Jason Habinsky

Partner

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PRACTICES Labor and Employment, Employment Litigation, Social Media, Litigation, AI and Deep Learning

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Jason Habinsky is a Partner in the firm's Labor and Employment Practice Group. He utilizes an approach guided by years of experience to help develop creative strategies aimed at resolving his clients' potentially volatile employment law matters before they escalate. Jason recognizes that understanding his clients' businesses is the key to helping them navigate the complexities of workplace issues in the most effective, yet efficient manner.

Should litigation become inevitable, Jason is well-prepared to proceed to trial and, if necessary, see matters through appeal having represented clients in employment law matters before nearly all levels of state and federal courts in New York and nationally. Jason's wealth of experience spans a broad range of employment-related issues, including claims of employment discrimination, sexual harassment, retaliatory discharge, disability issues, wage and hour disputes, unfair competition, and theft of trade secrets.

Jason also provides employment-related counseling to clients regarding potentially perilous workplace issues, such as hiring and firing decisions, whistleblower and retaliation issues, disciplinary actions, employee complaints, reasonable accommodation and leave requests, and wage and hour laws. Given the wealth of his experience, it should come as no surprise that Jason has become the go-to lawyer for numerous employers facing employment related issues and is often called on to comment on developments in employment law either in the press or through his many speaking engagements.

Giving back to the community also has always been an important focus of Jason's employment law practice. In recognition of Jason's commitment to delivering pro bono employment law counseling to nonprofits, Jason was awarded the Lawyers Alliance for New York's Cornerstone Award for his outstanding dedication in 2012.

QUALIFICATIONS

EDUCATION

- J.D., Tulane University Law School, 1996, *with honors;* Order of the Coif; Editor, *Tulane Maritime Law Journal*
- B.A., Political Science, Union College, 1993, *with honors; cum laude*

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ADMISSIONS

- Connecticut
- New York

COURT ADMISSIONS

- Connecticut Superior Court
- Appellate Division of the Supreme Court of the State of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Eastern 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

PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Federal Bar Council
- American Bar Association
- New York Bar Association

SELECTED CLIENT REPRESENTATIONS

- Obtained dismissal for client on former employee’s New York City and State law claims of retaliation and disability discrimination.
- Secured dismissal with prejudice of former employee's breach of contract claims in action before New York State Supreme Court.
- Obtained dismissal of Department of Labor complaint alleging wage and hour violations against national chain.
- Successfully defended client against federal claims of systemic age discrimination.
- Secured dismissal of employee's state claims of discrimination and harassment on the basis of race, national origin, gender and religion.
- Awarded complete summary judgment for blood collection and distribution organization with respect to claims of disability discrimination, and successfully argued to uphold the dismissal of all claims before the New York State Appellate Division.
- Represented entertainment industry client in collective bargaining negotiations.
- Successfully obtained and/or defended injunctions and litigated cases involving misappropriation of trade secrets, covenants not to compete, unfair competition, and other related torts.
- Defended various clients before city, state and federal agencies and achieved no probable cause findings against employees asserting discrimination claims.

AWARDS AND RECOGNITIONS

- Selected for inclusion in the *Lawdragon 500* Leading U.S. Corporate Employment Lawyers listing, Lawdragon Inc., 2021-2024
- Recognized as a Labor and Employment Star by *Benchmark Litigation*, Euromoney Institutional Investor PLC, 2021

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