

# FisherBroyles

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**Practice Areas:** Employment; Compliance Counseling and Litigation; Cannabis, Hemp, and CBD; Sexual Harassment Training; Commercial Litigation; Litigation – Civil Pretrial and Trial Services, Litigation & Risk Management; Mediation; Professional & Management Liability

**Bar Admissions:** New York; District of Columbia; Virginia; U.S. Court of Appeals, Fourth Circuit; U.S. Court of Appeals; Federal Circuit; U.S. District Court, Eastern District of Virginia; U.S. District Court, District of Maryland; U.S. Bankruptcy Court, Eastern District of Virginia; U.S. Court of Federal Claims

**Education:** George Washington National Law Center, J.D.; Tufts University, B.A., English

**Experience:** Roetzel & Andress; Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C.

**Language:** Spanish

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Amy Epstein Gluck serves as Employment Counsel to FisherBroyles and advises employers large and small about compliance with anti-discrimination laws, HR policies, retaliation, workplace culture, and navigating #MeToo issues while complying with federal, state, and local employment laws. Ms. Epstein Gluck's agility and extensive expertise has been critical to the firm's development of a centralized COVID-19 information repository and response team regarding new federal legislation, such as the Families First Coronavirus Response Act (FFCRA) and the employment and unemployment provisions of the CARES Act, including the Paycheck Protection Program as well as new state pandemic-related legislation.

Amy navigates legal issues with an eye toward preventing organizational problems, not just reacting to them. She handles compliance and defense of Title VII, ADA, FMLA, ADEA, and wage and hour issues; terminations; and all matters involving people. Amy regularly conducts anti-harassment trainings for managers and employees and trains supervisors on how to recognize and respond to accommodation requests under the ADA and FMLA.

She has represented individuals and corporate clients in Virginia, Washington, D.C., and various federal district courts for more than twenty years. Ms. Epstein Gluck's current practice areas include business employment law—advising on and drafting employment agreements; handling employment negotiations, severance agreements, noncompete and nondisclosure agreements, discrimination and harassment investigations, “wrongful terminations,” and other EEO matters. Ms. Epstein-Gluck is co-author of the firm's [Employment Discrimination Blog](#) and provides information to the media, including regular contributions to *The Washington Post*, concerning prevalent and pertinent employment law issues.

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As a business law litigator, Amy focuses her practice on breach of fiduciary duty, conversion, tortious interference, defamation, contract and quasi-contract issues, and various torts both in federal and state courts and in mediation and arbitration. Ms. Epstein Gluck's experience includes breach of contract and consumer fraud and deceptive trade practices act claims; corporate governance; directors' and officers' claims; professional liability claims; injunctive actions; restrictive covenants; and shareholder and partnership disputes.

Amy is an expert for SheSource—Women's Media Center. SheSource is an online brain trust of female experts on diverse topics designed to serve journalists, producers and bookers who need female guests and sources.

### Publications

#### 2020

- SCOTUS: Discrimination Based on Sexual Orientation or Transgender Status is Sex Discrimination And Violates Federal Law (June 2020)
- Client Alert – You Have Coronavirus Questions In Your Workplace? We Have Answers (March 2020)
- Do We Have To Pay Our Employees If We Send Them Home Because Of The Coronavirus? (March 2020)
- Employee-Friendly California Provides Specific Guidance to Employers About Leave and Pay Related To COVID-19 (March 2020)
- Carving Out An Enforceable Noncompete In The 4th Circuit (February 2020)
- Employers, The EEOC is Watching (February 2020)
- Ban the What? (February 2020)
- Employers, Help Me To Help You-Please, Document! (February 2020)
- "Stay Home and Bake Cookies!" (January 2020)

#### 2019

- Uber and the EEOC Settle Their Differences (December 2019)
- A Recipe For Sexual Harassment Liability (December 2019)
- News Flash-Simulating Sex Acts In The Workplace May Lead to Liability (December 2019)
- Employers, Are Your Supervisors Prepared For Accommodation Requests For Mental Health Issues (November 2019)

- Bystander Intervention At Work (November 2019)
- Can I require my employees to get a flu shot? (October 2019)
- Employers, Retaliating Against An Employee Who Discloses A Disability Is A Sure Way To Get Sued (October 2019)
- How Do We Destigmatize And Accommodate Mental Health Impairments In The Workplace (October 2019)
- Employers, Can You Fire An Employee For Being Gay or Transgender? (October 2019)
- How To Prevent and Correct Sexual Harassment By Customers (September 2019)
- Manager Training Time! (September 2019)
- Game Night Has A New Player: Ms. Monopoly (September 2019)
- How To Prevent Sexual Harassment In Your Restaurants, Bars, and Stores (September 2019)
- One Mama's Memo: Anti-Discrimination and Anti-Retaliation Policies Must Be Enforced To Be Effective (August 2019)
- Employers, Can You Fire An Employee In Rehab for An Opioid Addiction? (August 2019)
- EEOC to Employers: Ignore Harassment Complaints Based on LGBTQ Status At Your Peril (August 2019)
- Workplace Violence Prevention Plans—With a Twist (August 2019)
- One State Guides Employers To Establish Workplace Mental Health Standards (July 2019)
- Don't Panic! We Have A Button For You! (July 2019)
- Will World Dominance Dictate Equal Pay? (July 2019)
- One State Guides Employers To Establish Workplace Mental Health Standards (July 2019)
- Will World Dominance Dictate Equal Pay? (July 2019)
- Black Hair Was "Dreadful" – But New Laws Are Changing All That (June 2019)
- When Equal Pay Audit Results Lead to Retaliation Claims (June 2019)
- LGBTQ Employees Face A Double Stigma (June 2019)
- Diversity & Inclusion: Making More Than Cosmetic Changes (May 2019)
- How Can Employers Recognize Signs of Impending Workplace Violence? (May 2019)
- New York City Employers: Sexual and Reproductive Decisions Are a New Class (May 2019)
- A Steak, Medium-Rare, With Sides of Sexual Harassment and Retaliation (April 2019)
- What's All The Fuss? SCOTUS (Finally) Considers Whether Adverse Decisions Against LGBT Employees Constitute Sex Discrimination In Violation of Title VII (April 2019)
- Failing To Provide Accommodations for Mental Health Issues Comes At A Price (April 2019)
- Iron Throne or Boardroom—Leadership Matters (April 2019)
- Sex Stereotyping, Transgender Status, and a Settlement with the EEOC (April 2019)
- Allegations of Sex Discrimination and Unequal Pay—It's A Small World After All? (April 2019)
- Hey 2019, How Is Corporate America Doing With LGBT Policies? (April 2019)
- Up In The Air—To Address Sexual Harassment, Follow Your Procedures (March 2019)
- HR: Do Not Delay When Designating Leave Under the FMLA (March 2019)
- Job Applicants and the ADA (March 2019)

- Accusations of “Institutionalized Gender Discrimination” Dominate Women’s Professional Soccer (March 2019)
- Opposition and Retaliation—Key Components of Laws Like Title VII and the ADA (March 2019)
- The 4th Circuit Says: Rumor Has It (February 2019)
- Diversity and Inclusion—BigLaw Partners “Classes” (February 2019)
- Who’s The “Boss”? (January 2019)
- You Should Dress More Gender Appropriate (January 2019)
- The City That Never Sleeps—The “Right” To Unplug (January 2019)

### 2018

- The Missing Link? NO! The Causal Link Needed to Prove Pretext of Discrimination (December 2018)
- Avoiding Dinners With Female Colleagues May Not Be the Answer to Avoiding Lawsuits (December 2018)
- What Classic Quid Pro Quo Sexual Harassment Looks Like (December 2018)
- LGBT Circuit Split, Meet the Religious Exemption (November 2018)
- Diversity and Inclusion: the Best Response to Increased Sexual Harassment (November 2018)
- Sexual Harassment: Another Fire Department Engulfed in Flames (November 2018)
- A “Watershed Moment”: EEOC Roadmap to Preventing Sexual Harassment and Other Forms of Harassment (November 2018)
- EEOC Quantifies Workplace Discrimination and Harassment Claims for 2018...So Far (November 2018)
- It’s Sexual Harassment Prevention Day in New York! (October 2018)
- EEOC: Same-Sex and Race-Based Harassment is Not OK. (September 2018)
- Let My People Go! Or, Another Blow to Noncompetes (September 2018)
- Double Standards and Sex Stereotypes? Just ask Serena Williams (September 2018)
- Sexual Harassment: R-E-S-P-E-C-T in Fire Departments, (August 2018)
- New Jersey Federal Court: Employer Need Not Waive Drug Test for Medical Marijuana User, (August 2018)
- EEOC to Airline—When You Receive a Sexual Harassment Complaint, Do Something About It!, (August 2018)
- A Federal Jury Sends a Message in the #MeToo Era, (August 2018)
- Racial Harassment-A Case Study on “Severe or Pervasive”, (July 2018)
- Checking In With BigLaw and Equal Pay, (July 2018)
- Oklahoma! (Medical Marijuana Workplace Law), (July 2018)
- Race Discrimination Based On More Than Color-“Jewish Blood”, (July 2018)
- A Federal Jury Sends a Message In the #MeToo Era, (July 2018)
- Medical Marijuana and the Workplace—What Employers Want to Know, (June 2018)
- Employers, Do You Need To Accommodate An Employee’s Use of Medical Marijuana?, (June 2018)
- Racial Harassment—A Case Study On “Severe or Pervasive”, (June 2018)

- Checking In With BigLaw and Equal Pay, (June 2018)
- Fired Up About Retaliation, (May 2018)
- Employee or Independent Contractor? That Is the Question, (May 2018)
- New York Employers—Get Ready, Get Set, Go!, (May 2018)
- Reminder—Destigmatization of Mental Illness In The Workplace, (May 2018)
- “Work Faster!”, (April 2018)
- All the Single Ladies—No, Not Beyonce, (March 2018)
- Sexual Orientation—Might the 8th Circuit Join the Second, Sixth, and Seventh Circuits’ Party, (March 2018)
- How To Slay The Dragon...I Mean, Eradicate Sexual Harassment, (March 2018)
- “Inclusion Rider”-What’s That? (March 2018)
- “Men At Work”- #MentorHer (February 2018)
- He Said/She Said-Making Informed Business Decisions in the #MeToo Era (February 2018)
- Gender Pay Inequity—Across the Pond (February 2018)
- Sexual Harassment Guidelines – Wonder Woman Gets It! (January 2018)
- I Love Lists! Dissective One Sexual Harassment Prevention List (January 2018)
- Over 40? You’re “Outta Here!” (January 2018)
- Time’s Up! (January 2018)

### 2017

- Diversity & Inclusion Done Right (December 2017)
- “The Weinstein Effect” on Holiday Parties—No Booze? What A Snooze! (December 2017)
- “Too Butch”— Sex Stereotyping (November 2017)
- Sexual Harassment Prevention 101 (November 2017)
- Setting the Record Straight On (Unlawful) Harassment (November 2017)
- Employer Update: Minimizing Gender Bias and Eradicating Sexual Harassment (October 2017)
- Oh Harvey! We’ll Need a Memo to the File (October 2017)
- The Hostess With The Mostest? Not Exactly. (October 2017)
- Performance Ratings Conditioned Upon After-Work Social Events Attendance (September 2017)
- The ADA’s Interactive Process—Not “One and Done” (September 2017)
- Is It Ok For A Supervisor to Ask A Subordinate To Cook For Him In the Nude? Not So Much (September 2017)
- Good for Google—Taking Corrective Action Against Sex Stereotyping (August 2017)
- A “Plan” to Combat Harassment in Silicon Valley (July 2017)
- Kudos to G.E. As It Strives To “Balance The Equation” With Women (June 2017)
- First Transgender Suit Permitted to Proceed Under the ADA (May 2017)
- “The Linchpin” for Businesses: Your HR Department (April 2017)
- Working Mamas and Lactation Law (May 2017)
- Supremes Save Transgender Rights for Another Day (March 2017)
- Every Kiss Begins With “Cut it out!” (February 2017)

- “What Are You Like in Bed?” Not a Good Thing to Ask an Employee... Nor is Groping (January 2017)
- Coming Soon: NEW EEOC Harassment Guidance (January 2017)
- The Danger for Employers of Third Party Discrimination or Harassment (January 2017)
- Virginia Is For All Lovers, Including LGBTQ (January 2017)
- Doing the People’s Business? Sexual Harassment is Everywhere (January 2017)

### 2016

- May the Force Be With Her—Carrie Fisher aka Princess Leia Spoke Out About Mental Illness In and Out of Her Workplace (December 2016)
- Serena Williams Aces the Equal Pay Issue (December 2016)
- A How-To Guide to LGBT Corporate Policies (December 2016)
- Retaliation and Opposition—A Major Headache for Employers (December 2016)
- Amherst Cracks Down on “Locker Room Banter” — Another Team Bites the Dust (December 2016)
- Sexual Orientation Discrimination Violates Title VII—CLARIFICATION (December 2016)
- Locker Room Banter — The New Normal? Harvard Soccer Woes (November 2016)
- Sexual Harassment—Still Illegal, and Attorneys’ Fees May Be Awarded Too (November 2016)
- Sex Discrimination v. Equality at BigLaw and Other Workplaces (October 2016)
- Sexual Harassment—An Epidemic? (October 2016)
- Combating “Bro-priating”—Amplification and it Works! (October 2016)
- Older Women Have It Rough! (October 2016)
- Nasty Women — Not in the Workplace, Please (October 2016)
- Changing Workplace Norms Require a Fresh Look at the Issue of Sexual Orientation (October 2016)
- Locker Room Banter Will Get You Fired, and Oh, Wait, It’s Against the Law (October 2016)
- From “Bro Culture” To Millennial Culture (October 2016)
- If You’re Gonna Talk the Talk You Gotta Walk the Walk —How To Minimize Gender Bias (October 2016)
- Autism—an Eye-Opener for Your Company, Not a Nonstarter (September 2016)
- LGBT Corporate Policies—Do Unto Others As You Would Have Done to You (and increase profits while you’re at it) (September 2016)
- Handling “Manterruption” and “Bro-priating”... In the Oval Office (September 2016)
- What do at least 5 Big Law Firms and the U.S. Women’s Soccer Team have in Common? (September 2016)
- WTF?? What the Fox — Take Two (And \$20 Million) (September 2016)
- Sexual Harassment: What We Think We Know (August 2016)
- “HOTBEDS” of Sexual Harassment (August 2016)
- Stop the Stigma and Repeat After Me: “I have a disability and these are the accommodations I need” (August 2016)
- “That’s So Retarded!” Stop Stigmatizing Those with Mental Impairments (August 2016)

- It Ain't Over 'Til It's Over (August 2016)
- Mad Men Redux (July 2016)
- What the Fox? (July 2016)
- Can I Get Some Fries With That Shake? (July 2016)
- Lady Lawyer Gives Shout Out To Lady CFO! (June 2016)
- Equality is Equality (June 2016)
- U.S. Soccer Says Extraordinary Gender Wage Gap Perfectly Defensible (June 2016)
- Conundrum: Drugs in the Workplace and on Lexology (May 2016)
- Another Advertising Agency Courting the EEOC: Have They Ever Heard of Retaliation? (May 2016)
- Boozin' It Up — When You Suspect Your Employee Is An Alcoholic (May 2016)
- Changing the Conversation About Mental Impairments—Sia on American Idol (April 2016)
- Should Hope Solo Be Paid Less Than Clint Dempsey? (Is This Employment Discrimination?) (April 2016)
- Does Hope Solo deserve less pay than Clint Dempsey? (April 2016)
- What American Idol and Employment Discrimination Have in Common (March 2016)
- Women Are Just “Too Sensitive” – Or Could It Be Sexual Harassment? and on Lexology (March 2016)
- Those Good Old Boys Clubs May Come With a Hefty Price Tag for Employers and on Lexology (March 2016)
- Addiction—Behavior Issue or Disability? and on Lexology (February 2016)
- Sex Discrimination Is Not Just About Sex on Lexology (February 2016)

### Other Publications

- Reasonable Accommodations for Mental Health Impairments under the ADA (December 2015)
- Title VII's Opposition Clause—HR's Best Friend (December 2015)
- Obama Supports Amendment to Title VII—The Equality Act (November 2015)
- Termination for Demanding Payment of Earned Bonus Held Actionable (November 2015)
- New ADA Summary for Employees of Federal Contractors (October 2015)
- Newly Released EEOC Directive to Assist Federal Employees Alleging Discrimination When Potential Conflict of Interest Exists (August 2015)
- The Obergefell Effect on Employment (June 2015)
- One Racist Act May Be Enough to Support a Title VII Claim (May 2015)
- Are those clients really yours? Consider this before you quit (November 2014)
- Has the Recent Same-Sex Marriage 'Decision' Paved the Way for Increased Protection Against Sexual Orientation Discrimination in Employment (October 2014)
- Dealing with the Limitations of Virginia's Subpoena Power When the Information is Located in D.C. or Maryland (September 2014)
- EEOC Announces Record Monetary Recovery from Employers in 2013 (February 2014)
- Hope In Sight: When Our Baby Couldn't See Washington Parent (March 2009)

### Speaking Engagements

- Speaker, Society of Human Resources Management, “Leading for Respect-Creating Inclusivity And Preventing Discrimination and Harassment Based on Sexual Orientation, Gender Identity, and Gender Expression,” Montgomery County chapter of SHRM, (February 19, 2020)
- Speaker, Society of Human Resources Management, “How to Create a Diverse and Inclusive Culture-Preventing Discrimination and Harassment Based on Sexual Orientation, Gender Identity, and Gender Expression,” SHRM Lehigh Valley Annual Conference (October 22, 2019)
- Speaker, Best Practices for Off-boarding and Hot HR Topics, American Society of Pension Professionals and Actuaries Annual Conference, Washington DC, (October 21, 2019)
- Speaker, EEO law and best HR practices for the Equal Employment Opportunity Commission (EEOC) Training Institute, Baltimore, (August 26, 2019)
- Speaker, How to Prevent Your Organization from Becoming the Next #MeToo, for the annual SHRMLV (Society of Human Resources Management for the Lehigh Valley) Conference (October 1, 2018)
- Speaker, #MeToo in the Law Firm Environment, for the Federal Bar Association for the Eastern District of Washington Annual Conference (September 28, 2018)
- Speaker, Cannabis Law Summit– Employment Issues Related to Marijuana, New York City (May 18, 2018)
- Speaker, Preventing and Correcting Sexual Harassment in the Workplace, and Minimizing Litigation Risks for Start-Ups, Metro DC Business community (February 28, 2018)
- Speaker, Annual Human Trafficking and Social Justice Conference in Toledo, Ohio about Mental Health and Addiction Issues in the Workplace (September 21-22, 2017)

### In The News

- Quoted, SHRM, EEOC: Mandatory Antibody Testing Is Prohibited (June 19, 2020)
- Quoted, The Washington Post, Wanted: Servers who can lift 100 pounds. Working life in the coronavirus economy is changing. (June 11, 2020)
- Quoted, The Washington Post, Work Advice: My employer is still denying remote working requests , (March 26, 2020)
- FisherBroyles Partners Jack L. Wuerker and Amy Epstein Gluck secured a Virginia Supreme Court ruling, which affirmed a circuit court holding that dismissed their opponent’s case in its entirety.
- Quoted, The Washington Post, When an employer actually needs ‘the best man for the job’, (January 2, 2020)
- Quoted, The Washington Post, Work Advice: HR vice president disparages own stepchild with special needs at company meetings, (September 6, 2019)
- Cited, Complete Guide to Human Resources and the Law, 2019 Edition – Shilling – Google Books
- Featured, @Law360, “12 Attorneys on How Diversity Gives Them the Edge”, (June 2019)
- Quoted, Business Insurance, Employment Partner Amy Epstein Gluck Quoted in Business Insurance, (February 2019)



- Quoted, The Boston Globe about employment issues related to medical marijuana and proposed off-hours cannabis law in MA, Employment Partner Amy Epstein Gluck Quoted in The Boston Globe, (December 2018)
- Quoted, ACWI Newsletter, A Simple Way to Stop Harassment, (June 3, 2018)
- Quoted, New York Times, How to Respond When a Colleague Is Harassing Women, by Rob Walker (March 2018)
- Quoted, The Washington Post, Work Advice: How to Stay out of a Company War Caused By an In-House Love Triangle, by Karla Miller (March 2018)
- Quoted, Business Insurance, “Behavior in C-Suite Must be Addressed” by Judy Greenwald (November 2017)
- Quoted, Business Insurance, “Weinstein Revelations Highlight Sexual Harassment Risks” by Judy Greenwald (October 16, 2017)
- Quoted, Washington Post Magazine column, “The boss wants to rate them on their attendance, socializing at company events” by Karla L. Miller (August 24, 2017)
- Nominee for the Women of Influence Award, bestlawyers.com (Spring Business Edition 2017)
- Amy Epstein Gluck provides “expert advice” to “What’s Working in Human Resources” about steps employers can take to prevent and handle harassment of employees from customers and other third parties
- Quoted, People Feature, “Separation Anxiety: Pitfalls of Signing Severance Agreements” by Jill Gregorie, Ignites (January 30, 2017)
- Featured, Washington Post Magazine column, “Work Advice: Who owns the rights to your designs? It depends.” by Karla L. Miller (December 29, 2016)
- Featured, Material Handling and Logistics, “Avoid Trouble by Creating and Enforcing an Effective Sexual Harassment Policy”, by David Sparkman, MHLnews (November 18, 2016)
- Featured, consult with Circa News “Welcome to your new job. Here’s how not to get fired” by Natalia Angulo-Hinkson. (September 9, 2016)
- Quoted, “Sexual Orientation Bias Destined For High Court, If Not Capitol,” Law 360. (August 2, 2016)
- Featured, consult with Washington Post Magazine’s Work Advice columnist about sexual stereotyping implications in the workplace. “@Work Advice: At first blush, this rule about wearing makeup rankles” (May 5, 2016)
- Featured, Washington Post Magazine’s Work Advice column on payment recoupment issues. “@Work Advice: The cost of reclaiming money” (April 7, 2016)
- Featured, Women’s Media Center Live with Robin Morgan, “Disability Discrimination in Employment from the Employee’s and Employer’s Side” (February 2016)

### Community Service

- Coalition of Women’s Initiatives in Law, Officer (2018-Present)
- Director, Board of Directors of Charles E. Smith Life Communities and the boards of the senior service organization’s Landow House, Revitz House, and Ring House residences (August 2015-August 2018)

