



## Jacqueline Phipps Polito

Office Managing Shareholder

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### Focus Areas

Investigations  
Litigation and Trials  
Discrimination and Harassment  
Higher Education  
Class Actions  
Healthcare

### Overview

Jacqueline Phipps Polito is a trial attorney with substantial experience in all aspects of traditional and non-traditional labor and employment litigation. She represents both public and private sector clients, at the trial and appellate level. She has significant collective bargaining and labor relations experience. Her practical approach, combined with her management background, enables her to offer strategic employment advice to clients, recognizing the global needs of the organization.

She practices in state and federal courts and is admitted to practice in the United States Supreme Court. Her practice areas are:

- Employment discrimination law and litigation
- The New York State Human Rights Law
- Public Employment Relations Board (PERB)
- National Labor Relations Board (NLRB)
- Article 78 proceedings
- Public sector law
- Education law
- Litigating all aspects of cases involving protection of trade secrets and post-employment restrictions

- Labor relations
- Collective bargaining
- Arbitrations
- The Fair Labor Standards Act

Jackie also provides clients with employment counseling and training. She has authored numerous articles and conducted numerous seminars regarding developments in both the private and public sector employment law areas, including:

- Conducting efficient, effective, and lawful workplace investigations
- Contract compliance
- Policy and procedure updates
- Laws prohibiting discrimination in employment
- Workplace harassment
- Terminations in the public sector
- Collective negotiations
- Hiring and firing public sector employees
- Civil service law
- Interest based bargaining

Prior to joining Littler Mendelson's Rochester office, Jackie served as the Chief Human Capital Initiatives Officer and Chief Labor Negotiator for the Rochester City School District, the area's third largest employer, where she oversaw and managed human resources, employee benefits, and labor relations. Immediately prior to that, she was a partner at another firm, where she served as a member of the Labor and Employment Group.

## Professional and Community Affiliations

- Member, New York State Bar Association
- Member, Nominating Committee, Greater Rochester Area Women's Bar Association, 2006
- Board Member, Encompass Resources for Learning, 2013-2015
- Trustee, Seneca Park Zoo Society, 2007-2010
- Co-chair, Mentoring Committee, Greater Rochester Area Women's Bar Association, 2008-2009
- Member, Executive Committee, Torts, Insurance and Compensation Law Section, 2000-2008
- Chair, Monroe County Ethics Committee, 2005-2008
- Member, Gender Equity Taskforce, 2007
- Officer and Member, Board of Directors, Women's Council of the Rochester Business Alliance, 2000-2004
- Officer and Member, Board of Directors, Rochester Women's Network, 2002-2004
- Former Member and Lector, Parish Council - St. Ambrose Church
- Former Member, Board of Directors, DePaul Community Services
- Former Member, Zoning Board - Town of Irondequoit

## Recognition

- Named, Lawyer of the Year, Rochester, *The Best Lawyers in America*®, 2020
- Named, The Best Lawyers in America®, 2016-2022
- Named, Power 30 Law, *Rochester Business Journal*, 2021
- Recipient, Women of Excellence Award, *Rochester Business Journal*, 2018
- Named, Top Women in Law, Excellence in Law Awards, *Daily Record*, 2017
- Named, Recommended Lawyer, Labor Management Relations, *Legal 500 United States*, 2016
- Named, Super Lawyer, Upstate New York, *Super Lawyers*, 2007-2008, 2012-2015
- Recipient, Sheldon Hurwitz Award, *New York State Bar Association*, 2007
- Finalist, Athena Award, 2006
- Named, Up & Coming Attorney, *The Daily Record*, 2004
- Named, 40 under 40, *Rochester Business Journal*, 2002

## Education

J.D., Albany Law School, 1993, *cum laude*

B.A., State University of New York at Binghamton, 1990

## Bar Admissions

New York

## Courts

U.S. Supreme Court

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

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

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

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

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

## Publications & Press

**Best Lawyers in America® 2022 Edition Honors More Than 240 Littler Lawyers**

*Littler Press Release*

August 19, 2021

**The not-so-innocuous side of inoculations — assessing whistleblower risks when requiring COVID-19 vaccines for your employees**

*Reuters Legal*

June 9, 2021

**Littler Ranked in Chambers USA Guide 2021**

*Littler Press Release*

May 27, 2021

**Lawyers and remote work: ‘No universal truth’**

*Daily Record*

October 7, 2020

**COVID doesn’t change hiring process**

*Daily Record*

September 30, 2020

**Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Littler Press Release*

August 20, 2020

**Littler Celebrates 10 Years in Rochester**

*Littler Press Release*

October 29, 2019

**Western New York lifestyle helps attract legal talent in a tight job market**

*Rochester Business Journal*

September 27, 2019

**Polito now leads local Littler office**

*Rochester Business Journal*

August 23, 2019

**Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year**

*Littler Press Release*

August 15, 2019

**Littler Shareholder Jacqueline Phipps Polito Appointed Rochester Office Managing Shareholder**

*Littler Press Release*

August 1, 2019

**Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 15, 2018

**Hard Work Can Overcome Bias in Legal Industry**

*Rochester Business Journal*

June 22, 2018

**Employers Must Plan, Be Compassionate, Follow Laws for Layoffs**

*Democrat & Chronicle*

May 13, 2018

**Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 17, 2017

**The Best Lawyers in America© Honors More Than 180 Littler Lawyers in Its 2017 Edition**

*Littler Press Release*

August 16, 2016

**Littler Ranks in The Legal 500 United States Guide**

*Littler Press Release*

June 20, 2016

**A Stronger Defense Against Trade Secret Theft**

*Rochester Business Journal*

June 17, 2016

**Littler Attorneys Recognized in the Best Lawyers in America© 2016 Edition**

*Littler Press Release*

August 18, 2015

**Common Handbook Rules May Violate the NLRA**

*Rochester Business Journal*

April 24, 2015

**Littler Elevates 16 Attorneys to Shareholder**

*Littler Press Release*

January 5, 2015

**Opting Out: Supreme Court Holds Public Sector Unions Cannot Force Non-Members to Pay Agency Fees Subsidizing Political Speech**

*Littler Insight*

June 26, 2012

**Supreme Court: Non-Members May Opt-out of Union Agency Fees That Subsidize Political Speech**

*Littler ASAP*

June 25, 2012

## **Speaking Engagements**

**Sticky Situations: Handling Sensitive Employment Challenges in a Pandemic**

October 30, 2020

**Investigations Under New Title IX Regulations**

July 9, 2020

**Back to Work in New York? Littler Discusses Whether and How to Reopen**

May 26, 2020

**Everything Changes in a New York Minute**

April 30, 2020

**Conducting Lawful Investigations in the Wake of #MeToo**

2019 Littler Executive Employer, Phoenix, AZ

May 10, 2019

**A Corporate Balancing Act: Business Need vs. Legal Risk**

Annual NYS SHRM event

September 2018

**Paddling in the Same Direction: Manage, Motivate & Improve Performance Before & After Problems Begin**

Littler Executive Employer, Phoenix, AZ

May 3, 2018

**Healthcare Roundtable**

Littler Executive Employer, Phoenix, AZ

May 2, 2018

**From Harvey Weinstein to [Insert Name]: Preventing Harassment in the Workplace and What to Do When Claims are Made**

Fairport, NY

March 20, 2018

**Second Annual Canada Conference**

Toronto, ON

November 1, 2017

**Managing, Motivating and Improving Performance**

New York State Council SHRM

September 24, 2017

**The Ins and Outs of Internal Investigations**

Compliance Week 2017, Washington, D.C.

May 21, 2017

**Conducting Efficient, Effective, and Lawful Workplace Investigations**

The 2017 Executive Employer® Conference, Phoenix, AZ

May 12, 2017

**Update Your Status: Current Legal Risks Related to Social Media in the Workplace**

Fairport, NY

March 28, 2017

**Looking Back and Looking Ahead: Continuing Compliance with New York's Hospitality Wage Order**

Fairport, NY

March 2, 2017

**Drug Testing Employees in New York: Union, Medical, and OSHA Issues**

Fairport, NY

May 25, 2016

**Conducting Lawful Investigations: Facing New Challenges, Refining Your Techniques and Avoiding the Common Pitfalls**

The 2016 Executive Employer® Conference, Scottsdale, AZ

May 6, 2016

**There's Something Happening Here (What it is ain't exactly clear)**

Fairport, NY

June 16, 2015

**Pressing Issues for Higher Education: Title IX Compliance and Union Organizing on Campus**

Fairport, NY

April 28, 2015

**Managing Leaves of Absence: The Interplay of the FMLA and ADA**

Fairport, NY

March 3, 2015

**Annual NY Legal Update: The Top Employment and Labor Issues Affecting New York Employers**

Fairport, NY

November 18, 2014

**The Impact of Social Media on Employers and Workplace Violence**

Fairport, NY

March 5, 2014

**Hot Topics: Current Employment and Labor Issues Affecting New York Employers**

Fairport, NY

October 16, 2013

**The Impact of the 2012 Elections on Labor, Employment and Benefits Law**

Fairport, NY

January 24, 2013

**Leave Me Alone: Handling FMLA Leave Abuse and Post-FMLA Accommodation**

Fairport, NY

September 28, 2012

**Collective Bargaining Strategies in a Challenging Economic & Regulatory Environment**

Littler Mendelson, Scottsdale, AZ

May 10, 2012

**A Look Back / A Look Forward Legal Update: The Top Employment and Labor Issues Affecting New York Employers**

Fairport, NY

April 26, 2012