



## Ethan D. Balsam

Shareholder

815 Connecticut Avenue NW  
Suite 400  
Washington, DC 20006  
main: (202) 842-3400  
direct: (202) 789-3424  
fax: (202) 842-0011  
ebalsam@littler.com



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## Focus Areas

Higher Education  
Discrimination and Harassment  
Hiring, Performance Management and Termination  
Healthcare  
Investigations  
Litigation and Trials

## Overview

Ethan D. Balsam's practice is primarily focused on advising and defending employers in a range of employment-related litigation, arbitration, and administrative agency proceedings, including claims involving:

- Discrimination
- Retaliation
- Sexual harassment
- Investigations
- Constitutional due process
- Traditional labor matters
- Title VII of the Civil Rights Act
- The Americans with Disabilities Act
- The Age Discrimination in Employment Act
- The Family and Medical Leave Act
- The Fair Labor Standards Act
- Sarbanes-Oxley Act
- Section 948a of the Longshore and Harbor Workers' Compensation Act

Additionally, Ethan counsels employers in various aspects of labor and employment law, including:

- Termination decisions
- Employee discipline
- Personnel policies
- Wage and hour matters
- Compliance with federal, state and local laws

Prior to joining Littler Mendelson, Ethan represented education institutions, municipalities and health systems before federal and New York state courts, and various administrative agencies including the Equal Employment Opportunity Commission, New York State Division of Human Rights, New York State Public Employment Relations Board and the New York State Education Department. He also negotiated collective bargaining agreements.

## Professional and Community Affiliations

- Member, New York Bar Association
- Member, Restaurant Association Metropolitan Washington

## Recognition

- Named, Rising Star in Employment & Labor Law, Washington, DC, *Super Lawyers*, 2015-2019

## Education

J.D., Syracuse University College of Law, 2006

B.S., Cornell University, 2002

## Bar Admissions

District of Columbia

New York

Maryland

## Courts

U.S. District Court, District of Columbia

U.S. District Court, Eastern District of New York

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

U.S. District Court, District of Maryland

U.S. Court of Appeals, District of Columbia

U.S. Court of Appeals, 2nd Circuit

U.S. Court of Appeals, 4th Circuit

## Publications & Press

### **District of Columbia Mayor Signs Law Restricting Employers from Using Credit Information in Employment Decisions**

*Littler Insight*

February 16, 2017

### **Littler Elevates 24 Attorneys**

*Littler Press Release*

January 3, 2017

### **Does Banning the Box Have You Scratching Your Head?**

*Bloomberg BNA*

December 15, 2016

### **New York's Wage Theft Prevention Act Imposing Additional Requirements on Employers**

*The Nassau Lawyer*

April 2011

### **Gifts for Departing Teachers Must be of 'Nominal Value**

*On Board Online*

2008

## Speaking Engagements

### **Internal Investigations Q&A**

2019 Mid-Atlantic Employer Conference, Bethesda, MD

June 7, 2019

### **#NotYouToo: How to Conduct Legal Investigations in the Aftermath of #MeToo**

Washington, D.C.

March 1, 2018

### **Managing a Growing Business**

2017 Mid-Atlantic Employer Conference, Washington, D.C.

June 6, 2017

### **"Ban the Box" and Other New Restrictions in Hiring**

December 7, 2016

**Terminating Employees Legally: What You Should (and Should Not) Do When Firing Workers**

C4CM

November 9, 2016

**Why Can't I Just Ask? When Asking for Information May Be Worse Than Not Knowing**

Littler Mendelson, Washington D.C.

June 25, 2015

**Don't Get Burned – Block Your Exposure to Wage and Hour Violations**

2014 Summer Summit - Sidwell Friends School, Washington, DC

December 5, 2014

**From the Interview to the Promotion – Avoiding the Legal Pitfalls That Lead to Liability**

2014 Tri-State Camp Conference, American Camp Association, Atlantic City, NJ

March 18, 2014

**The Wage & Hour Landscape for Non-Profit Camps and Conference Centers**

2012 Super Sectional Fireside Gathering, New England & New York Region - Christian Camp and Conference Association

March 26, 2012

**A Labor Law Primer (Wage & Hour Laws Affecting Camps)**

New York State Camp Directors Association

February 3, 2011

**Books & Book Chapters**

- Whistleblowing and Retaliation: A Guide for Human Resources Professionals and Counsel, *LexisNexis*, Retaliation & Whistleblower Claims by In-House Counsel, 5th Ed., Contributing Chapter Author, 2013