



Jacqueline Phipps Polito

Office Managing Shareholder

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Focus Areas

Investigations
Litigation and Trials
Discrimination and Harassment
Class Actions
Labor Management Relations
Higher Education
Healthcare
Home Health and Home Care

Overview

Jacqueline Phipps Polito is a trial attorney with substantial experience in all aspects of traditional and nontraditional 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, The Best Lawyers in America®, 2016-2024
- Ranked, Labor & Employment, *Chambers USA*, 2021-2023
- Named, The Power 20, Labor and Employment Law, *The Daily Record*, 2022-2023
- Named, Top 10 Most Influential Labor & Employment Lawyers in Upstate New York, *Business Today*, 2023
- Named, The Power 50 Law, *Rochester Business Journal*, 2022
- Awarded, Distinguished® Peer Review Rating, *Martindale-Hubbell*, 2022
- Named, Power 30 Law, *Rochester Business Journal*, 2021
- Named, Lawyer of the Year, Rochester, *The Best Lawyers in America®*, 2020
- 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

Littleton Recognized in 2023 Chambers USA Guide

Littleton Press Release

June 6, 2023

The Daily Record's Power 20 Labor & Employment Law 2023: Jacqueline Phipps Polito

The Daily Record

April 27, 2023

RBJ's Power 50 Law 2022

Rochester Business Journal

December 30, 2022

Littleton Ranked in Chambers USA Guide 2022

Littleton Press Release

June 1, 2022

The Daily Record's Power 20 Labor & Employment Law 2022

The Daily Record

April 28, 2022

Conversations with Women: Perspectives from Littleton Alumnae

Littleton Podcast

March 15, 2022

Best Lawyers in America® 2022 Edition Honors More Than 240 Littleton Lawyers

Littleton 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

Littleton Ranked in Chambers USA Guide 2021

Littleton 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

2023 Tri-State Regional Employer Conference

New York, NY

June 20, 2023

Working Here, Working There, Working Everywhere: Post-Pandemic Remote Work Challenges

NHRA

February 15, 2023

2022 New York Employment Law Update - Union Organizing

Fairport, NY

November 8, 2022

Late Night with Littler: A Healthcare Industry Roundtable

Littler Executive Employer Conference

May 4, 2022

Conducting Lawful Investigations in the Evolving Workplace

Littler Executive Employer Conference

May 4, 2022

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