

Jay J. Athey

Of Counsel

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Practice Areas

Litigation and Trials
Handbooks and Policies
Discrimination and Harassment
HR Advice and Counsel
Class Action

Overview

Jay J. Athey's practice focuses on representing employers in workplace law matters, including discrimination, harassment, retaliation, and wage claims on the agency level and in litigation. He defends local, regional, and national employers in retaliatory discharge/wrongful termination litigation and more complex litigation, such as class action and collective action cases under the Fair Labor Standards Act and New Mexico Minimum Wage Act. He also represents public employers in litigation involving sovereign immunity under the Federal Torts Claims Act and New Mexico Torts Claims Act.

Jay provides preventive advice and counseling to clients with respect to personnel matters, including investigations, compliance, policy review/development, training, and separation. He also provides counsel to upper management and Boards of Directors on compliance and corporate governance issues related to best practices and management of employment law exposures.

Prior to joining Littler, Jay practiced in Florida, Colorado, and Montana, defending all types of civil litigation cases in state and federal court.

Professional and Community Affiliations

- Member, New Mexico Bar Association
- Member, Montana Bar Association
- Member, Colorado Bar Association

- Member, Florida Bar Association

Recognition

- Named, Ones to Watch, *Best Lawyers in America*, 2024-2025

Education

J.D., Florida State University College of Law, 2011, *cum laude*

B.A., Flagler College, 2007, *cum laude*

Bar Admissions

New Mexico

Montana

Courts

U.S. Court of Appeals, 10th Circuit

U.S. District Court, District of New Mexico

U.S. District Court, District of Montana

U.S. District Court, District of Colorado

U.S. District Court, Northern District of Florida

Publications & Press

Guest column: Workforce management amid lingering economic uncertainty

Albuquerque Business First

April 6, 2023

Littler Adds Jay Athey in Albuquerque

Press Release

February 28, 2023

Events & Speaking Engagements

How Employers Can Best Protect Themselves in Montana

September 11, 2024

Montana Employment Law: Hiring, Firing, and Disciplining Employees, Your Guide to Lawfully Hiring and Terminating Employees

National Business Institute (NBI) Webinar

November 2023