

## Janet Barsky

Attorney

New York

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### OVERVIEW

Janet defends businesses before numerous administrative agencies in independent contractor misclassification claims brought under an array of federal and state laws seeking unemployment insurance, workers' compensation, employment taxes, employee benefits, and overtime and minimum wage payments.

As an experienced labor and employment attorney, Janet also works on special projects involving employees, such as wage and hour, workplace harassment, and Fair Credit Reporting Act matters.

Janet is managing editor of the *Independent Contractor Misclassification and Compliance* Blog, the only legal blog in the U.S. dedicated to the subject. She compiles and drafts the summaries of each of the cases reported in the news updates published each month on the blog.

### REPRESENTATIVE MATTERS

- Defended dozens of clients in unemployment insurance, tax, and workers' compensation audits and benefit claims across the U.S. involving independent contractors who have been engaged by clients.
- Drafted scores of state-of-the-art agreements for clients operating in nearly every state in the U.S. to enhance their compliance with an array of state and federal tests for independent contractor classification.

### TOP AREAS OF FOCUS

- Labor + Employment

### ALL AREAS OF FOCUS

- Employment Counseling
- Independent Contractor Misclassification + Compliance
- Labor + Employment
- Noncompete + Trade Secrets
- Wage + Hour Matters

## PROFESSIONAL/COMMUNITY INVOLVEMENT

- Trustee, East Meadow Public Library
- Board of directors, Eden II Programs

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- Yeshiva University Benjamin N. Cardozo School of Law, J.D.
- Cornell University, School of Industrial and Labor Relations, B.S.

### BAR ADMISSIONS

- New York

### COURT ADMISSIONS

- U.S. District Court, Southern District of New York

## SPEAKING ENGAGEMENTS

- Speaker, “Exit Strategies for Major Employment & Commercial Disputes; Conducting Effective Internal Investigations,” Locke Lord, June 8, 2021.

## PUBLICATIONS

- Co-author, “Proliferating Pay Protection Laws Favoring Independent Contractors Create Perils for Businesses,” Locke Lord, October 2023.
- Co-author, “Tips for Complying with New Pay Transparency Laws Requiring Disclosure of Pay Ranges,” Locke Lord, February 2023.
- Co-author, “Now What? Update on Pay Transparency Laws and Tips on Compliance,” Locke Lord QuickStudy, December 22, 2022.
- Co-author, “Now What? Tips for Avoiding Liability Under NYC, CA, and Other Pay Transparency Laws,” Locke Lord QuickStudy, November 9, 2022.
- Co-author, “Why NLRB Is Unlikely to Succeed in Misclassification Case,” *Law360*, May 20, 2022.
- Co-author, “Is Independent Contractor Misclassification a Violation of the National Labor Relations Act?” Locke Lord, May 2022.
- Co-author, “AB2257: Not Much Better Than AB5 for Most Industries in California Using Independent Contractors,” Locke Lord, November 2020.
- Co-author, “COVID-19 Liability Waivers and Releases for Independent Contractors,” Locke Lord QuickStudy, July 24, 2020.
- Co-author, “COVID-19 Liability Waivers and Releases for Independent Contractors,” *Bloomberg Law*, July 2020.
- Co-author, “Businesses Address New Unemployment Options for Independent Contractors,” *Construction Executive*, April 2020.
- Co-author, “New York Passes Law on Paid and Unpaid Sick Leave and Family and Disability Leave Due to COVID-19,” Locke Lord QuickStudy, March 22, 2020.