



Devjani H. Mishra

Shareholder

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Focus Areas

Business Restructuring and M&A
Corporate Compliance and Ethics
Discrimination and Harassment
Staffing, Independent Contractors and Contingent Workers
Leaves of Absence and Disability Accommodation
Healthcare
Retail
Emerging Technologies and Venture Capital

Overview

Devjani H. Mishra draws on more than 20 years of in-house and outside counsel experience to partner with management in creating scalable and efficient solutions to complex workplace challenges. She is a leader of Littler's COVID-19 Task Force and Return-to-Work Team, as well as Littler's Vaccination Working Group, and regularly assists companies in navigating federal, state and local COVID-19 related restrictions and reopening requirements.

Prior to joining Littler, Devjani spent almost seven years as the primary in-house employment counsel for a global biotechnology company serving patients in more than 50 countries. Devjani brings this client-centered perspective to her work with companies of all sizes, from startups to multinational corporations, including:

- Planning and performing transactional due diligence, workforce integration and business restructuring
- Building corporate compliance and ethics programs, performing employment practices audits and managing internal investigations
- Supporting stakeholders in capturing best practices for recruiting, contracting, alternative staffing, performance management, and discipline
- Addressing requests for flexible work, accommodation and military, medical and family leaves of absence

Devjani is also an experienced litigator, and has successfully handled employment complaints from inception through trial in federal and state courts and agencies. She works closely with clients to set cost-effective defense strategy and to alleviate the business disruption that litigation can cause.

Devjani is a regular presenter on employment law topics before the American Bar Association, the Practising Law Institute and other professional forums.

Professional and Community Affiliations

- Member, Annual Conference Track Coordinator, Labor and Employment Law Section, American Bar Association
- Director, South Asian Bar Association of New York, 2006-2010
- Member, American Employment Law Council
- Member, Women in Bio and BioCT

Recognition

- Fellow, *College of Labor and Employment Lawyers*, Elected 2021

Education

J.D., Columbia University School of Law, 1997, *Harlan Fiske Stone Scholar*

B.A., Yale University, 1994, *with distinction*

Bar Admissions

New York

Pennsylvania

Connecticut

Courts

U.S. Court of Appeals, 4th Circuit

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

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

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

U.S. District Court, District of Connecticut

U.S. District Court, District of Vermont

U.S. District Court, Eastern District of Pennsylvania

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

Publications & Press

Could Booster Shots Lead to Litigation Challenges Over 'Fully Vaccinated' Status? This Attorney Thinks So

Daily Report

November 19, 2021

Health Worker Vaccine Mandate Expected to Withstand Challenges

Bloomberg Law

November 9, 2021

Who Pays for Workers' Time Getting Covid Tests, Employers Wonder (OSHA ETS)

Bloomberg Law

November 8, 2021

Federal Court Denies Challenge to Oregon Vaccine Mandate

SHRM Online

November 5, 2021

Who will pay for testing under Biden's new vaccine mandate for businesses?

CNN Business

November 5, 2021

OSHA sets Jan. 4 deadline for employers to mandate COVID-19 vaccines

HR Dive

November 4, 2021

OSHA sets Jan. 4 deadline for business vaccine policies

Compliance Week

November 4, 2021

Oregon Federal Court Joins Other Jurisdictions in Denying Challenge to Government-Issued Vaccine Mandate

Littler Insight

October 21, 2021

Vaccine protocols: You've got one shot at building employee trust

HR Brew

October 18, 2021

Everything HR needs to know about Biden's vaccine mandate

Human Resources Executive

October 5, 2021

Teacher Says COVID Vaccine is 'Gene Therapy' in Nine-Minute Rant to Students

Newsweek

October 1, 2021

Some businesses welcome Biden's vaccination mandate while others worry about the costs, effects on worker shortages

USA Today

September 12, 2021

Biden's Covid-19 Vaccine Mandate Splits Business Community

The Wall Street Journal

September 10, 2021

Biden's employer mandate: Who will foot the bill for weekly Covid testing?

The Business Journals

September 10, 2021

Biden demands US companies introduce vaccine

Financial Times

September 9, 2021

Biden Unveils New Action Plan To Combat Surging COVID

Forbes

September 9, 2021

1 big thing: Biden embraces "sticks" with workplace vaccine mandates

Axios

September 9, 2021

Vaccine mandates now required: What to know about Biden's new rules

Human Resource Executive

September 9, 2021

White House Announces Vaccine Mandates for Employees of Large Private Employers, Federal Contractors, and Most Healthcare Employers

Littler Insight

September 9, 2021

What Role Do Culture and Morale Play in Vaccine Mandates?

Human Resource Executive

September 1, 2021

Grocery workers were on the front lines of the pandemic - so why so many still unvaccinated?

NBC News

August 31, 2021

How to ask about vaccination status in the hiring process

The Business Journals

August 30, 2021

The new burdens the ever-evolving COVID-19 situation poses for businesses

The Business Journals

August 26, 2021

Delta Air Lines health surcharge for vaccines could cascade across industries

Politico

August 25, 2021

From CVS to Goldman Sachs, FDA move prompts vaccine mandates

Associated Press

August 24, 2021

Only 8% of US Manufacturers are Requiring COVID Vaccines

Manufacturing Global Magazine

August 24, 2021

What Does Pfizer Vaccine's Full Approval Mean for Employers' COVID-19 Policies?

Politico

August 24, 2021

EHS On Tap: E75 Managing COVID-19 Concerns in the Workplace

EHS Daily Advisor (Podcast)

August 24, 2021

Employers Still Hesitant To Mandate Vaccines As Virus Surges

Law360

August 23, 2021

Vaccine Mandates Gain Steam with Employers, Littler Survey Shows

Bloomberg Law

August 23, 2021

Littler COVID-19 Vaccine Employer Survey Report: Delta Variant Update

Littler Report

August 23, 2021

Littler Survey: Employers Increasingly Consider Vaccine Mandates as COVID-19 Delta Variant Spreads

Littler Press Release

August 23, 2021

Philadelphia Tweaks Exceptions to August 11, 2021 Indoor Mask Mandate

Littler ASAP

August 20, 2021

No Soup for You & Take Your Coffee to Go – Accommodations and the Key to NYC Pass

Littler Insight

August 19, 2021

New York State Requires Healthcare Workers to be Vaccinated Against COVID-19

Littler ASAP

August 18, 2021

The Key to NYC Pass: Vax Up or Miss Out

Littler Insight

August 17, 2021

Philadelphia Requires Face Masks Indoors and Certain Large Outdoor Events, With Limited Exceptions, Unless All Present Are Vaccinated

Littler Insight

August 16, 2021

Employers May Face Lawsuits From Pro-Vaccine Workers, Too

Law360 Employment Authority

August 12, 2021

Mandatory Vaccines or Mandatory Testing? A “Soft Approach”

Littler Insight

August 10, 2021

‘Soft’ Vaccine Mandates Seen as Boon to Worker Buy-In, Safety

Bloomberg Law

August 4, 2021

The Key to NYC: Only Vaccinated Employees and Patrons Are Given a Free Pass

Littler ASAP

August 4, 2021

Refresh! The CDC Revisits COVID-19 Restrictions for Fully Vaccinated Individuals

Littler Insight

July 28, 2021

Managers will have to enforce rules for unvaccinated employees, and it won't be easy

CNN

July 28, 2021

Will new federal mask guidelines revive workplace mandates?

Human Resources Executive

July 28, 2021

Littler's Devjani H. Mishra Elected as College of Labor and Employment Lawyers Fellow

Littler Press Release

July 21, 2021

Los Angeles County and Other California Jurisdictions Walk Back Face Mask Orders

Littler ASAP

July 19, 2021

4 Things Employers Should Know About the Vaccination Gap

Law360 Employment Authority

July 16, 2021

Hybrid vs Office: Who Will Win the Remote Work War?

Human Resources Director (Annual Employer Survey Report)

June 17, 2021

How a rise in remote employment may impact post-pandemic work life

PBS NewsHour

June 3, 2021

CDC's new mask guidance adds wrinkles to employers' vaccine strategies

American City Business Journals

May 24, 2021

Managers, buckle up. Your job will be harder than ever as we return to the office

CNN

May 24, 2021

Why Employers Are Struggling with Their Return to Work Plans

Human Resource Executive

May 21, 2021

New York Adopts CDC Guidance For Fully Vaccinated Individuals, But Questions Remain

Littler Insight

May 20, 2021

Employers Lean Toward Hybrid, In-Person Work Plans

Law360

May 18, 2021

Most employers are eyeing 'hybrid model' for return to work amid pandemic - Littler survey

Reuters

May 18, 2021

Game-Changer: The CDC Lifts COVID-19 Masking and Distancing Restrictions for Fully Vaccinated Individuals

Littler ASAP

May 13, 2021

Littler Survey: Employees Want Remote and Hybrid Work More Than Employers Do

Littler Press Release

May 12, 2021

The Littler Annual Employer Survey 2021

Littler Report

May 12, 2021

When Should Employers Consider Lifting Mask Mandates?

SHRM Online

April 22, 2021

Littler Lightbulb: A Dose of Paid Time Off for COVID-19 Vaccinations

Littler Insight

April 16, 2021

Most Employers Unlikely To Mandate COVID-19 Vaccination, Littler Survey Finds; Employee Relations Concerns Abound

Littler Press Release

February 9, 2021

Most employers will continue remote work despite COVID vaccine: Littler

Thomson Reuter Westlaw Today

February 9, 2021

The Littler COVID-19 Vaccine Employer Survey Report

Littler Report

February 9, 2021

Vaccine Rollout Brings Legal, Labor Concerns for Employers

Healthcare Risk Management

February 1, 2021

EEOC Issues Guidance on COVID-19 Vaccination Policies

Littler Insight

December 17, 2020

Reopening and COVID-19: Risks of Moving Too Fast

New York Law Journal

November 10, 2020

3 steps to prevent discrimination complaints

HR Dive

September 28, 2020

Littler and ComplianceHR Launch Employee Screening Solution as Workplaces Reopen

Littler Press Release

July 7, 2020

A Return to Work Roadmap for New York Employers

Littler Insight

May 21, 2020

Do Your Employees Need to Wear Face Masks?

SHRM Online

May 5, 2020

Masks And Face Coverings: What Employers Need To Know

Law360

April 21, 2020

Masks and Face Coverings: What Employers Need to Know

Littler Insight

April 13, 2020

Coronavirus: What Michigan's essential workers need to know

Lansing State Journal

April 7, 2020

A COVID-19 Roadmap for New York Employers

Littler Insight

March 30, 2020

Coronavirus (COVID-19) Employer FAQs

Littler Insight

March 24, 2020

'A source of tremendous discrimination': Why hair policies matter

HR Dive

February 28, 2020

Tips for Creating Multipurpose Accommodation Rooms for Employees

SHRM Online

February 12, 2020

New York State Bans Discrimination Based on Reproductive Health Decision Making

Littler ASAP

November 15, 2019

Workforce Restructurings: A U.S. Perspective

PLI Press

September 24, 2019

How to Accommodate Breast-Feeding Employees in the Workplace

SHRM Online

September 5, 2019

New York anti-discrimination law heightens risks for employers

Business Insurance

July 9, 2019

New York State Significantly Expands its Workplace Harassment Laws (Again)

Littler ASAP

June 20, 2019

Hairstyles and Anti-Discrimination Laws: What You Need to Know

Law.com

April 23, 2019

New York City Publishes Sexual Harassment Prevention Training Video and New FAQs

Littler ASAP

April 10, 2019

#M&Atoo

Today's General Counsel

April 1, 2019

New York City Commission on Human Rights Provides Legal Enforcement Guidance on Race Discrimination on the Basis of Hair

Littler ASAP

February 21, 2019

Compliance in a New York Minute: Top 10 New Year Resolutions for Employers

Littler Podcast

February 1, 2019

New York City Moves to Prohibit Discrimination Based on Family Planning and to Protect Reproductive Choice

Littler ASAP

December 26, 2018

A Cooperative Dialogue about NYC's New Cooperative Dialogue Law – and More!

Littler Podcast

December 3, 2018

New York's New Sexual Harassment Laws: A Compliance Checklist

Thomson Reuters Westlaw

November 19, 2018

New York City Will Require Employers to Provide Greater Workplace Accommodations for Lactating Employees

Littler ASAP

November 19, 2018

NYC Council Proposes Additional Harassment Training Requirement for "Nightlife Establishments" and Their Employees

Littler ASAP

November 14, 2018

New York Anti-Sexual Harassment Requirements Take Full Effect

Littler Podcast

October 9, 2018

NY Pushes Back Sex Harassment Training Deadline to October 9, 2019

Littler ASAP

October 2, 2018

Significant Compliance Challenges in New York State's Proposed Anti-Sex Harassment Rules: What Can Employers Do Now?

Littler Insight

September 7, 2018

New York Sexual Harassment Laws – The City Commission Publishes Poster and Fact Sheet

Littler ASAP

August 13, 2018

The Supreme Court's Ruling in Masterpiece Cakeshop: A Masterpiece on Dodging Key Constitutional Issues

Littler ASAP

June 4, 2018

New York State and City Expand Anti-Harassment Requirements for Employers

Littler Insight

April 13, 2018

Littler Adds Shareholder Devjani Mishra to New York Office

Littler Press Release

March 6, 2018

Speaking Engagements

COVID-19 in the Workplace: Recent Developments and Compliance Challenges - Session 21

Sacramento, CA

December 3, 2021

Navigating the Pandemic Workplace: The Emotional Impact, Accommodation Requests, and Leaves

Practising Law Institute

October 26, 2021

The Future of Remote Work

New York State Bar Association, Labor and Employment Law Section Fall Meeting

October 15, 2021

The Evolving Realities of Working During COVID-19

College of Labor and Employment Lawyers Webinar

October 7, 2021

COVID-19 - Its Impact on Employment Litigation, How Best to Prepare Your Company, and What the Future of Litigation May Hold

Nevada Virtual Regional Employer Conference

September 14, 2021

How to Safely Re-open Your Office

German American Chamber of Commerce

May 4, 2021

Ready Employee One: Virtual Reality in the Workplace

ABA National Symposium on Technology in Labor & Employment Law

April 15-16, 2021

COVID-19: Employment Law Challenges, Changes and Requirements

Staffing Industry Analysts Risk Management & Compliance Workshop

April 13, 2021

Untangling the Web of State and Local Paid Family and Medical Leave Laws

ABA Labor & Employment Law Section, Employment Rights and Responsibilities Committee Midwinter Meeting

March 18, 2021

COVID-19 in the U.S.: Employment Law Changes and Challenges During the Pandemic

China General Chamber of Commerce – U.S.A. Webinar

March 16, 2021

Understanding Employment Law 2021: FMLA & ADA Fundamentals

Practising Law Institute

March 8, 2021

Business as Unusual: Navigating the Employment Challenges Posed by COVID-19

American Health Law Association Virtual Conference

March 3, 2021

The Legal Landscape – Vaccination Programs in the Employment Setting

National Retail Federation Webinar

February 26, 2021

The COVID-19 Vaccine – Legal and Practical Implications

January 20, 2021

The COVID-19 Vaccine – Legal and Practical Implications

January 13, 2021

Privacy During a Pandemic: The New Reality of Staying Safe, Staying Healthy and Staying Employed

NAPABA Virtual Convention

November 6, 2020

Sexual Harassment Prevention Training that Satisfies New York State’s and New York City’s Annual Training Requirements

October 9, 2020

The New Normal: Recent Developments & Employment Challenges in the Hospitality Industry

DFDL Webinar

October 1, 2020

Employees with disabilities in the new world order – the challenges and opportunities in the wake of Covid-19

IBA Diversity and Equality Law Committee

September 15, 2020

Are We There Yet? Understanding the Return to Work Challenge Posed by COVID-19 - Second Session

September 1, 2020

Are We There Yet? Understanding the Return to Work Challenge Posed by COVID-19

August 19, 2020

COVID-19's Impact on Employment Law in New York

New York State Judicial Institute (New York State Unified Court System)

July 14-15, 2020

The Next Normal: Preparing Our Workplaces and Workforces for the "Return to Work"

July 13, 2020

COVID-19 in the Workplace: Compliance Challenges, Policy Options

ABA Business Law Section, Banking Law Committee

June 29, 2020

The Next Normal: Advice for New York and New Jersey Employers on Safely Reopening Their Workplaces

June 24, 2020

Returning to Work – Legal Updates & Considerations for Employers

China General Chamber of Commerce – USA Webinar

June 17, 2020

Covid-19 U.S. Employment Law and OSHA Overview

PLI Webinar

May 19, 2020

COVID-19: Practical Guidance for Employers

Japan Society Webinar

May 15, 2020

Your Workforce: Staying Compliant and Productive

BritishAmerican Business Webinar

May 12, 2020

COVID-19: What Lies Ahead

Brazilian-American Chamber of Commerce Webinar

May 12, 2020

Business as Unusual: Preparing Our Workplaces and Workforces for a Return to Work

Littler Virtual Executive Employer

May 8, 2020

Understanding Employment Law 2020: FMLA & ADA Fundamentals

Practising Law Institute

March 9, 2020

Sexual Harassment Prevention Training that Satisfies New York State's and New York City's Annual Training Requirements

February 19, 2020

Content and Cocktails: Diversity, Inclusion and Elimination of Bias

New York, NY

November 7, 2019

Employment Law Issues in Mergers and Acquisitions

American Employment Law Council Annual Conference

October 25, 2019

New York Compliant Training for Employees on Preventing Harassment, Discrimination and Retaliation

October 8, 2019

New York Compliant Training for Employees on Preventing Harassment, Discrimination and Retaliation

September 26, 2019

#MeToo Update: Investigating a Culture of Complicity and Cover Ups

NAPABA (National Asian Pacific American Bar Association) Regional Conference

September 21, 2019

New York Compliant Training for Employees on Preventing Harassment, Discrimination and Retaliation

September 18, 2019

New York Compliant Training for Employees on Preventing Harassment, Discrimination and Retaliation

July 24, 2019

Cross-Border Employment Law 2019: Workforce Restructurings, Including M&A, Across Borders

Practising Law Institute

June 5, 2019

New York Compliant Training for Employees on Preventing Harassment, Discrimination and Retaliation

May 15, 2019

Time for a Tune-Up: Compliance Tips for 2019 and Beyond

New York, NY

April 23, 2019

Understanding Employment Law 2019: ADA, FMLA and Accommodation Fundamentals

Practising Law Institute

April 15, 2019

New York Compliant Training for Employees on Preventing Harassment, Discrimination and Retaliation

February 21, 2019

Understanding New York State and City's Sexual Harassment Laws: A Compliance Checklist

October 30, 2018

New York Financial Services Roundtable

New York, NY

September 25, 2018

Complying with New York State and New York City's New Anti-Sexual Harassment Legislation – What Employers Need to Know

Practising Law Institute

July 10, 2018

Understanding Employment Law 2018: ADA Fundamentals

Practising Law Institute

April 12, 2018

The #MeToo Movement and Pay Equity Compliance: How to Advise Your C-Suite and Safeguard Your Company

New York, NY

April 10, 2018

Litigation Issues Involving Staffing Agencies and PEOs: We're in This Together . . . Or Are We?

ABA Labor & Employment Law Section, Employment Rights and Responsibilities Committee Midwinter Meeting

March 23, 2018

Paid Leave and Other Protection for Employees with Caregiver Responsibilities

ABA Labor & Employment Law Annual Conference

November 12, 2016

Unraveling the Ethical Complexities of Workplace Investigations

ABA Labor & Employment Law Section, Ethics & Professional Responsibility Committee Midwinter Meeting

March 19, 2016

Keynote: Hot Topics in Labor and Employment Law

ABA Labor & Employment Law Section, Employment Rights and Responsibilities Committee Midwinter Meeting
March 16, 2016

Effectively Managing Remote Work

ABA Labor & Employment Law Annual Conference
November 5, 2015

Workplace Investigations Essentials: What to Know When Conducting Effective Workplace Investigations

ABA Webinar
September 16, 2015

A Look at Budding Issues from State Laws Legalizing Marijuana

ABA Labor & Employment Law Section, Employment Rights and Responsibilities Committee Midwinter Meeting
March 26, 2015

Advanced Issues in Reductions-in-Force

ABA Labor & Employment Law Annual Conference
November 7, 2014

Best Practices for Managing Religious Diversity in the Workplace

ABA Annual Meeting
August 8, 2014

ABA Commission on Ethics 20/20

ABA Labor & Employment Law Annual Conference
November 8, 2013

Employer Use of Criminal Background Screens

ABA Labor & Employment Law Annual Conference
November 7, 2013

Using Social Media in Litigation

PLI Information Technology Law Institute
April 8, 2011