Littler

Matthew R. Capobianco

Shareholder

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Practice Areas

Wage and Hour
Discrimination and Harassment
Leave and Accommodation
Handbooks and Policies
Class Action

Overview

Matthew R. Capobianco represents and advises employers across the full spectrum of labor and employment law, with a particular focus on wage and hour compliance and the defense of class and collective actions. He has significant experience litigating complex matters in federal and state courts, as well as before administrative agencies, and is known for delivering practical, business-oriented solutions tailored to his clients' operational needs.

Matt's practice is anchored in high-stakes wage and hour litigation, where he regularly defends employers against claims brought under the Fair Labor Standards Act (FLSA) and the New York Labor Law (NYLL), including putative class and collective actions involving misclassification, overtime, and pay practices. He works closely with clients to develop proactive compliance strategies and to mitigate risk in an increasingly aggressive enforcement environment. His experience extends to representing employers in audits, investigations and enforcement actions brought by the U.S. Department of Labor and the New York State Department of Labor (including at the Unemployment Insurance Division).

In addition to his wage and hour practice, Matt represents employers in a wide range of employment disputes, including claims involving discrimination, harassment, retaliation, and wrongful termination under federal, state, and local laws, such as Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), and the New York State and New York City Human Rights Laws.

Matt also counsels employers on day-to-day employment matters and long-term workforce strategy. His advisory work includes drafting and revising employee handbooks and policies, structuring compensation and pay practices, negotiating employment agreements, and providing guidance on employee discipline and termination decisions. He partners with management and human resources professionals to ensure compliance while supporting organizational goals.

In addition, Matt counsels and defends businesses in matters involving website and physical accessibility under Title III of the ADA.

Prior to joining Littler in 2019, Matt practiced labor and employment law at a national litigation firm in New York. Since graduating from law school, he has devoted his practice exclusively to labor and employment law, developing a comprehensive understanding of the legal and practical challenges facing employers.

Professional and Community Affiliations

- Member, American Bar Association
- Member, New York State Bar Association
- Member, Nassau County Bar Association

Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2024-2027

Education

J.D., Maurice A. Deane School of Law at Hofstra University, 2015
B.A., St. John's University, 2011, *summa cum laude*

Bar Admissions

New York
New Jersey

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

New York Governor Proposes "No Tax on Tips" Legislation
Littler ASAP

January 26, 2026

Littler Kicks Off New Year With the Elevation of 28 Attorneys to Shareholder
Press Release
January 3, 2025

New York's Freelance Isn't Free Act Will Take Effect on August 28, 2024
Littler ASAP
August 20, 2024

New York Enacts Sweeping Changes to Independent Contractor Arrangements
Littler ASAP
January 25, 2024

NY Enacts Law Making Wage Theft Larceny
Law360
September 6, 2023

Wage Theft Prosecution Efforts Put Employers On Notice
Law360 Employment Authority
March 9, 2023

New York City D.A. Wants to Prosecute Wage Theft as a Crime
Littler ASAP
February 21, 2023

New York Amends Labor Law to Expand Employees' Ability to Bring Wage Claims
Littler ASAP
August 23, 2021

Events & Speaking Engagements

2026 New York Regional Employer Conference
New York, NY
October 22, 2026

Wage and Hour: The Future is Now
Melville, NY
September 10, 2026

Timely Talk About Wage and Hour Law: New York's Requirements and Recent Legal Developments
April 22, 2026

Timely Talk About Wage and Hour Law: New York's Requirements and Recent Legal Developments
February 12, 2025

State and Federal Department of Labor Audits
2025 NYSCDA Summit
January 30, 2025

Wage & Hour and DOL Audits
2024 Day Camp Conference, Warren, NJ
October 8, 2024

2024 Tri-State Regional Employer Conference
New York, NY
September 19, 2024

Essential New York Independent Contractor Issues
April 3, 2024

New York's Requirements and Recent Legal Developments
March 20, 2024

2022 Legal Update: Employment Law
HIAI Human Resources Committee Meeting
January 13, 2022

Employer Conundrum: Vaccinations and the Workplace
Client Webinar
August 31, 2021

Navigating Emerging Issues in Public Accommodations: An Overview of ADA Title III, the NYSHRL and NYCHRL
Lawyers Alliance for New York Webinar
February 22, 2021

The COVID-19 Vaccine: Legal and Practical Implications for Employers
Financial Service Centers of New York (FSCNY) General Membership Meeting
February 16, 2021

Hot Topics in Labor & Employment Law: Compliance Issues for Financial Service Centers
Financial Service Centers of New York (FSCNY) General Membership Meeting, Queens, NY
September 10, 2019