

Barbara M. Roth

Partner
New York

Biography

As the global head of the firm's internationally recognized Employment practice, Barbara Roth keeps a watchful eye on developments across the world that affect management's interests in the workplace.

Barbara uses her decades of experience working with multinational companies to craft creative solutions to employment-related problems, while never losing sight of the client's economic and business goals, the need to minimize risk, and avoidance of costly litigation. Barbara also represents clients in many industries on every aspect of the employment relationship, including litigation of discrimination and retaliation claims (including class actions), statutory employment allegations (including Employee Retirement Income Security Act of 1974 (ERISA), FMLA, Worker Adjustment and Retraining Notification Act (WARN), and others), Railway Labor Act (RLA), wage-and-hour issues, restrictive covenant disputes, team-poaching lawsuits, and whistleblower claims, among others.

While litigation is rarely desirable, when it cannot be avoided Barbara focuses on early case assessment and setting of strategy, which often provides the client with predictability of outcome and expense as well as outstanding results.

With an enviable record of success, Barbara has



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Practices

Employment

Industries

Financial Institutions
Automotive and Mobility
Education
TMT

Areas of focus

Health Care Services
Hospitals and Health Care Providers
Medical Devices

expansive experience representing financial institutions and broker-dealers in federal and state courts and in arbitrations on topics ranging from hiring to firing to compensation and everything in between.

Representative experience

Injunction obtained on behalf of client after competitor "poached" team of specialists, who had stolen company's proprietary materials as they quit.

Race discrimination class action that concluded with defendant obtaining judgment against plaintiffs and payment of legal fees to defendant.

Successful discharge of high-ranking officer who had a contract with ambiguous payout terms.

Successful resolution of disability allegations based on employer's evidence of decision before claims was asserted.

Successful defense (at district court and circuit court) of ERISA claim that prevented windfall under plan.

Successful defense of claim of disability discrimination; injunction obtained under Singapore law.

Successful opposition of disability charge by employee who voluntarily took disability leave.

Under threat of injunction, negotiated resolution of employee's theft of computer data.

Provided employee handbooks to multinational company that provided consistent policies to the extent possible.

Successfully defended gender-discrimination case brought by discharged employee.

Successfully advised university on two high-profile discharges, avoiding litigation.

Advised private bank on discharge of team that stole prior employer's information; avoided litigation.

Pharmaceutical and Biotechnology

Education and admissions

Education

LL.M., New York University School of Law, 1997

J.D., DePaul University College of Law, 1978

B.A., magna cum laude, University of Illinois at Urbana-Champaign, 1973

Memberships

Former Chair, Committee on Individual Rights and Responsibilities in the Workplace, New York State Bar Association

Former Member, Committee on Women in the Courts, Association of the Bar of the City of New York

Former Member, Equal Employment Opportunity Committee, Association of the Bar of the City of New York

Member, Board of Directors, Girl Scout Council of Greater New York

Member, Executive Committee, Girl Scout Council of Greater New York

Member, Management Attorneys Conference

Bar admissions and qualifications

Illinois

Awards and rankings

- Employment Litigation: Defense, *New York Super Lawyers*, 2006-2017
- Euromoney's Leading Labour Lawyers of the World, *Euromoney*, 2000-2001

Latest thinking and events

- Hogan Lovells Publications
 - Disciplining Bargaining Unit Employees Between Union Recognition and First Contract *Employment Alert*
- Hogan Lovells Publications
 - NLRB Creates New Joint Employer Test in Browning-Ferris *Labor and Employment Alert*
- Hogan Lovells Publications
 - New York City to Significantly Limit the Use of Credit Checks in Employment Decisions *Employment Alert*
- Hogan Lovells Publications
 - SEC Announces First Whistleblower Protection Enforcement Action Involving Restrictive Language in a Confidentiality Agreement *SEC Update*
- Hogan Lovells Publications
 - Global Employment Law Update - January 2015
- Hogan Lovells Publications
 - Amendment to NY Wage Theft Prevention Act Eliminates Annual Notice Requirement, Effective Immediately; NY, NJ, and CT Minimum Wage Increases in Effect for 2015 *Employment Alert*

New York

Court admissions

U.S. Court of Appeals, 2nd Circuit

U.S. District Court, Eastern District of Wisconsin

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

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

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

U.S. Supreme Court
