



Kenneth A. Rosenberg

Partner

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As a trusted legal adviser, Ken provides his clients with creative and practical solutions to resolve their labor and employment issues efficiently. He leads Fox Rothschild's Affirmative Action/OFCCP practice.

Ken practices labor and employment law, representing employers nationally in both union and non-union contexts. He works closely with business owners, human resource professionals and in-house counsel to ensure they are complying with the myriad of complex workplace-related rules mandated by federal and state law.

As head of the firm's AAP/OFCCP practice, Ken assists federal and state contractors:

- comply with the numerous affirmative action and equal employment opportunity laws and regulations;
- develop affirmative action plans and related documents; and
- navigate OFCCP audits.

For unionized employers, Ken represents his clients in collective bargaining, arbitration and unfair labor practice proceedings before the National Labor Relations Board, the New Jersey Public Employment Relations Commission, and the New York Public Employment Relations Board.

Ken also assists his clients in developing and implementing employee handbooks, personnel policies and procedures, and employment and severance agreements. He further provides day-to-day counseling and training to his clients in connection with all federal, state and local laws that impact the employment relationship including, but not limited to, disciplinary, leave and accommodation, wage and hour issues.

Ken aggressively defends his clients against claims of discrimination, harassment and retaliation in federal/state court and administrative tribunals.

Before Fox Rothschild

Ken was employed by the Essex County Counsel's Office as an Assistant County Counsel. He is a former Associate General Counsel for the City of New York's Department of Citywide Administrative Services.

Beyond Fox Rothschild

Ken is frequently engaged to educate business leaders and his peers on various labor, employment and affirmative action topics. Among the organizations Ken has presented to include the New Jersey Business and Industry Association, the New Jersey Department of Labor, the New Jersey Corporate Counsel Association, the New Jersey Institute for Continuing Legal Education, New Jersey Gasoline-Convenience-Automotive Association, the Public Employment Relations Commission's Annual Conference, the New Jersey Association of Counties' Annual Conference, the New York State Public Employer Labor Relations Association's Annual Conference and the Council on Education in Management.

Ken was recently appointed to the New Jersey State Bar Association's Labor and Employment Law Section Executive Committee. He serves as editor emeritus for the bar association's *New Jersey Labor and Employment Law Quarterly*.

Honors & Awards

- Rated AV[®] Preeminent[™] by Martindale-Hubbell
- Recipient, *New Jersey Law Journal's* "40 Under 40" award (2008)
- Selected as a "New Jersey Rising Star" by *New Jersey Monthly Magazine* and *Law & Politics Magazine* (2008 and 2009)
- Essex County Bar Association Young Lawyers' Achievement Award

Practice Areas

- Labor & Employment
- Federal Government Contracts & Procurement
- Charter Schools
- Affirmative Action Programs & OFCCP Compliance
- Employment Class Actions
- Employment Counseling, Policy Developments & Audits
- Employment Training
- Labor Management Relations
- Administrative Law & Government Relations

Bar Admissions

- New Jersey
- New York

Court Admissions

- U.S. District Court, District of New Jersey
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York

Education

- Albany Law School (J.D., 1995)
- State University of New York at Albany (B.S., *cum laude*, 1992)

Memberships



- Past President of the Essex County Bar Association
- New Jersey State Bar Association
- Sidney Reitman Employment Law American Inn of Court
- The National Industry Liaison Group
- Metropolitan YMCA of the Oranges, Human Resources Committee

Board of Directors

- Jewish Community Foundation of Greater MetroWest New Jersey (Trustee)

Publications

February 6, 2018

OFCCP Warns 1,000 Federal Contractors of Potential Compliance Audits

Labor & Employment Alerts

December 4, 2017

When the Minister Blows the Whistle: CEPA and the Ministerial Exception

New Jersey Law Journal

December 1, 2017

Judge Orders OFCCP To Take Off the Blindfold From Contractors

Labor & Employment Alert

October 11, 2017

Federal Contractor Agrees to Pay \$5 Million to Settle Pay Discrimination Allegations Made By OFCCP

Labor & Employment Alert

July 5, 2017

Under Trump Budget, OFCCP's Focus Remains on Tech and Finance Contractors

Labor & Employment Alert

April 28, 2017

Federal Contractor To Pay Nearly \$1.66 Million To Settle Hiring Bias Allegations by OFCCP

Labor & Employment Alert

March 29, 2017

Federal Contractors Relieved From Compliance With Blacklisting Order

Labor & Employment Alert

October 31, 2016

Federal Contractors Win Reprieve From Onerous Disclosure Requirements in Executive Order

Labor & Employment Alert

September 1, 2016

NLRB Ruling Opens the Door to Unionizing by Student Assistants in Private Universities

Labor and Employment Alert

September 1, 2016

New Jersey Businesses Should Consider Instituting Telecommuting Policies

Commerce Magazine

July 21, 2016

Gov't Contractor Sick Leave Rule Likely Excludes Banks

Law360

July 19, 2016

Banks Not Likely To Be Subject to Executive Order on Paid Sick Days for Federal Contractors

Labor and Employment Alert

June 21, 2016

What To Know About DOL's Contractor Discrimination Regs

Law360

May 5, 2016

Governor Christie: New Jersey Pay Equity Bill "Very Business Unfriendly"

Labor & Employment Alert

April 28, 2016

Economic Opportunity Act Seeks to Attract New Business to New Jersey

Commerce and Industry Association of New Jersey

April 7, 2016

Federal Contractors Should Rethink Criminal Background Checks

Law360

March 1, 2016

Gov't Contractor Tips For Avoiding Gender Stereotype Claims

Law360

September 17, 2015

Federal Contractors and Subcontractors Face Newest Executive Order Requiring Them To Provide Employees With Paid Sick Leave

Labor & Employment Alert

August 19, 2015

It's Final! Federal Construction Contractors Must Comply With Affirmative Action Obligations for Individuals With Disabilities

Labor & Employment Alert

June 18, 2015

Proposed Regulations Under Executive Order 13673 Will Create New Heavy Compliance and Reporting Burdens on Federal Contractors

Labor & Employment Alert

October 7, 2014



Important Changes to Minimum Wage Laws for Federal Contractors

Labor & Employment Alert

October 6, 2014

Banks, Credit Unions and Other Financial Institutions Need To Review Affirmative Action Programs and Address OFCCP Compliance

Financial Services Industry Alert

August 11, 2014

Try Not To Get Burned by Summer OFCCP Enforcement

Law360

July 11, 2014

OFCCP Institutes Five-Year Moratorium on Its Attempts to Assert Jurisdiction Over TRICARE Participants

Becker's Hospital Review

June 18, 2014

Department of Labor Issues Proposed Rule Raising Minimum Wage to \$10.10 for Federal Contractor Employees

Labor & Employment Alert

February 13, 2014

Hospitals That Accept, Participate in TRICARE Still in the Crosshairs of the OFCCP

Becker's Hospital Review

February 12, 2014

OFCCP Courtesy Notifications

Labor & Employment Alert

First Quarter 2014

OFCCP Continues To Engage in Efforts To Assert Jurisdiction Over the Health Care Industry and Hospitals That Participate in or Receive Payments From TRICARE

Staying Well Within the Law

November 2013

OFCCP Requires DC Construction Contractor To Pay \$875,000 To Settle Discrimination Case

Labor & Employment Alert

November 2013

OFCCP Continues To Engage in Efforts To Assert Jurisdiction Over the Health Care Industry and Hospitals That Participate in or Receive Payments From TRICARE

Labor & Employment Alert

August 2013

OFCCP Announces Final Rules Requiring Federal Contractors and Subcontractors To Adopt Hiring Goals for Individuals With Disabilities and Hiring Benchmarks for Veterans

Labor & Employment Alert

March 2013

OFCCP Directive 306 Warns Federal Contractors/Subcontractors That Maintaining a Criminal Record Exclusion When Making Employment Decisions Could Be Unlawful

Labor & Employment Alert

January 2013

Tips for Protecting Your Company Before a Scandal Strikes

Labor and Employment Alert

July 2012

New Jersey's Legislature Seeks To Expand Employers' Liability for Wage Discrimination

Labor and Employment Alert

June 2012

OFCCP Rescinds Medical Providers Directive

Staying Well Within the Law

June 2012

Staying Well Within the Law

April 2012

Staying Well Within the Law

March 2012

Careful Where You Step

New Jersey Labor and Employment Law Quarterly

February 29, 2012

Hospitals That Participate in TRICARE No Longer Considered Federal Subcontractors Simply by Participation in TRICARE Network

Becker's Hospital Review

June 2011

Settlement in NLRB Facebook Case Sends a Message

New Jersey Labor and Employment Law Quarterly

Second Quarter 2011

Hospitals and Health Care Providers Beware: You May Be Subject to Federal Affirmative Action and Equal Employment Opportunity Hiring Requirements and Not Even Know It!

Staying Well Within the Law

March 9, 2011

Hospital and Healthcare Providers Beware: You May Be Subject to Federal Affirmative Action and Equal Employment Opportunity Hiring Requirements and Not Even Know It

Becker's Hospital Review

Winter 2011

Damned If You Do, Damned If You Don't

New Jersey Labor and Employment Law Quarterly

November 2010



Zubulake Revisited: Modern Preservation Obligations and E-Discovery Liability

New York State Public Employer Labor Relations Association Newsletter

October 2010

Early Retiree Reinsurance Program: Are You Getting Your Slice of the \$5 Billion Pie?

For Your Benefit

February 2010

Municipalities and Employers Deflated By 'Inflatable Rat' Case

New Jersey Labor and Employment Law Quarterly

December 4, 2009

Keys To Drafting Effective Arbitration Provisions

Law360

December 2009

Congress Acts Aggressively to Strengthen Employment Protections, Fight Discrimination

The Young Lawyer

June 2009

State Furlough Plans Allowed to Proceed -- A Decision Impacting All Civil Service Entities Within the State of New Jersey

Labor & Employment Alert

April 20, 2009

Municipalities and Employers Deflated by 'Inflatable Rat' Case

New Jersey Law Journal

February 2009

Employers Deflated by "Inflatable Rat" Case

Labor & Employment Department Alert

September 16, 2008

Third Circuit Scales Back The Pool Of Employees Covered By The Family Medical Leave Act

Labor & Employment Department Alert

Events

Workplace Accommodations: Cutting Through the Haze

April 24, 2018 at 8:30am – 1:00pm

iPlay America

Hosted by: New Jersey Business and Industry Association

Managing Business Risks: Preventing Harassment and Discrimination in the Workplace

February 21, 2018 at 8:00am – 10:30am

Sax LLP

Hosted by: Sax LLP

Hot Tips on Avoiding #MeToo Claims and Complying with Shifting NLRA Standards Under the Trump NLRB

February 9, 2018 at 9:00am – 10:30am

Fox Rothschild LLP

Hosted by: Fox Rothschild LLP and the New Jersey Department of Labor and Workforce Development's Division of Workforce Field Services

Navigating Marijuana Laws in the Workplace

December 8, 2017

Mondelez International

Hosted by: New Jersey Industrial Liaison Group

Human Resources Roundtable: Are You in Compliance? Employee Handbooks & Employment Agreements

September 13, 2017 at 8:30am – 10:30am

Saddle Brook Marriott

Hosted by: Commerce and Industry Association of New Jersey

How To Survive an OFCCP Audit

April 5, 2016

Multiple Locations

Hosted by: Fox Rothschild LLP

Change Is in the Air: HR Midterm Legal Update

June 3, 2015 at 8:30am – 10:30am

Hilton Hasbrouck Heights

Hosted by: CIANJ Human Resources Roundtable

Affirmative Action Plans: When Is an Organization Required to Have One?

December 4, 2014

Fox Rothschild LLP

Hosted by: Fox Rothschild LLP

Working Time Issues

October 1, 2014

Hosted by: New Jersey Gasoline-Convenience-Automotive Association

2013 Leadership Conference

October 17, 2013

Hosted by: New Jersey Career Fire Chiefs Association

Turn Your Workforce Into Your Greatest Asset

October 3, 2013

Scandal – The Petraeus Problem

January 23, 2013

Hosted by: Corporate Counsel Institute

2013 Corporate Counsel Institute

January 23, 2013

Hosted by: Corporate Counsel Institute



Developing Employee Handbooks & Policies

September 23, 2011

The Wilshire Grand Hotel

Hosted by: New Jersey Business & Industry Association

Disciplinary Practices and Procedures for Internal Affairs Units

May 25, 2011

Internal Affairs Association of Burlington County

Hosted by: Internal Affairs Association of Burlington County

Affirmative Action Overview

May 6, 2011

Hosted by: Hospital Council of Western Pennsylvania's Human Resources Committee

2011 Business Law Symposium

April 8, 2011

Renaissance Woodbridge Hotel (formerly known as Woodbridge Hotel and Conference Center)

Hosted by: 2011 Business Law Symposium

Navigating the Currents of Electronic Data in Employment Law

October 15, 2009

Fox Rothschild LLP

Hot Tips for Businesses on How to Thrive in a Recession

February 25, 2009

Hosted by: Essex County Bar Association's Labor and Employment Section

Practical Pointers and Hot Tips for Handling Workplace Investigations

May 8, 2008

Hosted by: Greenbaum, Rowe, Smith & Davis, LLP

Hot Tips for Handling Disciplinary & Discharge Cases

November 8, 2007

Hosted by: Essex County Bar Foundation

Reviewing Legal Aspects of Progressive Discipline

October 25, 2007

New Milford Public Library

Hosted by: Managing Staff: Best Practices & Effective Discipline

Last Chance Agreements – Do They Work?

July 24, 2006

Hosted by: New York State Public Employer Labor Relations Association's 32nd Annual Training Conference

Containing the Costs of Health Insurance and Related Costs for Current Employees & Retirees

June 14, 2006

Hosted by: New Jersey Association of Counties' 56th Annual Conference

Public Sector Employment Law Update 2006

January 24, 2006

Hosted by: Council on Education Management

The Complete Payroll Process in New Jersey

March 30, 2005

Hosted by: Lorman Educational Services

Recent Developments in Labor and Employment Law Affecting County Governments

September 23, 2004

Hosted by: New Jersey Association of Counties' 54th Annual Conference

Response to Recent Case Law and Policy Developments

April 11, 2003

Hosted by: New Jersey Public Employment Relations Commission's and New Jersey State Bar Association's 23rd Annual Conference on Public Sector Labor Relations Law

Handling Disciplinary Actions in the Public Sector

March 2, 2002

Hosted by: State of New Jersey Institute for Continuing Legal Education

News

October 19, 2017

Labor's Contract Compliance Office Under Scrutiny

Federal News Radio

December 29, 2016

Which of Obama's Executive Orders Will Survive?

Federal News Radio

November 4, 2016

Closer Look at Fair Pay Rule Injunction

Federal News Radio 1500 AM

October 14, 2016

What New Sick Leave Rules Mean for Contractors

Federal News Radio 1500 AM

July 7, 2016

Tackling Sexism in the Workplace

Federal News Radio 1500 AM

May 4, 2016

Avoiding a Potential Minefield in the Hiring Process

Federal News Radio 1500 AM

December 9, 2015



NJ Board Won't Nix Rutgers Sick Leave Verification Policy

Law360

August 28, 2015

5 Dos and Don'ts for Employers After NJ's Ethicon Ruling

Law360

August 13, 2015

NJ Senate Approves New Judges For Vacancy-Marred Court

Law360

June 16, 2015

Christie Nominates Eight Judges for NJ's Busiest Court

Law360

February 20, 2015

New Essex County Assignment Judge Named

New Jersey Law Journal

February 18, 2015

Burst Pipes Close Courts in Essex, Mercer and Middlesex

New Jersey Law Journal

February 17, 2015

Top Judge Leaves NJ's Busiest Court in Calmer Waters

Law360

January 14, 2015

Essex Assignment Judge Costello Set to Retire March 1

New Jersey Law Journal

October 13, 2014

It's an Honor

New Jersey Law Journal

August 18, 2014

N.J. Senate Confirms Eight Christie Nominees To Be Judges in Essex County

The Star Ledger

August 18, 2014

Senate Confirms Essex Co. Judicial Nominations

New Jersey Law Journal

August 18, 2014

NJ Senate Confirms Essex County Judicial Nominees

Law360

August 14, 2014

Vacancies, Backlogs Growing, but Christie Not Sole Factor

New Jersey Law Journal

August 12, 2014

NJ Gov. Reboots Nominees for Vacancy-Afflicted Court

Law360

July 11, 2014

Essex Bar Installs Officers

New Jersey Law Journal

March 3, 2014

Governor Christie Slow to Fill Legal Vacancies

The Record

May 3, 2011

Kenneth A. Rosenberg of Fox Rothschild LLP Take Leadership Roles in Essex County Bar Association.

February 1, 2010

Calendar: Essex County Bar Foundation

New Jersey Law Journal