

Michael Paglialonga

Of Counsel

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Focus Areas

Wage and Hour
Occupational Safety and Health
Legislative and Regulatory

Overview

Michael Paglialonga provides advice and counsel to employers involving labor and employment law. Mike is devoted to helping employers understand and navigate the world of employment law. His broad range of experience covers claims related to the Fair Labor Standards Act (FLSA), Occupational Safety and Health Act (OSHA), Title VII, the ADA, the ADEA, New York State Human Rights Law (DHR), COVID-19 related restrictions and reopening requirements, and New York labor law matters, including:

- Minimum Wage Act and Orders (Minimum wage and overtime)
- Payment of wages
- Safety and health compliance
- Health and Essential Rights Act (NY Hero Act) - including airborne infectious disease exposure prevention and workplace safety committees
- Salary history ban, Equal Pay Act
- Payroll cards/methods of payment
- Paid sick leave and COVID paid sick leave
- Recordkeeping, posting and notice requirements
- Day of rest, meal periods, and hours of work
- Wage deductions
- Frequency of pay
- Commissions sales agreements
- Compensation structures and agreements
- Tips/gratuities, tip credits/allowances

- Hospitality Industry Wage Order
- Wage requirements for nonprofits
- Overtime applicability and hours worked
- Spread of hours, split shifts call-in pay
- Farm Laborers Fair Labor Practices Act (Minimum wage and overtime)
- Child labor
- NYS prevailing wage
- Domestic Worker Bill of Rights
- Healthy Terminals Act
- Worker Adjustment and Retraining Notification (WARN) Act
- Construction and Commercial Goods Fair Play Acts
- Sexual harassment prevention requirements
- Cannabis and employment

Prior to joining Littler, Mike worked for 15 years at the New York State Department of Labor, including most recently serving as first deputy counsel and as the acting general counsel. He represented the commissioner of labor in hundreds of administrative hearings against employers in both wage and hour, and safety and health cases, resulting in the recovery of millions of dollars. While at the Department, he analyzed, advised on, and negotiated amendments to the New York Labor Law as part of the legislative process. Mike was also principally responsible for the Department of Labor's regulatory activities, and drafted countless regulations/regulatory packages that were adopted as law in Title 12 of the New York Code of Rules and Regulations (NYCRR).

Education

J.D., Albany Law School, 2009, *cum laude*

M.B.A., College of Saint Rose, 2009

B.A., California State Polytechnic University, 2006

Bar Admissions

New York

Publications & Press

Minding Wage and Hour Laws in Your Drycleaning Business (Conclusion)

American Drycleaner

September 12, 2024

Minding Wage and Hour Laws in Your Drycleaning Business (Part 2)

American Drycleaner

September 10, 2024

Minding Wage and Hour Laws in Your Drycleaning Business (Part 1)

American Drycleaner

September 5, 2024

Defending Against Aggressive DOL Child Labor Enforcement

Law360

July 23, 2024

Federal Court Denies DOL a “Hot Goods” Injunction over Child Labor Allegations

Littler Insight

July 16, 2024

Clean Slate Laws Are Spreading

SHRM Online

March 25, 2024

New York Amends Workplace Violence Prevention Law to Extend Coverage to Public Schools

Littler ASAP

February 5, 2024

New York Frequency of Pay Update: Governor Proposes Legislation and Second Department Finds No Private Right of Action for New York Manual Worker Frequency of Pay Claims

Littler ASAP

January 17, 2024

Hike in NY Salary Threshold Lets DOL Take More Complaints

Law360 Employment Authority

October 6, 2023

New York’s mandatory nurse overtime law amendments take effect

Rochester Business Journal

August 4, 2023

New York Mandatory Nurse Overtime Law Amendments Take Effect

Littler ASAP

June 28, 2023

New York Bans Consideration of Sealed Convictions in Employment Decisions

SHRM Online

June 22, 2023

New York Legislature Bans Consideration of Most Older Convictions in Employment Decisions

Littler ASAP

June 20, 2023

Non-Compete Ban on the Horizon in New York?

Littler ASAP

June 20, 2023

New York Legislature Seeks to Limit Employers' Right to Speak on Union Matters

Littler ASAP

June 14, 2023

New York Legislature to Increase Executive, Administrative, and Professional Compensation Threshold, Expanding Certain Wage Payment Protections

Littler ASAP

June 13, 2023

New York State Legislature Seeks to Expand Employee Rights to Freelancers Statewide

Littler ASAP

June 13, 2023

New York Seeks to Limit the Scope of Permissible Invention Assignment Agreements

Littler ASAP

June 7, 2023

Budget Expected to Raise New York's Minimum Wage

Littler ASAP

May 3, 2023

New York Delays and Limits Regulation of "Quotas" for Warehouse Workers

Littler ASAP

March 7, 2023

New York governor signs warehouse worker protection bill into law

FreightWaves

December 21, 2022

Littler Adds Two Former Government Officials to New York City Office

Littler Press Release

September 19, 2022

Littler’s Workplace Policy Institute Releases 2022 Labor Day Report

Littler Press Release

September 6, 2022

WPI Labor Day Report 2022

Littler WPI Report

September 5, 2022

New York Department of Health Extends Deadline and Issues Additional Guidance for Health Care Worker Bonus Program

Littler Insight

August 31, 2022

New York Announces Health Care Worker Bonus Program

SHRM Online

August 23, 2022

New York State Announces Health Care and Mental Hygiene Worker Bonus Program Requiring Employers to Administer Bonuses

Littler Insight

August 17, 2022

New York State Legislature Seeks to Regulate Work-Related “Quotas” for Warehouse Workers

Littler ASAP

June 14, 2022

New York State Legislature Seeks to Expand Employee Rights to Freelancers Statewide

Littler ASAP

June 6, 2022

Speaking Engagements

Affecting Legislative Change in the States: How Can Employers Engage and Make an Impact

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2024

Wage and Hour Compliance for Small Businesses

National Federation of Independent Business (NFIB)

May 1, 2024

New Labor Laws in Gotham City Spreading Like Wildfire

National Restaurant Association's Annual Summit

October 26, 2023

Caring for Your Caregivers: A New York HCM Compliance Primer

October 12, 2023

New York Update: What's Headed to Governor Hochul's Desk

June 29, 2023

2023 Tri-State Regional Employer Conference

New York, NY

June 20, 2023

WPI: The New Era of Divided Government: What are the Implications for Employers?

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

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

April 19, 2023

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

March 15, 2023