



Eli Freedberg

Shareholder

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Practice Areas

Hospitality
Wage and Hour
Class Action
Arbitration
Litigation and Trials

Overview

Eli Freedberg is a seasoned employment attorney who represents national and regional employers across the hospitality, retail, utility, transportation, health care, and financial services industries. He is known for delivering strategic, business-focused solutions to complex workplace challenges and for defending employers in high-stakes litigation. He also frequently advises large and small businesses on all aspects of wage and hour compliance, prevailing wage obligations, predictable scheduling and fair workweek issues as well as a host of leave and discrimination concerns.

Eli has extensive experience litigating matters under the FLSA, ADA, Title VII, FMLA, and state and local employment laws. He regularly appears in federal and state courts and arbitration forums, where he has successfully obtained dismissals and summary judgment in cases involving discrimination, wage and hour violations, and trade secret disputes. Eli also counsels clients on proactive compliance strategies, internal audits, and risk mitigation related to wage and hour practices, workplace policies, and employee conduct.

Representative Experience:

- Secured summary judgment in federal court on behalf of a utility company in a claim where security personnel sourced by a third-party vendor asserted joint employment claims against the utility company
- Reached favorable resolutions of dozens of fair work week and paid sick leave administrative audits
- Successfully dismissed complaint filed against a hotel management company in a race discrimination claim where a hotel guest was evicted from premises and sustained the dismissal on appeal

- Resolved well over a dozen of prevailing wage misclassification claims filed by the New York State Department of Labor without receiving debarment orders
- Obtained dismissal of a background check class action filed in federal court on behalf of a national transportation company
- Defended dozens of restaurant groups in class and collective actions involving tip credit, tip pooling, and service charge distribution practices
- Advised employers on wage and hour compliance, including internal audits and Department of Labor investigations
- Drafted regulatory comments on behalf of trade organizations in response to proposed wage and hour rule changes
- Successfully defended against claims of trade secret misappropriation and spoliation of evidence in competitive employment disputes
- Delivered workplace training programs for managers and HR professionals on harassment prevention, performance management, and wage/hour compliance

Eli is a frequent speaker and contributor on employment law topics, including wage and hour compliance, tip credit and service charge regulations, harassment prevention, and effective workplace policies.

As the New York coordinator for Littler's Workplace Policy Institute (WPI), Eli also monitors and analyzes legislative and regulatory developments affecting employers in New York State and New York City. He has organized coalitions to challenge burdensome municipal laws, including New York City's Fair Workweek legislation, and regularly drafts comments to regulatory agencies on behalf of clients and trade associations. Eli helps employers anticipate legal changes and adapt their policies to remain compliant and competitive.

Education

J.D., Yeshiva University Benjamin N. Cardozo School of Law, 2002

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

Bar Admissions

New York

Connecticut

Courts

U.S. Court of Appeals, 2nd Circuit

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

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

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

Publications & Press

Chicago Agency Proposes Changes to Fair Workweek Rules

Littler ASAP

March 25, 2026

Untangling the Varying Requirements of State and Local Fair Workweek Laws

Littler ASAP

February 6, 2026

New York Governor Proposes “No Tax on Tips” Legislation

Littler ASAP

January 26, 2026

NYSDOL Issues Guidance on Healthy Terminals Act Amendments Effective January 1, 2026

Littler ASAP

January 8, 2026

New York City Commission on Human Rights 2025 Annual Report Reveals Operational Priorities

Littler ASAP

November 10, 2025

New York City Council Passes Amendments That Would Require Employers to Report Pay Data

Littler ASAP

October 17, 2025

New York City Releases Software Specifications for Fast-food Employer Fair Workweek Compliance

Littler ASAP

October 6, 2025

New York Amends Healthy Terminals Act for 2026

Littler ASAP

September 30, 2025

Treasury Department Releases “Preliminary List” of “No Tax on Tips” Occupations

Littler ASAP

September 3, 2025

New York Legislature Proposes to Expand State Jurisdiction Amid Federal Uncertainty

Littler ASAP

July 2, 2025

NYS Legislature and Governor Hochul Reach Agreement in State Budget to Limit Damages on Frequency-of-Pay Cases

Littler ASAP

May 8, 2025

New York State Public Work Contractor Registration Requirement Takes Effect December 30, 2024

Littler ASAP

December 19, 2024

Virtual Cashiers Can Help Cut Wage Costs But Risk Liability

Law360

April 16, 2024

Just-Cause Laws Could Spread After 2nd Circ. Ruling

Law360 Employment Authority

January 11, 2024

New York City Passes Bill Requiring Employers to Provide an “Employee Bill of Rights” to All Employees Regardless of Immigration Status

Littler ASAP

December 7, 2023

Good Business Practices or a ‘War on Tech’?: Labor and Employment Lawyers Eye Bill to Rein in Workplace AI

New York Law Journal

September 22, 2023

New York State Proposes Regulations for Pay Transparency in Job Advertisements

Littler ASAP

September 19, 2023

New York City’s AI Hiring Bias Law Creates Hurdles for Companies

Bloomberg Law

July 13, 2023

NYC Department of Consumer and Worker Protection Issues Guidance on AI Regulations

Littler ASAP

July 5, 2023

Evanston, Illinois Establishes a Fair Workweek Ordinance

Littler ASAP

May 26, 2023

NYC, Restaurant Groups Bring ‘Just Cause’ Args To 2nd Circ.

Law360 Employment Authority

May 16, 2023

New York City Adopts Final Regulations on Use of AI in Hiring and Promotion, Extends Enforcement Date to July 5, 2023

Littler ASAP

April 13, 2023

2023 New York Pay Transparency Law Covers Remote Work

WorldatWork

April 3, 2023

Berkeley, Calif. Adopts Fair Work Week Measures

SHRM Online

February 23, 2023

Berkeley, California Adopts Fair Work Week Measures

Littler ASAP

February 21, 2023

Los Angeles Adopts Fair Workweek Measures

SHRM Online

February 14, 2023

Los Angeles the Latest City to Adopt Fair Work Week Measures

Littler ASAP

February 8, 2023

New York Becomes the Latest State to Require Salary Transparency in Job Postings

Littler ASAP

December 28, 2022

NYC Pushes Back AI Bias Law's Effective Date To April

Law360 Employment Authority

December 13, 2022

New York City Defers AI Law Enforcement to April 15, 2023

Littler ASAP

December 12, 2022

New York to Require Human Trafficking Recognition Training for Certain Hospitality Employees

Littler ASAP

November 22, 2022

Tensions in Brazil as Bolsonaro breaks silence

BBC World News

November 1, 2022

NYC pay transparency law will spur demands for raises nationwide: experts

New York Post

October 23, 2022

Calif. Fast Food Worker Law Could Affect Other States, Jobs

Law360 Employment Authority

September 14, 2022

NYC Pay Transparency Law May Result in Pay Compression

SHRM Online

August 1, 2022

New York State Senate Poised to Pass Expansive Lien Law for Wage Claims

Littler ASAP

May 16, 2022

3 Things To Know After NYC Waters Down Pay Disclosure Law

Law360 Employment Authority

May 5, 2022

NYC Amends Wage Transparency Law

Littler ASAP

April 29, 2022

NYC Pay Transparency Changes Poised to Shape Job Ads Nationally

Bloomberg Law

April 27, 2022

New York City Council Seeks to Disrupt the Home Care Industry by Limiting Hours Aides Can Work

Littler ASAP

April 15, 2022

Court Holds Plaintiffs Are Precluded from Asserting New York Wage Theft Prevention Act Claims in Federal Court

Littler ASAP

April 5, 2022

“Open for Business”: New York City’s Mayor Signs Executive Order to Help Small Businesses

Littler ASAP

January 5, 2022

New York City Enacts Law that Hinders Use of Automated Tools in Hiring and Promotion Decisions

Littler ASAP

December 28, 2021

New York City Council Passes Bill That Requires Identifying the Minimum and Maximum Potential Salaries on Virtually All Job Advertisements

Littler ASAP

December 16, 2021

New York’s General Contractors are Jointly Liable for Construction Worker Wages

Littler ASAP

October 21, 2021

New York City Passes Sweeping Set of Bills Aimed at Delivery Drivers and Hotel Workers

Littler ASAP

September 30, 2021

Final Rule Affirms U.S. Department of Labor’s Power to Fine Businesses That Engage in Tip Theft

Littler ASAP

September 28, 2021

NY DOL Publishes its Airborne Infectious Disease Exposure Prevention Plan in Accordance With the NY HERO Act

Littler ASAP

July 14, 2021

Law Prohibiting At-Will Employment at NYC Fast-Food Restaurants Challenged

SHRM Online

June 23, 2021

New York and New Jersey Governors Sign the Healthy Terminals Act

SHRM Online

June 2, 2021

New York and New Jersey Governors Sign the Healthy Terminals Act

Littler ASAP

May 14, 2021

New York HERO Act Requires Workplace Safety Measures

Littler ASAP

June 17, 2021

DOL Withdraws Three Opinion Letters on Wage and Hour Rules

SHRM Online

February 1, 2021

Department of Labor Issues Two Tip-Related Opinion Letters in Final Days of Outgoing Administration

Littler ASAP

January 19, 2021

At-Will Employment Challenged by New NYC Ordinance

SHRM Online

January 19, 2021

NYC Adds 'Just Cause' Protections For Fast Food Workers

Law360

January 6, 2021

Worker Scheduling Laws Set to Expand Amid Pandemic Balancing Act

Bloomberg Law

December 29, 2020

DOL Issues Final Rule on Handling Tips and Eliminating the 80/20 Rule

Littler ASAP

December 23, 2020

2021 Brings Changes to New York's Wage and Hour Laws

Littler ASAP

December 18, 2020

New York City Bills Seek to Eliminate At-Will Employment in the Fast Food Industry

Littler ASAP

December 16, 2020

Return-to-work issues hotels need to be aware of

Hotel Management

June 28, 2020

Proposed NYC Essential Workers Bill of Rights Provides Just Cause Termination and Premium Pay for Essential Workers, Sick Leave for Independent Contractors

Littler ASAP

April 23, 2020

New Year, New Trend? New York to Require Corporate Reporting on Number of Women on the Board

Littler ASAP

January 6, 2020

New York Governor Orders Elimination of the Tip Credit for Employers Subject to the Minimum Wage Order for Miscellaneous Industries and Occupations

Littler ASAP

January 2, 2020

New York Extends Wage and Hour Liability to Top 10 Members of Non-NY LLCs

Littler ASAP

December 17, 2019

New York City Amends Human Rights Law to Extend Protections to Freelancers and Independent Contractors

Littler ASAP

September 13, 2019

Reminder to Post New York State Election Leave Notices

Littler ASAP

June 11, 2019

New York Scraps Plans for Statewide Predictable Scheduling Law

SHRM Online

March 12, 2019

New York State Department of Labor Scraps Plans to Implement Statewide Predictable Scheduling

Littler ASAP

March 1, 2019

The Preemption Power Struggle: Red States, Blue Cities Clash Over Workplace Laws

Littler Podcast

February 20, 2019

New York Employers Can Expect Significant Legislative and Regulatory Activity in 2019

Littler ASAP

January 30, 2019

New York Agency Proposes Statewide Predictable Scheduling Regulations

SHRM Online

December 27, 2018

New York Agency Renews Effort to Promulgate State-Wide Predictable Scheduling

Littler ASAP

December 11, 2018

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

Littler ASAP

November 14, 2018

DOL Reissues 2009 Opinion Letter and Loosens Rules to Apply a Tip Credit to Employees Who Perform Side Work

Littler ASAP

November 9, 2018

New York City Law Requiring Employers to Engage in a "Cooperative Dialogue" for Accommodation Requests Takes Effect October 15, 2018

Littler ASAP

September 21, 2018

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

Littler ASAP

September 7, 2018

NY Agencies Publish Draft Sexual Harassment Model Policy, Complaint Form, and Training

Littler ASAP

August 24, 2018

Big Apple's Law Mandating Temporary Schedule Changes Takes Effect

SHRM Online

July 17, 2018

Reminder – NYC's "Temporary Schedule Change" Law Becomes Effective on July 18, 2018

Littler ASAP

July 9, 2018

NYC May Start Enforcing its Law Requiring Fast Food Employers to Facilitate Payroll Deductions to Fund Contributions to Certain Not-For-Profit Organizations

Littler ASAP

July 2, 2018

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

SHRM Online

June 26, 2018

The District of Columbia Eliminates the "Tip Credit"

Littler ASAP

June 21, 2018

New Tip-Sharing Rules for Tipped Employees

TLNT

April 20, 2018

DOL Clarifies Amendment to the FLSA's Tip Pool Rules

Littler ASAP

April 12, 2018

New York City Laws Grant Employees Power to Dictate Their Schedules

SHRM Online

February 8, 2018

The New York City Council Continues To Pass Laws Granting Employees The Power To Dictate Their Schedules

Littler ASAP

January 30, 2018

DOL Announces Proposed Rule to Expand FLSA Tip Sharing

SHRM Online

December 5, 2017

DOL Issues Proposed Rule to Rescind 2011 Regulations that Impose Tip-Sharing Restrictions on Employers that Pay the Full Federal Minimum Wage to Employees

Littler ASAP

December 5, 2017

New York State Jumps on the Predictive Scheduling Bandwagon and Issues Proposed Scheduling Rules

Littler ASAP

November 14, 2017

The DCA Has Issued Proposed Rules for the New York City Fair Workweek's Predictive Scheduling Laws

Littler ASAP

October 25, 2017

DOL Announces Intent to Rescind Rule Restricting the Allocation of Gratuities to Non-Tipped Employees When the Employer Does Not Take a Tip Credit

Littler ASAP

July 27, 2017

New York State Appellate Court Finds Arbitration Agreement Requiring Employees to Bring Claims Individually Violates The National Labor Relations Act

Littler ASAP

July 25, 2017

New York City Enacts Laws Limiting Employers' Flexibility To Staff Employees

Littler ASAP

June 2, 2017

New York State Industrial Board of Appeals Invalidates New Regulation Governing Payment of Wages by Direct Deposit or Debit Card

Littler ASAP

February 17, 2017

New York Implements Regulation Strongly Favoring Payment of Wages by Check and Discouraging Payment by Direct Deposit and Debit Card

Littler ASAP

September 12, 2016

NYC Businesses Face Unintended Consequences From New Overtime Rules

Crain's New York Business

June 8, 2016

Littler's New York Office Adds Two Attorneys to Its Roster

Press Release

May 17, 2016

Events & Speaking Engagements

New York Retail Roundtable

November 13, 2025

Employer IE&D Programs: Navigating Change in the New Administration

Restaurant Law Center Annual Summit

October 23, 2025

Hospitality Roundtable

September 25, 2025

New York Retail Roundtable

June 12, 2025

Virtual Hospitality Roundtable

March 18, 2025

New York Retail Roundtable

New York, NY

February 25, 2025

2025 Virtual Nonprofit Roundtable

January 23, 2025

Virtual Hospitality Roundtable

September 24, 2024

Navigating the Patchwork of State and Local AI Regulations

August 28, 2024

Predictably Unpredictable – Navigating Fair Workweek Laws Across the United States

July 11, 2024

Virtual Hospitality Roundtable

May 15, 2024

Predictably Unpredictable - Navigating Fair Workweek Laws Across the United States

Littler Executive Employer Conference, Phoenix, AZ

May 8, 2024

Virtual Hospitality Roundtable

January 23, 2024

New York Retail Roundtable

December 5, 2023

Virtual Hospitality Roundtable

September 28, 2023

2023 Littler AI Summit

Washington, DC

September 21, 2023

2023 Tri-State Regional Employer Conference

New York, NY

June 20, 2023

Predictably Unpredictable – An Overview of Fair Workweek Laws

May 18, 2023

Show and Tell: Pay Transparency and Disclosure Requirements Go Primetime

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

Yet More Major New Changes in NY State and City Employment Law?!?

March 15, 2023

Virtual Hospitality Roundtable

January 26, 2023

A.I. in HR - Staying Ahead of the Curve

A.I. in HR - Staying Ahead of the Curve, Atlanta, GA

October 27, 2022

Labor and Employment Policy Developments in New York City and Beyond

New York, NY

May 25, 2022

Hospitality Industry Roundtable

Littler Executive Employer Conference

May 4, 2022

A Virtual Hospitality Roundtable

February 24, 2022

It's Not Just About COVID! Major New Changes in NY State and City Employment Law

February 16, 2022

The NY HERO Act: What Employers Need to Know to Be Compliant

Melville, NY

July 29, 2021

Timely Talk About Wage and Hour Law: New York's Requirement and Recent Legal Developments

New York, NY

June 10, 2021

Virtual Hospitality Roundtable

March 11, 2021

Virtual Hospitality Roundtable

March 4, 2021

What to Expect? Considerations for Hospitality Employers Under the Next Administration

November 10, 2020

Hospitality Roundtable

August 26, 2020

Wage and Hour Considerations for Reopening Your Business

May 21, 2020

Practical Considerations for Getting Your Employees Back to Work

May 14, 2020

New York Hospitality Roundtable

New York, NY

April 22, 2020

Philadelphia Breakfast Briefing on Predictable Scheduling Compliance

Philadelphia, PA

February 4, 2020

Large Retail, Hospitality and Hotel Establishments and Franchisees in Philadelphia

Philadelphia, PA

December 4, 2019

Timely Talk About Wage and Hour Law: New York's Requirements and Recent Legal Developments

October 31, 2019

Tips on Tips: Keeping Up with Changes on Handling the Tip Credit, the 80/20 Rule and Service Charges

September 12, 2019

New York Hospitality Roundtable

New York, NY

April 30, 2019

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

New York, NY

April 23, 2019

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

October 30, 2018

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

October 19, 2018

Predicting the Future of Predictive Scheduling: What Employers Need to Know Now

October 9, 2018

New York Hospitality Roundtable

New York, NY

May 16, 2018

Workplace Policy Institute State of Play: An Inside Perspective on Labor and Employment Policy in Congress and the Federal Agencies

Littler Executive Employer, Phoenix, AZ

May 3, 2018

Timely Talk About Wage and Hour Law: The FLSA's 2018 Amendment on Tip Pooling and Tip Ownership and the Related DOL Field Bulletin

April 26, 2018

New York Hospitality Roundtable

New York, NY

January 30, 2018

New York: The City (With a City Council) That Never Sleeps - Keeping Up With New Employment Legislation

New York, NY

November 16, 2017

New York City's Fair Workweek Law – Overview and Analysis of the New York's City New Scheduling Requirement

July 20, 2017

Timely Talk about Wage and Hour Law: Tipping in the Hospitality and Restaurant Industries

July 19, 2017

New York Healthcare Industry: A Roundtable Discussion

New York, NY

July 19, 2017

2016 Hot Topics for New York Employers

New York, NY

June 28, 2016