



## Phillip H. Wang

Partner

**New York, NY**

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Phil defends employers in a variety of labor and employment matters, including national wage and hour class and collective actions and senior-level executive terminations. He handles complex litigation in federal and state courts and before administrative agencies, such as the National Labor Relations Board (NLRB) and the Public Employment Relations Board (PERB).

Phil also regularly drafts and negotiates a range of employment agreements, including separation agreements, independent contractor agreements, confidentiality agreements, invention and assignment agreements and restrictive covenants. In addition, he represents clients in union avoidance, unfair labor practice charges and in representation hearings.

Phil also provides counseling and strategic advice on wide-ranging employment issues involving restrictive covenants, wage-hour practices, traditional labor law matters, Title VII, the Equal Pay Act, the Age Discrimination in Employment Act (ADEA), the Family and Medical Leave Act (FMLA), the Worker Adjustment and Retraining Notification Act (WARN), the Americans with Disabilities Act (ADA), the Fair Labor Standards Act (FLSA), the New York City Human Rights Law, the New York State Human Rights Law and New York labor laws.

### Representative Matters

- Defeated a nationwide conditional certification effort on behalf of an airport and transportation hub retailer. (*Nabi v. Hudson Group (HG) Retail, LLC*, 2015 WL 5843210 (S.D.N.Y. September 28, 2015)).
- Achieved a unanimous appellate decision for the former president of a visual communications company, affirming that the executive's contract was breached when terminated for pretextual cause reasons. (*Weinstock v. Merisel, Inc.*, 116 A.D.3d 615, 984 N.Y.S.2d 351 (1<sup>st</sup> Dep't 2014)).
- Defeated a nationwide FLSA class action lawsuit at the conditional certification stage on behalf of an airport and transportation hub retailer. (*Khan v. Hudson News Company, et al.*, 2011 WL 5597371 (S.D.N.Y. Nov. 16, 2011)).
- Secured summary judgment dismissals of wide-ranging discrimination claims lodged against a health care provider. (*Jourdain v. SEIU, New York Presbyterian Hospital*, 2010 WL 3069965 (S.D.N.Y. July 28, 2010)).

### Before Fox Rothschild

Prior to joining Fox, Phil was an attorney in the New York offices of DLA Piper LLP and Epstein Becker & Green, P.C.

During law school, Phil was a senior articles editor with the *Journal of International and Comparative Law*.

### **Practice Areas**

- Labor & Employment
- Employment Litigation
- Employment Class Actions

### **Bar Admissions**

- New York

### **Court Admissions**

- U.S. Court of Appeals, Second Circuit
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York

### **Education**

- Benjamin N. Cardozo School of Law (J.D., 2004)
- University of Pennsylvania

## **Publications**

January 29, 2016

**U.S. Department of Labor: Joint Employer Liability Expanded Even Further Under the Fair Labor Standards Act (FLSA)**

Labor & Employment Alert

December 11, 2015

**New York City's Commuter Benefits Law Takes Effect January 1, 2016**

Labor & Employment Alert

October 7, 2015

**Defense Innovations In FLSA Opt-In Collective Actions**

Law360

## **News**

December 22, 2015

**Fox Rothschild Adds Employment Pro in NY**



Fox Rothschild LLP  
ATTORNEYS AT LAW

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Law360

December 18, 2015

**People on the Move**

New York Business Journal

December 16, 2015

**Lateral Moves**

The American Lawyer

December 9, 2015

**Labor and Employment Pro Phillip Wang Joins Fox Rothschild's New York Office**