



## Heather Brochin

*Partner*

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### OVERVIEW

Heather Brochin, chair of the firm's Employment and Labor practice, represents employers in employment and employee benefits litigation and counsels them on day-to-day employment law matters. She represents clients in state and federal courts, as well as before the Equal Employment Opportunity Commission and state human rights commissions, primarily in New York and New Jersey.

Heather regularly advises employers with respect to a broad range of personnel issues, including:

- Hiring
- Termination
- Reductions in force
- Employment discrimination
- Unlawful harassment
- Restrictive covenants
- Wage and hour issues
- Internal investigations
- Executive compensation
- Personnel policies
- Disability
- Leave

Heather also has substantial experience negotiating and drafting employment and separation agreements on behalf of both companies and individuals and conducting trainings for employers on various employment law issues. Heather regularly advises clients on the enforceability, meaning and drafting of non-competition, non-solicitation, and non-disclosure provisions and agreements and litigates related issues. In addition, she has handled collection and withdrawal liability disputes between multiemployer plans and employers.

Heather has frequently been published and spoken on employment law issues and been cited in

several respected business media, including *Law360*. Heather was formerly the managing partner of the firm's New Jersey office.

## **EXPERIENCE**

Obtained summary judgment for Fortune 100 company in a lawsuit by three plaintiffs alleging disability and race discrimination and retaliation in federal court

Obtained summary judgment (affirmed on appeal) on behalf of a college in a race and religious discrimination case in New York federal court

Obtained summary judgment (affirmed on appeal) on behalf of a pharmaceutical company in an age discrimination case in New Jersey federal court

Negotiated successful settlements of discrimination, harassment, retaliation and wage and hour claims brought under state and federal law

Counseled employers on implementation of reductions in force, including selection of employees for layoff, legal compliance issues and separation and release agreements

Represented employers and obtained dismissals and findings of "no probable cause" in employment discrimination charges before the EEOC, New Jersey Division on Civil Rights, the New York State Division on Human Rights, and the New York City Commission on Human Rights

Reviewed and revised client personnel policies, employee handbooks, employment agreements, employment applications, offer letters, and independent contractor agreements

Conducted internal investigations on behalf of company involving allegations of harassment and discrimination and provided recommendations for redressing improper behavior

Defended companies against improper assessment of deficient benefit contributions in connection with multi-employer fund audits

## **SERVICES**

**EMPLOYMENT AND LABOR**

**EMPLOYMENT LITIGATION**

**LITIGATION**

**INTERNAL INVESTIGATIONS**

## **INDUSTRIES**

**HEALTHCARE AND LIFE SCIENCES**

**INTELLECTUAL PROPERTY AND TECHNOLOGY**

## **INSIGHTS**

### **FTC TAKES HISTORIC ACTION AGAINST THE ENFORCEMENT OF NON-COMPETE AGREEMENTS**

Co-author, January 17, 2023, *Day Pitney Alert*

### **AFTER COVID-19 DELAY, NEW JERSEY WARN ACT AMENDMENTS SET TO TAKE EFFECT IN 90 DAYS**

Co-author, January 12, 2023, *Day Pitney Alert*

### **2023 NEW YORK EMPLOYMENT LAW UPDATES**

Co-author, January 11, 2023, *Day Pitney Alert*

### **DON'T FALL BEHIND: STAY UP TO DATE WITH THE CHANGES TO NEW YORK'S EMPLOYMENT LAWS**

Co-author, October 3, 2022, *Day Pitney Alert*

### **WEEDING OUT IMPAIRED EMPLOYEES: NJ COMMISSION ISSUES GUIDANCE ON ADVERSE EMPLOYMENT ACTION FOR CANNABIS USE**

Co-author, September 20, 2022, *Day Pitney Alert*

## **NEWS**

### **SHOULD YOU WORK 2 REMOTE JOBS AT ONCE?**

Featured, December 30, 2022, *U.S. News & World Report*

### **DAY PITNEY REPRESENTS VCV DIGITAL TECHNOLOGY IN ITS BUSINESS COMBINATION WITH FORTUNE RISE ACQUISITION CORPORATION**

Mentioned, May 2, 2022, *Day Pitney Press Release*

### **CONFIDENTIALITY DISQUALIFIES HARASSMENT SETTLEMENT TAX DEDUCTIONS**

Quoted, February 23, 2018, *Society for Human Resource Management*

### **87 DAY PITNEY LAWYERS NAMED TO 2016 SUPER LAWYERS LIST**

Featured, November 10, 2016, *Day Pitney Press Release*

### **CLOSE UP: HEATHER WEINE BROCHIN OF DAY PITNEY LLP**

Featured, February 8, 2016, *NJBIZ*

## **EDUCATION AND CREDENTIALS**

### **EDUCATION**

New York University School of Law, J.D., 2001

University of Pennsylvania, B.A., 1998

## **ADMISSIONS**

State of New Jersey

State of New York

## **AFFILIATIONS**

American Bar Association

New Jersey State Bar Association, Labor and Employment Law Section

New Jersey Women Lawyers Association

## **RECOGNITION AND COMMUNITY**

### **RECOGNITION**

Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.), Employment Law - Management, 2023, Labor and Employment - Litigation, 2023

Selected to the list of New Jersey *Super Lawyers* (Thomson Reuters), Employment Litigation, Employment and Labor, 2017-2022

Selected to the New York *Super Lawyers* Women's Edition (Thomson Reuters), Employment Litigation, Employment and Labor, 2021

Selected to the list of New York *Super Lawyers* (Thomson Reuters), Employment Litigation, Employment and Labor, 2018-2019

Selected to the New York *Super Lawyers* Women's Edition Rising Stars (Thomson Reuters), Employment Litigation, Employment and Labor, 2017

Selected to the list of New Jersey *Super Lawyers* Rising Stars (Thomson Reuters), Employment Litigation, Employment and Labor, 2011-2016

Selected to the list of New York Metropolitan Area *Super Lawyers* Rising Stars (Thomson Reuters), Employment Litigation, Employment and Labor, 2016

Chosen as one of the New Leaders of the Bar by the *New Jersey Law Journal* (ALM Media Properties, LLC), 2015

*No aspect of these advertisements has been approved by the highest court of any state. See [Awards Methodology](#).*

## **COMMUNITY**

Temple Sharey Tefilo-Israel, Board of Trustees, Executive Committee