



Steven E. Kaplan

Shareholder

815 Connecticut Avenue NW

Suite 400

Washington, DC 20006

main: (202) 842-3400

direct: (202) 789-3401

fax: (202) 842-0011

skaplan@littler.com



Focus Areas

Discrimination and Harassment

Wage and Hour

Class Action

Leaves of Absence and Disability Accommodation

Policies, Procedures and Handbooks

Overview

Steven E. Kaplan represents and counsels management clients in all areas of labor and employment law, particularly in the area of discrimination. His practice includes defending employers against claims arising under:

- Title VII
- The Americans with Disabilities Act
- The Age Discrimination in Employment Act
- The Fair Labor Standards Act
- The Family and Medical Leave Act
- The National Labor Relations Act
- The Maryland Wage Payment and Collection Law
- Maryland Wage and Hour laws

He regularly appears before state and federal courts, as well as administrative agencies such as the Equal Employment Opportunity Commission, the Maryland Human Relations Commission and the Montgomery County Office of Human Rights.

Additionally, Steven offers his clients compliance counseling with respect to Maryland and Washington, D.C., laws.

Prior to joining Littler Mendelson, Steven was an attorney at the National Labor Relations Board, Office of the General Counsel, Division of Advice. During law school, he also worked at the National Labor Relations Board, Office of the General Counsel, in Brooklyn, New York (Region 29), as a field examiner. He was also an intern at the Equal Employment Opportunity Commission where he was a law clerk to the Chief Administrative Judge. In law school, he was a moot court associate.

Professional and Community Affiliations

- Member, Labor & Employment Section, American Bar Association
- Member, Labor & Employment Section, Maryland State Bar Association
- Member, Labor & Employment Section, District of Columbia Bar
- Member, Labor & Employment Section, Montgomery County, Maryland
- Member, Human Resources Advisory Group, Maryland Chamber of Commerce

Recognition

- Recipient, Outstanding Labor & Employment Law Student, *John H. Fanning Scholar Award*, 2003

Education

J.D., Catholic University of America Columbus School of Law, 2003, *magna cum laude*
B.A., Ohio University, 1993, *cum laude*

Bar Admissions

District of Columbia
Maryland

Courts

U.S. Supreme Court
U.S. Court of Appeals, 4th Circuit
U.S. Court of Appeals, D.C. Circuit
U.S. District Court, District of Maryland
U.S. District Court, District of Colorado

Publications & Press

Maryland Modifies its Paid Family and Medical Leave Insurance Program
Littler ASAP
May 5, 2023

Maryland Enacts a Paid Family and Medical Leave Program

Little ASAP

April 19, 2022

Montgomery County, MD Amends Ban-the-Box Legislation

Little ASAP

November 24, 2020

Montgomery County, MD Lowers Standard for Proving Harassment in the Workplace

Little ASAP

October 21, 2020

Maryland Enters Stage Three of the “Maryland Strong: Road to Recovery” Plan

Little ASAP

September 9, 2020

Washington, D.C. and Maryland Expand Their Reopening Efforts

Little ASAP

June 30, 2020

D.C. Amends Emergency Paid Leave Amendments

Little ASAP

June 8, 2020

Washington, D.C. Activates its Reopening Plan, While Maryland Permits Additional Activities Under its Roadmap to Recovery

Little Insight

June 3, 2020

Maryland Enacts Mandatory WARN Act Obligations for Even Small Job Actions

SHRM Online

May 21, 2020

Maryland Initiates its Reopening Plan While Washington, D.C. Extends its Stay-at-Home Order and Implements Face Covering Requirement

Little Insight

May 19, 2020

Key Legislation Emerging from Maryland and Local Ordinances to Remember

Little Insight

May 12, 2020

Maryland Enacts Mandatory WARN Act Obligations for Even Small Job Actions

Little ASAP

May 12, 2020

DC Council Adopts Expanded Sick Leave, Unemployment Amendments

Little ASAP

April 8, 2020

A COVID-19 Guide for Employers in the DMV (DC, Maryland, Virginia)

Little Insight

March 26, 2020

Maryland Enacts a Statewide “Ban-the-Box” Law

Little ASAP

February 5, 2020

DC Employers Must Notify Employees of Their Right to Paid Leave

Little ASAP

January 23, 2020

Key Legislation Emerging from Maryland and Local Ordinances to Remember

Little Insight

May 28, 2019

Maryland Joins Growing List of States Increasing Statewide Minimum Wage to \$15 Per Hour

Little ASAP

April 1, 2019

Little Elevates 28 Attorneys

Little Press Release

January 2, 2019

Washington, D.C., Residents Vote to Eliminate the ‘Tip Credit’

SHRM Online

June 26, 2018

The District of Columbia Eliminates the "Tip Credit"

Little ASAP

June 21, 2018

Maryland Becomes the Latest State to Require Paid Sick and Safe Leave

Littler Insight

January 17, 2018

Can An Employer Ask Its Employees to Keep a Workplace Investigation Confidential?

DC SHRM

November 1, 2017

Key Legislation Emerging from the 2016 Maryland General Assembly Session and Local Ordinances to Remember

Littler ASAP

May 23, 2016

States Require Reasonable Accommodation of Pregnant Workers

SHRM Online

November 2, 2015

The Heavy Burden of Light Duty: Young v. UPS

Littler Insight

March 31, 2015

Supreme Court Overturns the Fourth Circuit's Decision in Young v. UPS: Remands for Further Consideration

Littler ASAP

March 26, 2015

Maryland Court Signals the State's Wage Payment and Collection Law is a "Strong" Public Policy and an Out-of-State Employer's Choice of Law Provision Will Not Likely Be Enforceable

Littler ASAP

February 17, 2015

Court OKs Treble Damages in Maryland Wage and Hour Disputes

HR Compliance Expert

September 10, 2014

Md.: Employers May Be Liable for Treble Damages for Misclassification Claims

Society for Human Resource Management (SHRM)

August 20, 2014

Maryland Employers Can Be Liable for up to Treble Damages for Misclassification "Overtime Pay" Claims Under State Law

Littler Insight

August 18, 2014

Supreme Court Agrees to Hear Appeal in Young v. UPS

Littler ASAP

July 3, 2014

Maryland Employers Soon Must Provide "Light Duty" to Pregnant Disabled Women and Update Employment Handbooks

Littler Insight

September 16, 2013

Legislation Roundup: Maryland General Assembly Mandates that Employers Provide "Light Duty" to Pregnant Disabled Women, Leave for Military Family Members, and Creates a New Wage Law

Littler Insight

May 16, 2013

The Federal Enclave Doctrine: A Potentially Powerful Defense to State Employment Laws

Thomson Reuters Westlaw Journal Employment

April 17, 2013

Relying on Concepcion, the Fourth Circuit Reiterates Broad FAA Preemption and Holds Class Action Waiver in Arbitration Agreement Is Enforceable

Littler ASAP

April 3, 2013

The Federal Enclave Doctrine: A Potentially Powerful Defense to State Employment Laws

Littler Insight

March 7, 2013

Fourth Circuit Reverses Decision Holding Employer's Promise Not to Retaliate Modified At-Will Employment, Rejects Breach of Contract Claim

Littler Insight

December 14, 2012

Legislation Roundup: Maryland "Facebook Law" Raises New Obstacles for Employers and Other Significant Maryland Developments

Littler Insight

April 17, 2012

Fourth Circuit Finds Maryland's Wage Payment and Collection Law Not A Fundamental Public Policy

Littler ASAP

December 30, 2011

Legislation Roundup: Maryland Law Restricts Use of Applicant's or Employee's Credit Report or Credit History

Littler Insight

April 20, 2011

Maryland Federal Court Holds Arbitration Agreement Unenforceable

Littler ASAP

April 13, 2011

Restaurant Owner Who Bartends May Not Share in Employee Bartenders' Tip Pool

Littler ASAP

March 18, 2011

U.S. Supreme Court Refuses to Hear Donning and Doffing Case

Littler ASAP

October 8, 2010

ADA Class Action Challenges Hospital's Return-to-Work Policies

Littler ASAP

August 31, 2010

Maryland Court of Appeals Holds Unvested Stock Options Are Not Wages

Littler ASAP

June 7, 2010

New Maryland Law Requires Shift Breaks for Retail Employees

Littler ASAP

May 26, 2010

Maryland Enacts "The Healthy Retail Employee Act" and Amends Its Wage Payment and Collection Law

Littler Insight

May 25, 2010

Maryland Amends Wage Payment and Collection Law

Littler ASAP

April 21, 2010

Fifth Circuit Rules Employers Do Not Have to Pay for Donning and Doffing Time Despite Failure to Address Issue in Collective Bargaining Negotiations

Littler ASAP

January 13, 2010

Fourth Circuit Finds Employers Do Not Have to Pay for Donning & Doffing Time That Was Subject to Collective Bargaining

Little ASAP

January 6, 2010

Independent Contractors Targeted by Maryland Enforcement Efforts

Little Insight

September 25, 2009

The Maryland General Assembly Amends and Clarifies Key Terms in the Maryland "Flexible" Leave Act and Other Maryland Developments

Little Insight

May 19, 2009

Transition To A New (Work) Day: An Initial Look at Workplace Change in the Obama Era

Little Report

November 25, 2008

Employers Who Regard Employees as Disabled May Have to Provide a Reasonable Accommodation

Labor and Employment Law Newsletter

April 2006

Insignia – Employers Watch Out!

Labor and Employment Law Newsletter

April 2006

Not ADA Disabled? Not So Fast

Maryland State Bar Association Bar Bulletin

March 2006

Speaking Engagements

2022 Mid-Atlantic Regional Employer Conference

Washington, DC

June 8, 2022

2021 Mid-Atlantic Virtual Employer Conference

September 9, 2021

COVID-19

Client Webinar

March 30, 2020

Hot Topic Roundup

2019 Mid-Atlantic Employer Conference, Bethesda, MD

June 7, 2019

The Rise of Independent Contractors – Meet the New Boss, Same as the Old Boss?

2018 Mid-Atlantic Employer Conference, Washington, D.C.

June 5, 2018

Human Resources and Employment Matters

10,000 Small Businesses Legal Clinic, Johns Hopkins University

February 1, 2018

Managing a Growing Business

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

June 6, 2017

Human Resources and Employment Matters

10,000 Small Businesses Legal Clinic, Johns Hopkins University

March 3, 2017

2016 Mid-Atlantic Employer Conference

Washington, DC

June 7, 2016

Employer/Employee Relationships - Beyond the Decision to Hire

Labor and Employment Law Conference, Annapolis, MD

May 17, 2016

Hot Labor & Employment Law Compliance Issues

Upper Shore Manufacturing & Business Council Annual Conference - Society for Human Resource Management, Wye Mills, MD

Spring 2011

Fair Employment Law

Columbus School of Law - Catholic University of America, Washington, D.C.

Winter 2010

Employment Law

George Mason University, Fairfax, VA

Winter 2010

Recent Developments under the ADEA and ADA

Workshop on Employment Law for Federal Judges

2005

Books & Book Chapters

- Wage and Hour Laws: A State-By-State Survey, *Bloomberg BNA and American Bar Association*, Maryland State Chapter, Contributing Author, 2010-2017