation](#)

[OSHA Compliance and Litigation](#)

[Restrictive Covenants & Trade Secrets](#)

[Wage and Hour Compliance & Employee Compensation](#)

[Workplace Investigations](#)

# Education and Credentials

## Education

University of Connecticut School of Law, J.D., 2011, *Connecticut Law Review*, Editor

The George Washington University, B.A., 2008

## Admissions

State of New Jersey

State of Connecticut

U.S. District Court, District of New Jersey

U.S. District Court, District of Connecticut

U.S. Court of Appeals for the Second Circuit

## Affiliations

Connecticut Bar Association

Oliver Ellsworth Inn of Court

Human Resource Leadership Association of Eastern Connecticut

Association of the Federal Bar of New Jersey

# Recognition and Community

*No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome. [See Awards Methodology.](#)*

## Recognitions

Chosen for inclusion on 2024 New Leaders of the Bar Award, *ALM/Law.com*, 2024

Selected to [The Best Lawyers in America](#) list of Ones to Watch (Woodward/White, Inc.) for Litigation – Labor and Employment, 2021-2025; Labor and Employment Law - Management, 2024-2025

# Insights

Second Circuit Clarifies Employer Obligations Under ADA: Accommodation May Be Required Even If Employee Can Perform Essential Job Functions Without It

Day Pitney Alert, April 24, 2025

Countdown to Compliance: Getting Ready for the New Jersey Pay Transparency Law's June 1 Effective Date

Day Pitney Alert, April 16, 2025

New Year, New Employment Law Updates: New York's 2025 Updates

Day Pitney Advisory, February 6, 2025

New Jersey's New Pay Transparency Law Is on the Horizon

November 20, 2024

A Mostly Quiet Year for Employment Laws During Connecticut's 2024 Legislative Session

October 21, 2024

NLRB GC Proposes Significant Penalties for Employers' Use of Non-Compete and Stay-or-Pay Agreements

October 11, 2024

Texas Court Invalidates FTC Noncompete Rule Nationwide

August 21, 2024

Supreme Court Overturning Chevron Leaves a Wake of Regulatory Uncertainty for Employment and Energy Agency Actions

July 18, 2024

Texas Ruling Puts Future of FTC Noncompete Rule in Doubt

July 10, 2024

EEOC Final Rule and Interpretive Guidance on the Pregnant Workers Fairness Act and Legal Challenge to the Final Rule

May 30, 2024

New York Employment Law Developments: Paid Lactation Breaks, Posting Requirements and More

May 22, 2024

EEOC's New Guidance on Workplace Harassment Being Challenged

May 21, 2024

Updated: U.S. Department of Labor Increases Exempt Salary Thresholds

May 20, 2024

Union Officials and Other Non-Employees Now Allowed in OSHA Inspections

May 14, 2024

Updated: NLRB's Proposed Joint Employer Rule Is Still in Flux

May 8, 2024

FTC Adopts Near-Total Ban on Noncompete Agreements

April 24, 2024

New Protections for Domestic Workers Under the New Jersey Domestic Workers' Bill of Rights

April 11, 2024

Connecticut Employee's Claims That She Was Terminated Based on Medical Marijuana Use Go Up in Smoke

March 26, 2024

2023 New Jersey Employment Law Recap and Looking Ahead in 2024

January 29, 2024

U.S. Department of Labor Finalizes Independent Contractor Rule

January 26, 2024

U.S. Department of Labor Proposes Increases to Exempt Salary Thresholds

December 4, 2023

District of New Jersey Reiterates What Is Just Not Reasonable

September 18, 2023

Supreme Court Reexamines Undue Hardship Standard for Title VII Religious Accommodation

August 4, 2023

New Jersey Employers Face New Reporting Requirements Under Unemployment Insurance Law

July 28, 2023

Connecticut Employers Beware: Despite Quiet Legislative Session, Big Changes Could Be on the Horizon  
July 18, 2023

NLRB Overhauls Independent Contractor Test for the Third Time in Less Than a Decade  
June 20, 2023

Updated: New York Legislature Passes Noncompete Ban  
June 13, 2023

2023 Annual Employment and Labor Conference  
June 7, 2023

NLRB General Counsel Clarifies Limits on Broad Confidentiality and Non-Disparagement Provisions in Employment Documents  
May 23, 2023

UPDATED: New York City Makes Moves to Expand Protections Against Appearance-Based Discrimination  
May 18, 2023

New Jersey Appellate Division Expands Exception to the 'American Rule' for Recovering Attorneys' Fees  
May 15, 2023

New York Updates Sexual Harassment Prevention Model Policy and Training Materials  
May 3, 2023

New York State and City Pay Transparency Laws Continue to Evolve  
March 24, 2023

NLRB Limits Use of Confidentiality and Non-Disparagement Provisions  
March 7, 2023

UPDATED: Groundbreaking Changes to Temporary Workers' Rights in New Jersey  
March 2, 2023

2022 New Jersey Employment Law Recap and Looking Ahead in 2023  
February 24, 2023

2022 Connecticut Employment Law Recap  
February 2, 2023

Omnibus Spending Bill Includes New Workplace Protections for Pregnant and Nursing Employees  
January 19, 2023

FTC Takes Historic Action Against the Enforcement of Non-Compete Agreements  
January 17, 2023

After COVID-19 Delay, New Jersey WARN Act Amendments Set to Take Effect in 90 Days  
January 12, 2023

2023 New York Employment Law Updates  
January 11, 2023

Congress Tells Victims to Speak Out!  
January 6, 2023

New York Law Prohibits Employers From Disciplining Employees for Lawful Absences  
December 20, 2022

Have You Told Your Employees About Their Rights? New Workplace Posting and Distribution Requirements  
November 17, 2022

New Jersey Takes Aim at Restrictive Covenants

August 18, 2022

Day Pitney's Annual Employment and Labor Conference Session 2

June 16, 2022

Connecticut FMLA Notice Requirement Takes Effect July 1

June 27, 2022

Employers Are Required to Provide Written Notice of Tracking Devices in Vehicles Used by Their Employees

March 21, 2022

Biden Signs Act Restricting Forced Arbitration of Sexual Harassment or Assault Claims

March 4, 2022

Updated: The Supreme Court Has Spoken: OSHA ETS Stayed

January 14, 2022

New Year, New(ish) Connecticut Employment Laws

January 13, 2022

Sixth Circuit Lifts Stay of OSHA COVID-19 Emergency Temporary Standard Requiring Vaccination or Testing

Day Pitney Alert, December 21, 2021

UPDATED: OSHA Issues COVID-19 Emergency Temporary Standard Requiring Vaccination or Testing

November 9, 2021

New Jersey Amends Law Against Discrimination to Expand Protections Against Age Discrimination

October 8, 2021

President Biden Issues Executive

Day Pitney Advisory, July 29, 2021

New Jersey Supreme Court Weighs In on Pregnant Workers Fairness Act: Undue Hardship Is Not What You Thought It Was

July 6, 2021

A WARNING to New Jersey Employers Contemplating Mass Layoffs or Other Business Change

June 28, 2021

OSHA Issues COVID-19 Emergency Temporary Standard for Employers in the Healthcare Industry and Updates Guidance for All Employers

June 16, 2021

New Guidance Indicates Employees Entitled to Multiple Leaves Under the New York COVID-19 Sick Leave Law

February 1, 2021

A New Year Means New Changes to NY and NJ Wage and Hour Laws

January 20, 2021

Workplace Safety During the Pandemic: What Employers May Not Know About Their OSHA Obligations

October 30, 2020

In Landmark Ruling, the United States Supreme Court Holds that Title VII Prohibits Discrimination Based on Sexual Orientation and Gender Identity

July 30, 2020

OSHA Reverses Course and Reinstates Employers' Obligation to Determine Whether COVID-19 Cases Are Work-Related

May 28, 2020

The Road Back' from COVID-19 - Reopening NJ Businesses

May 22, 2020

Connecticut Updates Safe Workplace Rules for Essential Employers and COVID-19

April 28, 2020

New COVID-19 Amendments to New Jersey's WARN Act Provide Some Relief for Employers

April 16, 2020

New Jersey Expands Protections and Paid Leave Benefits for Employees Impacted by COVID-19

March 30, 2020

New Jersey Adopts Several Pieces of Emergency Legislation to Address COVID-19 Concerns

March 24, 2020

Day Pitney Prepared to Assist Clients in Requesting Designation as "Essential" Business under New York's COVID-19 "Work from Home" Executive Order

March 22, 2020

New Jersey Becomes First State in the Country To Require Severance in Mass Layoffs

January 28, 2020

Following Lead of Other States, Discrimination Based on Certain Hairstyles Is Now Unlawful in New Jersey

December 12, 2019

Marijuana Update: Must New Jersey Employers Accommodate Medical Use?

November 20, 2019

September 30 EEO-1 New 'Component 2' Data Submission Deadline Is Quickly Approaching

September 11, 2019

New Jersey Law Now Provides Protections to Medical Marijuana Users

September 11, 2019

Connecticut's New Paid Family and Medical Leave Act Applies to Almost All Employers

July 1, 2019

Marijuana Update: Must New Jersey Employers Accommodate Medical Use?

June 28, 2019

Connecticut's 'Time's Up Act' Expands Employer's Obligations to Prevent Sexual Harassment

June 28, 2019

Connecticut's 'Time's Up Act' Expands Employer's Obligations to Prevent Sexual Harassment

June 26, 2019

2019: The Beginning of the End for Mandatory Arbitration?

March 28, 2019

New FLSA Proposed Rule Would Provide Overtime to Millions More Americans

March 28, 2019

New Jersey Becomes First State to Ban Employers From Using Arbitration, Nondisclosure and Confidential Settlement Agreements for All Claims of Discrimination, Harassment or Retaliation

March 19, 2019

NYC Releases Guidance and Notice Posting For New Temporary Work Schedule Changes Law

September 26, 2018

Despite Contrary Law in Other States, New Jersey Employers Not Required to Accommodate Medical Marijuana Use

September 26, 2018

Connecticut Joins the Growing List of States Banning Employers From Inquiring About Job-Seekers' Salary History

May 24, 2018

Supreme Court Upholds Class Waiver Provisions in Employee Arbitration Agreements

May 23, 2018

Tax Reform Act Denies Deductions for Confidential Settlements of Sexual Harassment Claims

January 17, 2018

Revised EEO-1 Reporting Requirements Stayed Indefinitely

August 31, 2017

New York City Bans Employers from Asking Applicants About Salary History

May 9, 2017

Where New Conn. Ban-The-Box Law May Be Headed

June 28, 2016

Connecticut Enacts Modified "Ban the Box" Law

June 16, 2016

President Obama Signs Defend Trade Secrets Act

May 13, 2016

Shedding Light On Conn.'s Pay Secrecy Law

July 30, 2015

Drawing the Line Between Intern and Employee

July 27, 2015

## News

Day Pitney Partner James Leva Recognized as a New Leader of the Bar in New Jersey

September 5, 2024

Day Pitney Names New Chairs of Cannabis Practice Group

January 17, 2024

Eleven Day Pitney Attorneys Elevated to Firm Partnership for 2023

January 3, 2023

James M. Leva

January 3, 2023

Day Pitney Represents TriStruX LLC in Sale to Huron Capital

December 23, 2021

## In The Media

Employment Matters - Travel Tuesday: Doing Business in Connecticut

November 19, 2024

Meet NJ Law Journal's New Leaders of the Bar

New Jersey Law Journal , October 30, 2024

Employee's Medical Marijuana Termination Claim Goes Up in Smoke

April 15, 2024

Connecticut Movers: New Partners and Practice Chairs

Connecticut Law Tribune, January 18, 2024

Day Pitney Names New Chairs of Cannabis Practice Group - Attorney At Law Magazine

Attorney At Law Magazine, January 17, 2024

Day Pitney Selects New Leaders For Cannabis Practice Group

Law360, January 17, 2024

Day Pitney's Cannabis Practice Leaders

Law.com, January 18, 2024

2023 Annual Employment and Labor Conference

June 7, 2023

New Partners Yearbook 2023, New Jersey Law Journal

New Jersey Law Journal, March 2, 2023

Day Pitney Elevates 11 To Partner

Law360 Pulse, January 3, 2023

Day Pitney Real Estate, Land Use Lawyer in New Jersey Named Partner

Real Estate NJ, January 4, 2023

Eleven Day Pitney Attorneys Elevated to Firm Partnership in 2023

The Boca Raton Tribune, January 4, 2023

Employment Matters – Travel Tuesdays: Doing Business in Connecticut

August 9, 2022

CT gets on board with e-pay cards

The Hartford Business Journal, October 10, 2016

New payday option in Conn. - put it on plastic

The Stamford Advocate, October 5, 2016

DOL Issues Final Overtime Rule

CBIA News, May 23, 2016

Department of Labor Issues Final Overtime Expansion Rule

Day Pitney Alert, May 18, 2016

Connecticut Enacts Employee Online Privacy Law

Employee Relations Law Journal, August 19, 2015

Connecticut Enacts Employee Online Privacy Law

Employee Relations Law Journal, May 21, 2015