

# Fisher Broyles

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**Practice Areas:** Litigation – Appellate; Litigation – Civil Pretrial and Trial Services; Litigation & Risk Management; Employment; Sexual Harassment Training

**Bar Admissions:** New York; U.S. Supreme Court; U.S. Court of Appeals, 2d Circuit; U.S. Court of Appeals, 3rd Circuit; U.S. Court of Appeals, 11th Circuit; U.S. District Court, Southern and Eastern Districts of New York; United States Court of International Trade

**Education:** New York Law School; J.D., Cum Laude; Law Review Associate Editor; Harpur College of the State University of New York at Binghamton

**Experience:** Fox Rothschild LLP; Spengler Carlson

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Mr. Cohen has litigated and arbitrated complex corporate, commercial, insurance, and employment disputes for more than 40 years, and is a trusted advisor to business owners and in-house counsel both in the United States and internationally. His clients have included Fortune 100 companies, domestic and foreign commercial and investment banks, Pacific-rim corporations and real estate development companies, as well as start-up businesses throughout the United States.

Mr. Cohen has tried dozens of cases in both federal and state court, argued numerous appeals, and has conducted arbitrations and mediations before the American Arbitration Association, FINRA and other dispute resolution forums that have involved:

- Complex corporate and business disputes;
- Corporate shareholder and partnership disputes, and corporate derivative suits;
- Employment related matters, including discrimination, harassment, restrictive covenants and business non-competes, and trade secret and confidential business information protection;
- Insurance disputes;
- Broker-dealer and public investor stock exchange arbitrations; and

- Intellectual property.

Mr. Cohen created and edited his former firm's blog, "Employment Discrimination Report," and posted over a thousand articles. The blog received the distinguished American Bar Association "Top 100 Law Blog Award for 2014." Mr. Cohen was also a member of the 2010 Editorial Advisory Board of Employment Law360, and had one of his blog posts published as a chapter in the university text "Employers and the Law: 2013-14 Anthology of Best Articles" – a collection of articles penned by seasoned labor and employment law attorneys.

Since 2016, Mr. Cohen has written a highly acclaimed weekly column for Above The Law.

As can be seen below, Mr. Cohen is the go-to attorney for newspaper and online reporters around the globe, as well as symposium organizers, seeking interviews, comments and speaking engagements related to litigation and employment law.

A complete interview, presentation and publication list is available upon request.

### **"Above The Law": Weekly Labor and Employment Law Columnist (2016-2018)**

- Hair On Fire, Heart Attacks, And ... A Female Santa Claus?, Above the Law (November 29, 2018)
- Wanna Know What B\*\*ches, Black Beans, And King Kong Have In Common?, Above the Law (November 16, 2018)
- Which Companies Tolerate A Sexually Harassing GC?, Above the Law (November 1, 2018)
- Men Lie, Women Can't Negotiate: What Does This Mean?, Above the Law (October 25, 2018)
- Even Female Judges Get Harassed!, Above the Law (October 19, 2018)
- Abusive, Sexist Partners In Biglaw: Better Just Endure It!, Above the Law (October 12, 2018)
- Can A Bird Be A Sexual Harasser? Does It Have Assets?, Above the Law (October 4, 2018)
- Pregnant Then Screwed: Fired For 'Daring To Procreate', Above the Law (September 27, 2018)
- Fat Shaming At Work: The Beginning Of The End?, Above the Law (September 20, 2018)
- All Associates Report To Bible Study Class Now — Or Get Fired!, Above the Law (September 6, 2018)
- Why So Much Fuss Over Black Employees' Hair?, Above the Law (August 30, 2018)

- Short Skirts At Work: A Form Of Sexual Discrimination?, Above the Law (August 10, 2018)
- Are Bro Hugs At Work Sexual Discrimination?, Above the Law (August 2, 2018)
- Shocking! Disabled Employees Dissed By Doctors, Above the Law (July 26, 2018)
- High Heels At Work Required — A Follow Up, Above the Law (July 19, 2018)
- Top 4 Causes Of Biglaw Injuries (My Best Guesses), Above the Law (June 28, 2018)
- 8 Helpful Hints On What Not To Call An Older Employee, Above the Law (June 21, 2018)
- Dangling High On An Oil Rig With The KKK Below To 'Rescue': Shocking Racial Harassment At Work, Above the Law (June 14, 2018)
- What's With This Fetish About Pants?, Above the Law (May 24, 2018)
- 'I'm Not Happy. I Want To Die.' No, He Wasn't A Lawyer, Above the Law (May 17, 2018)
- 8 Signs That You Are Not On Your Way To Success, Above the Law (May 11, 2018)
- 5 Reasons Why You Should Not Take A Swing At The Boss – A Risk Management Perspective, Above the Law (May 3, 2018)
- No, No, Manolo! Stick To Shoes!, Above the Law (April 19, 2018)
- 5 Reasons Not To Work From Home And Stay At Biglaw, Above the Law (April 5, 2018)
- When It Comes To Workplace Retaliation, If You're The Boss, You Better Not Change Your Behavior At All, Above the Law (Mar 29, 2018)
- 8 Helpful Hints On What Not To Say (Or Do) To A Pregnant Employee, Above the Law (Mar 22, 2018)
- 10 Commandments On How Not To Make Partner In Biglaw, Above the Law (Mar 15, 2018)
- 5 Incredible Things About Hair In The Workplace, Above the Law (Mar 8, 2018)
- Lions, And Tigers, And ... The Flu? Oh My!, Above the Law (Feb 22, 2018)
- Shocking! Fired For Sleeping On The Job — And Awarded Damages!, Above the Law (Feb 15, 2018)
- 5 Things Not To Do If You Want To Run Your Own Firm And Not Get Sued By Your Own Employees, Above the Law (Feb 8, 2018)
- Will You Be The Next Victim Of Sexual Harassment? Stay Away From Grandma The Clown!, Above the Law (Jan 25, 2018)
- Sex And Biglaw: Why Do The Suits Keep Coming?, Above the Law (Jan 18, 2018)
- Shocking! Justice Is Not Blind, It Just Can't Tell Red From Green!, Above the Law (Dec 8, 2017)
- How To Ace That Biglaw Interview: 10 Easy-To-Learn Tips!, Above the Law (Nov 30, 2017)
- No Touching! (Anywhere?): Sexual Harassment Dialogue Finale, Above the Law (Nov 17, 2017)
- Sexual Harassment: Can Men And Women Be Friends (At Work)?, Above the Law (Nov 9, 2017)
- '9 Tips To Avoid Being A Workplace Sexual Harasser': A Woman Lawyer's Critique (Part I), Above the Law (Nov 2, 2017)
- 9 Tips To Avoid Being A Sexual Harasser At Work, Above the Law (Oct 26, 2017)

- Pregnant And Want A Workplace Accommodation? Forget It: 'It's Not Prison. You Can Quit!', Above the Law (Oct 20, 2017)
- 8 Tips To Get Your Boss To Trust You, Above the Law (Oct 13, 2017)
- 7 Things To Do (And Not Do) Before Giving Notice, Above the Law (Sept 29, 2017)
- Fat Shaming In The Workplace: Is Calling Someone A 'Big Bottomed Girl' Actionable?, Above the Law (Sept 21, 2017)
- Unbelievable – Health Care Providers Sued For Disability Discrimination, Above the Law (Sept 14, 2017)
- Sexual Harassment Of Medical Personnel – A Huge Problem, Above the Law (Sept 7, 2017)
- 5 Tips On Getting Hired That Will Shock You, Above the Law (Aug 31, 2017)
- KKK Hoods: Fashionable In The Workplace And (Again) In The Streets, Above the Law (Aug 24, 2017)
- Ebola, Trypanophobia, And Deafness: What Does The ADA Require?, Above the Law (Aug 17, 2017)
- Skirts, Hair Follicles, The Flu, And The Mark Of The Beast — Say What?, Above the Law (Aug 10, 2017)
- New Grads Bound For Biglaw: Do You Know What You're Getting Into?, Above the Law (Aug 3, 2017)
- The 'N-Word': Is It Offensive Enough That A Single Utterance Creates A Hostile Workplace?, Above the Law (July 28, 2017)
- Of Hoodies And Hoverboards: Age Discrimination In Tech, Above the Law (July 20, 2017)
- Workplace Sexual Harassment And Bullying: Can Anything Be Done?, Above the Law (July 13, 2017)
- 'I'm a Creep,' And Other Silicon Valley Mea Culpas: So What?, Above the Law (July 6, 2017)
- Sexual Harassment Can Happen... Anywhere, Above the Law (June 29, 2017)
- Fired For 'Acting Like A Man': Sexual Harassment Cases You Don't See Everyday (Hopefully), Above the Law (June 15, 2017)
- What Is Sexual Harassment In Today's Workplace?, Above the Law (June 8, 2017)
- Sexual Harassment Makes For Some Mighty Strange Cases, Above the Law (June 2, 2017)
- Should Men Use Botox? Ask The Thirtysomethings Who Want To Look Young Again, Above the Law (May 25, 2017)
- Sexual Jokes And Banter At The Water Cooler: Not Cool At All!, Above the Law (May 18, 2017)
- Sex Can Kill a Start-up— Sexual Harassment, That Is, Above the Law (May 11, 2017)
- Can One Swastika Create A Hostile Work Environment For An Auschwitz Survivor?, Above the Law (May 4, 2017)
- Bullying At Work: Are you Vulnerable? , Above the Law (April 27, 2017)
- Mandatory High Heels At Work: Sexist Or Empowering? , Above the Law (April 20, 2017)
- Can Women Lawyers Ever Find Equality in BigLaw?, Above the Law (April 13, 2017)
- Pretty People Always Win: Beauty Bias In The Workplace, Above the Law (April 6, 2017)
- Why Higher Class Women Won't get that Biglaw Job: Hiring Biases That You Won't Believe!, Above The Law (March 30, 2017)
- Is Stuttering A Reason Not To Hire Someone?, Above The Law (March 23, 2017)

- Why Do Bosses Bully Their Stars and Redheads, Above The Law (March 16, 2017)
- Smelly Workplace? A Case Of 'Extreme Gas' In The Oil Factory, Above The Law (March 9, 2017)
- Pee Dammit! Or You Don't Get The Job! Above the Law (March 2, 2017)
- Why Are Some Employees Called Such Horrible Things?, Above the Law (February 24, 2017)
- What Do The Kardashians And The EEOC Have In Common?, Above the Law (February 16, 2017)
- Alternate President Issues So-Called Executive Order Reversing Civil Rights Laws, Above the Law (February 9, 2017)
- Can Disabling Conditions Protect The Prez From An Adverse Employment Action: Impeachment?, Above the Law (February 2, 2017)
- Tech Startups: 'Digital Sweatshop With Snacks'?, Above the Law (January 19, 2017)
- 10 Employment Law Tips For Small-Firm Lawyers, Above the Law (January 12, 2017)
- Is There Workplace Weight Bias, And Is It Against The Law?, Above the Law (January 5, 2017)
- 10 New Year's Tips For A Healthy Lifestyle (From An Employment Perspective), Above the Law (December 29, 2016)
- Don't Count On Anti-Bullying Laws Being Enacted Under The Next 'President', Above the Law (December 22, 2016)
- What President Trump Will Do To Employment Law Will Make You Dizzy, Above the Law (December 15, 2016)

### Presentations & Teaching Experience

- Presenter, "Employment Topics Every Restaurant Company Should Consider Before 2020", Industry Day for Fall 2019 Hudson Valley Restaurant Week, (October. 28, 2019)
- Panelist, "The Future of HR is Today!", EEOC Training Institute, Philadelphia, PA (August 20, 2019)
- Panelist, "Significant Developments in the Workers Rights Landscape," 29<sup>th</sup> Annual General Counsel Conference, New York, NY (September 27, 2017)
- Panelist, "Creating S.M.A.R.T. Litigation Strategies," Global Litigation Conference and Exhibition, New York, NY (October 1-2, 2014)
- Speaker, "Race, Gender, Disabilities: What You Need To Know To Avoid Being Sued in the Workplace," Webinar (May 15, 2014)
- Speaker, "Employment Discrimination Webinar," The Society for Diversity (September 18, 2013)
- Moderator, "Hot Topics in Labor and Employment and Immigration," New York, NY (March 14, 2012)
- Speaker, "Negotiating Your First Contract," Columbia University Medical Center , New York, NY (October 15, 2011)
- Speaker, "Confused About the New Health Care Reform Law? Find Out What Employers Need to Know!," Fox Rothschild and The Haberman Group, Westbury, NY (June 23, 2010)
- Moderator, "Hiring Issues with Risk Management," New York Staffing Association, New York, NY (April 27, 2010)
- Speaker, "Introduction to Labor, Employment and Employee Benefits Laws," Hauppauge Industrial Association (September 2, 2009)

- Moderator, “Advanced Business Metrics: How To Stay Ahead of the Economy,” New York Staffing Association (July 29, 2009)
- Speaker, “Employment Law Concerns in a Turbulent Economy,” Yale Club in New York City (April 29, 2009)
- Moderator, “Employment Issues and Immigration,” New York Staffing Association (March 11, 2009)
- Speaker, “Introduction to Labor, Employment and Employee Benefits Laws,” Sterling National Bank Lecture Series (October 15, 2008)
- Moderator, “Disaster Planning and Recovery,” New York Staffing Association (March 18, 2008)
- Speaker, “Avoiding Sexual Discrimination Claims in the Workplace,” Hudson Valley Bank Seminar Series (May 9, 2007)

### In The News

- Quoted, EHSToday, Racial Discrimination is Pervasive in America's Workplaces (June 2020)
- Appointed, Lexis Practice Advisor Board, (February 2020)
- Quoted, Forbes, What The Victoria's Secret Harassment Allegations Teach Us About Retaliation (February 5, 2020)
- Cited, Complete Guide to Human Resources and the Law, 2019 Edition – Shilling – Google Books
- Quoted, Business Insurance, EEOC mandate stalled by lack of commissioners (September 24, 2019)
- Quoted, Business Insurance, Google age bias suit settlement could prompt additional litigation (July 30, 2019)
- Quoted, Business Insurance, No Consensus Seen for High Court Ruling on LGBT Protections, (April 30, 2019)
- Quoted, Forbes, Looking For A Digital Native To Fill A Vacancy? A Word Of Caution, (March 11, 2019)
- Quoted, ACWI Newsletter, A Simple Way to Stop Harassment, (June 3, 2018) Quoted, Business Insurance, Age bias cases may be headed to Supreme Court, (May 8, 2018)
- Quoted, Business Insurance, One year later: Trump administration continues regulation cuts, (January 30, 2018)
- Quoted, Corporate Counsel, When Can a Health Care Provider Fire an Employee for Refusing a Flu Shot?, (December 01, 2017)
- Quoted, Business Insurance Article, “Cyclist Fired for Showing her Opinion of Trump May Have No Case”, (November 14, 2017)
- Featured, The TechnoLawyer Community, “BigLawWorld: Leaving Bloated Big Law Behind Plus Lateral Moves and Promotions”, (September 5, 2017)
- Quoted, BenefitsPro, “Can Employers Fire Racists? Should They?“, (August 15, 2017)
- Quoted, Doit, Inc., Êtes-vous Subjectifs Dans L'embauche, (July 13, 2017)
- Interviewed, MarketPlace, “When it Comes to Free Speech, Employers Have the Upper Hand“, (August 17, 2017)

- Interviewed, KHSU Radio, “Chronologically Gifted: Richard Cohen on Work in Later Life“, (August 17, 2017)
- Quoted, ABA Journal, “Can employees like those who took part in Charlottesville rally be fired?“, (August 15, 2017)
- Quoted, Corporate Counsel, “Can An Employer Fire A White Supremacist?“, (August 14, 2017)
- Quoted, Business Insurance Article, “Brutal Case Shows Protection Shortfalls,“ (May 1, 2017)
- Quoted, Business Insurance Article, “Sexual orientation deserves Title VII protections: 7th Circuit“, (April 5, 2017)
- Quoted, Business Insurance, “Fate of title VII sexual orientation question may lie with 7<sup>th</sup> circuit“ (April 4, 2017)
- Quoted, “Alive and Kicking at All Ages: Cultural Constructions of Health and Life ...edited by Ulla Krieberegg, Roberta Maierhofer, Barbara Ratzenböck”  
Quoted, Business Insurance, “Student’s transgender bathroom case may impact the workplace” (February 28, 2017)
- Quoted, The National Law Review, “Year-End Report Shows LGBT Discrimination Charges on the Rise at EEOC” (January 19, 2017)
- Quoted, Business Insurance, “Trump Presidency to Usher in New Era for Risk Managers” (January 2, 2017)
- Cited, *The Complete Guide To Human Resources and The Law*, 2017 Edition, by Dana Shilling (Wolters Kluwer), p. 41-11
- Cited, *Lawyer’s Deskbook*, 2017 Edition, by Dana Shilling (Wolters Kluwer), p. 3-147
- Quoted, Corporate Counsel, “Workers are Venting Anonymously on Apps. What Can In-House Counsel Do?” (December 15, 2016)
- Quoted, Corporate Counsel, “Can Companies Fire Trump Supporters?” (November 29, 2016)
- Quoted, Corporate Counsel, “McDonald’s Settles with EEOC for Denying Deaf Job Applicant and Interpreter” (October 19, 2016)
- Quoted, Business Insurance, “Courts move toward transgender rights, but much depends on election” (July 25, 2016)
- Quoted, Business Insurance, “Dems’ intervention in sexual orientation bias case ‘influential’” (July 11, 2016)
- Quoted, Business Insurance, “Criminal Background Checks Create Dilemma for Employers” (March 15, 2015)
- Quoted, Fordham International Law Journal: “*Not ‘Fit’ for Hire: The United States and France on Weight Discrimination in Employment*” [see footnote 14] (2015)
- Featured, “Fox Rothschild Employment Discrimination Report Named to ABA Journal’s 8th Annual Blawg 100” (December 15, 2014)
- Quoted, “Richard Cohen Explains What Fuels the Highly-Engaging Employment Discrimination Report,” The LexBlog Network (December 12, 2014)
- Featured, “As ABA Blawg 100 Shows, Biglaw is finding the Handle on Quality Blogging,” The LexBlog Network (November 26, 2014)
- Quoted, “Can You Tell Employees, ‘OK, Enough with the Piercing’ ?” Law Journal Newsletter (November 14, 2014)

- Quoted, “Abercrombie & Fitch To Face Supreme Court Over Hijab Controversy,” Vice News (October 8, 2014)
- Quoted, “Bullying in the Workplace,” The New Hampshire Bar Association Lawyer Referral Service (October 4, 2014)
- Quoted, “Legalizing Discrimination: Women’s Discrimination Around the World,” Profiles in Diversity Journal (September/October 2014)
- Featured, “Sexual Harassment: One Mechanism Driving Women From Science,” Wichita State University Office of Equal Employment Opportunity (August 12, 2014)
- Quoted, “It’s Easier to Prove Retaliation Than Discrimination,” Corporate Counsel (August 8, 2014)
- Featured, “Recent Executive Order Forbids LGBT Discrimination, but Hobby Lobby Ruling May Rear its Head,” LXBN TV (August 5, 2014)
- Quoted, “Employers Await New Workforce Training Overhaul,” Employee Benefit News (July 14, 2014)
- Quoted, “**ADA Claims On Rise**,” Mondaq News Alerts and Northwest ADA Center (July 7, 2014)
- Featured, “UK Bias Cases Are Down. This Isn’t Good News,” Corporate Counsel (June 27, 2014)
- Featured, “Do You Really Need a Lawyer for EEOC Matters?,” Corporate Counsel (June 26, 2014)
- Quoted, “ADA Claims on Rise,” Society for Human Resource Management (June 26, 2014)
- Featured, “Can You Tell Workers ‘OK Enough with the Piercing?’” Corporate Counsel (June 23, 2014)
- Quoted, “Flexibility Is Key To Helping Employers Avoid Religious Discrimination Claims,” Business Insurance (June 22, 2014)
- Quoted, “6 Top Priority Items for the EEOC,” Corporate Counsel (June 6, 2014)
- Featured, “For Richard Cohen, Bringing in Commenters Builds Symbiotic Relationship,” The LexBlog Network (May 15, 2014)
- Featured, “U.S. Laws Lag Behind, But Employer LGBT Acceptance Continues To Grow,” The LexBlog Network (May 14, 2014)
- Quoted, “History of the Male-Female Salary Gap: A 95-Year-Old Problem,” Vault (May 2, 2014)
- Featured, “Employment Discrimination Report,” ABA Journal (April 16, 2014)
- Quoted, “College Athletes Union Raises Tax, Discrimination Questions,” Pittsburgh Post-Gazette (April 6, 2014)
- Featured, “NYC Votes to Outlaw Discrimination Against Unpaid Interns,” Business & Human Rights Resource Centre (March 27, 2014)
- Featured, “Federal Contractors Now Required To Ask Employees if They are Handicapped,” Construction Super Conference Newsletter (March 26, 2014)
- Featured, “EEOC Roundup,” Overlawyered (March 18, 2014)
- Featured, “Five Great Posts To Read To Make You a Better HR Manager,” Omega HR Solutions (March 12, 2014)
- Featured, “Bizarre Retaliation Case,” HR Morning (February 14, 2014)
- Featured, “School Offers Gay Man a Job, Changes Its Mind,” The American Lawyer (February 11, 2014)



- Quoted, “How to Get Your Religion and Your Job to Coexist in Peace,” *The Street* (January 24, 2014)
- Featured, “EEOC Targets National Origin Issues,” *Business Insurance* (November 18, 2013)
- Featured, “Is Age Discrimination the Next Frontier?” *Employers’ Alert* (November 2013)
- Featured, “Indefinite Leave? In New York City, It’s a Reasonable Accommodation,” *TLNT* (October 14, 2013)
- Quoted, “Intesa Ruling Allows NYC Workplace Law to Flex Its Muscles,” *Law360* (October 10, 2013)
- Quoted, “Abercrombie Settles Hijab Discrimination Suits: Look, but Don’t Discriminate,” *Lawyers.com* (October 1, 2013)
- Featured, “The Age Factor,” *Human Resource Executive* (September 19, 2013)
- Featured, “The United States Supreme Court,” *Behind the Shadows* (September 18, 2013)
- Quoted, “Background Check Rules Raise Concerns,” *Business Insurance* (August 30, 2013)
- Quoted, “How to Keep the Work Party From Getting Too Crazy,” *The Street* (August 21, 2013)
- Quoted, “Workplace Mediations: Q&A with Fox Rothschild Partner Richard Cohen,” *Win-Win HR* (August 19, 2013)
- Quoted, “Workplace Not a Good Forum for Race Dialogue,” *The National Law Journal* (July 29, 2013)
- Quoted, “50 Years after Equal Pay Act’s Passage, Gender Wage Gap Still Persists,” *MSN.com* (June 10, 2013)
- Quoted, “Legalizing Discrimination: Women’s Discrimination Around the World” *Profiles in Diversity Journal* (June 1, 2013)
- Quoted, “Employers Have No Business Seeking Genetic Data, Attorneys Say,” *Law360* (May 28, 2013)
- Featured, “Appellate Court Tosses Hofstra Sex-Harass Suit,” *Long Island Business News* (April 11, 2013)
- Featured, “Common Worry Over Signing Agreement,” *Lawyers.com* (January 2, 2013)
- Featured, “Standard Severance Agreement Won’t Protect You From EEOC Claims,” *HRMorning.com* (January 2, 2013)
- Featured, “Employers Revise Hiring Policies Based on New EEOC Background Check Guidance,” *Business Insurance* (November 4, 2012)
- Featured, “EEOC Continuing Its ‘Big Case’ Bias Enforcement Approach,” *HR Morning* (November 2, 2012)
- Cited, *Los Angeles Lawyer*, Oct. 2012, p. 39
- Featured, “U.S. Court Abused Discretion in Sex Harassment Case: Appeals Court,” *Workforce.com* (October 23, 2012)
- Featured, “Blue Blood Star vs. CBS,” *The Hollywood Reporter* (October 23, 2012)
- Featured, “EEOC Targets Pregnancy Discrimination,” *Lawyers.com* (October 22, 2012)
- “U.S. Court Abused Discretion In Sex Harassment Case: Appeals Court,” *Business Insurance* (October 22, 2012)
- Quoted, “Avoiding ADA Liability When Dealing with Obese Workers,” *Inside Counsel* (September 24, 2012)
- Featured, “Employee Discrimination Lawsuits,” *Behind the Shadows* (June 21, 2012)

- Featured, “Muslim Woman Wins \$5.1M Judgment in Work Discrimination Suit,” Workforce Management (May 8, 2012)
- Featured, “EEOC Guidance on Background Checks Leaves Some Questions,” Business Insurance (April 29, 2012)
- Featured, “Transgender Individuals Protected by U.S. Discrimination Law: EEOC,” Business Insurance (April 26, 2012)
- Featured, “Age Discrimination Guidance From EEOC Increases Employer Burdens,” Business Insurance (April 22, 2012)
- Featured, “An Interview with Richard Cohen,” NYSA News (September 13, 2011)
- Television Interview, “Discrimination in the Workplace,” Behind the Shadows (August 25, 2011)
- Interviewed, “Q&A With Fox Rothschild’s Richard Cohen,” Law 360 (June 9, 2011)
- Selected, “Law360 Employment Editorial Advisory Board,” Law360 (January 13, 2010)
- Featured, “Muslim Prisoners Win Right to Diet Equality,” The New York Times (April 6, 2008)
- Featured, “Religious Discrimination Settlement Receives Worldwide Media Attention,” The New York Times, New York Law Journal, and International Herald Tribune (March 28, 2008)
- Quoted, “Public Interest Projects,” New York Law Journal (March 28, 2008)
- Quoted, “US jail reaches deal on meals for Muslim inmates,” International Herald Tribune (March 22, 2008)
- Quoted, “Fox Rothschild Settles Religious Discrimination Case between Muslim Inmates and Westchester County Dept. of Corrections,” (March 19, 2008)
- Profiled, “Working on the fault lines,” The Deal, Vol. 5, No. 37 (December 03, 2007)

### Publications

- You Have Too Many Children. If You Get Pregnant You’re Fired, The eDigest: A Publication of the Arizona Paralegal Association (November 2016)
- “Transgender Employment Rights: Front and Center for EEOC,” Human Resources Newsletter, page 5 (November/December Issue 2016)
- “Another GINA Class Action Settled by EEOC,” Employee Benefit News (November 13, 2014)
- “New ‘Bullying’ Decision: No Protected Class, No Case,” Employee Benefit News (September 18, 2014)
- “Golly Gee Kids, Let’s Stop Workplace Bullying and Just Treat Each Other with Respect,” Workplace Bullying Institute (August 6, 2014)
- “Same Sex Sexual Harassment Prohibited by Title VII, Even Though Sexual Orientation is Not a Protected Class,” Advisen (June 19, 2014)
- “Employers and the Law,” Van Rye Publishing, LLC (May 15, 2014)
- “Employer Accused of Yelling Expletives at Employees Settles,” Wills, Trusts & Estates Prof Blog (May 9, 2014)
- “Workplace Bully Debate — Legislation or Proactive Company Policies?” Workplace Violence News (April 28, 2014)
- “Court Upholds Claim that Obesity May Be a Disability Under the ADA,” Staffing Today (April 28, 2014)

- “Dreadlocks: Alabama Court Rules It is a ‘Mutable Characteristic’ and Not a Racial One,” Staffing Today (April 3, 2014)
- “NYC Votes To Outlaw Discrimination Against Unpaid Interns,” Business & Human Rights Resource Centre (March 27, 2014)
- “Obesity: Merely ‘Undesirable’ and ‘Unprofessional,’ Like a Neon Green Mohawk, or a Disability?” Business & Human Rights Resource Centre (March 26, 2014)
- “Should Stuttering be Classified as a Disability?” Corporate Counsel (March 25, 2014)
- “Workplace Bullying Debate – Legislation or Proactive Company Policies,” Workplace Violence News (March 3, 2014)
- “EEOC Settles First Systemic GINA Class Action,” Staffing Today (January 27, 2014)
- Cited, “Delimiting Title VII: Reverse Religious Discrimination and Proxy Claims in Employment Discrimination Litigation,” Vanderbilt Law Review (January 10, 2014)
- “Beard Worth \$50,000 to the EEOC,” Staffing Today (January 2, 2014)
- “EEOC Meeting on National Origin Discrimination: Further Suits on the Way?” American Conference Institute (ACI) (November 19, 2013)
- “EEOC Re-Commits To Protect ‘Most Vulnerable’ Workers And Settles Utah Case For Record \$450,000,” Staffing Today (October 14, 2013)
- “Perspectives: Employers Need to Keep Up with Changes in Criminal Background Check Rules,” Business Insurance (October 9, 2013)
- “Pray That You Don’t Get Sued: Religious Discrimination Cases Abound,” Advisen (October 4, 2013)
- “Employee Rejects an Offered Accommodation,” EEO Connection (October 2013)
- “New EEOC Pregnancy Discrimination Case Gives Life to Its General Counsel’s Warning to Employers,” Staffing Today (September 9, 2013)
- “Fighting Disability Discrimination is a Priority for the EEOC,” Staffing Today (September 4, 2013)
- “‘Locker Room Talk Won’t Wash’ When It Comes to Offensive Racial Slurs,” Staffing Today (August 30, 2013)
- “What Happens When An Employee Rejects An Offered Accommodation Because She Prefers A Different One?” Staffing Today (August 27, 2013)
- “Should Gingerism Be Recognized As A Form of Racism?” Michael Rubenstein Publishing (August 15, 2013)
- “New EEOC Suit Reminds Employers Not To Make Pregnancy-Related Inquiries,” American Staffing Association Journal (August 1, 2013)
- “Australia Pregnancy Discrimination Laws To Be Broadened To Require Transfer to ‘Safe Jobs,’” Business & Human Rights Resource Centre (July 14, 2013)
- “Two Supreme Court Discrimination Decision Favor Employers,” Employee Benefit News (June 28, 2013)
- “First GINA Suit by EEOC Quickly Settled for \$50,000,” American Staffing Association Journal (May 10, 2013)
- “Workplace Bullying Can Result in Lower Productivity,” American Staffing Association Journal (February 10, 2013)
- “Company Fires ‘An Old Penny That Keeps Coming Back,’” American Staffing Association Journal (January 11, 2013)

- Fire Qualified Employee Based on Fears, Myths, or Stereotypes,” American Staffing Association Journal (January 10, 2013)
- “Weighing the Balance,” Los Angeles Lawyer (October 2012)
- “What Constitutes Racial Harassment?” Employee Benefits News (July 13, 2012)
- “Oregon To Pass Law Banning Discrimination Against the Unemployed; California Next?” AAAED Blog Spot (March 21, 2012)
- “Code Words and Dog Whistles,” AAAED Blog Spot (March 21, 2012)
- ‘Sexual Harassment’ or Just Simply Being ‘Socially Tone Deaf,’ AAAED Blog Spot (February 27, 2012)
- “No Urine, No Job,” international Paruresis Association (February 27, 2012)
- Co-author, “DOJ Issues Final Regulations on ADA Accessible Design Requirements,” Labor & Employment Department Alert (October 2010)
- Co-author, “U.S. Supreme Court Rules Unanimously That ‘Disparate Impact’ Claims of Employment Discrimination Are Revived Whenever an Employer Applies the Offending Policy,” Labor & Employment Department Alert (June 2010)
- Co-author, “ADEA and Gross: Employers, Don’t Relax Yet,” (March 30, 2010) Author, “The Scope of ‘Adverse Employment Action’,” Law360 (December 15, 2009)
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