

WHO'S WHO | in Intellectual Property and Labor Law

By LISA MORRIS JOSEFAK

DOMENIQUE CAMACHO MORAN

Farrell Fritz

Domenique Camacho Moran is a partner at Farrell Fritz and leads the firm's labor and employment practice group. Camacho Moran's practice runs the gamut of employment law as an advisor, educator and litigator.

Camacho Moran has extensive experience in issues that include discrimination, unlawful harassment, wage and hour, leaves of absence and social media in the workplace. She has worked with small local start-ups to large national employers. Acting as lead counsel, Camacho Moran has represented management in jury trials and hearings in federal and state courts, arbitrations and administrative proceedings. In one particularly notable case, she won a landmark defense verdict for an employer in a class action wage and hour trial. Many millions of dollars were potentially at stake in this lawsuit.

"The Payroll Fraud Prevention Act, introduced by Sen. Bob Casey (D-PA) in November 2013, may be the next weapon lawmakers and regulators use to address the misclassification of workers," Camacho Moran said. "The proposed legislation would require employers to give individuals classified as independent contractors detailed notice about their status. Where businesses fail to provide the mandatory notice, the Act would create a presumption that the



worker should have been classified as an employee. Lastly, the new law would impose increased financial penalties on employers whether the misclassification was deliberate or accidental."

In addition to the proposed law, the NYS Department of Labor and the US Department of Labor recently agreed to work jointly to combat employee misclassification, Camacho Moran noted.

"Undoubtedly, these initiatives will lead to greater scrutiny of all independent contractor relationships," she said. "Businesses that engage independent contractors should carefully review their practices and documentation. Understanding the enforcement climate, we work with employers to draft independent contractor agreements that address critical components of the relationship and, when necessary, to transition those

workers who may fall on the misclassification bubble. As the saying goes, 'an ounce of prevention is worth a pound of cure,'" Camacho Moran said.

Camacho Moran was named to the Best Lawyers in America lists for 2013 and 2014 and to the New York Metro Lawyers Super Lawyers list in 2013. She does a significant amount of public speaking on issues related to employment law. This includes being a keynote speaker for the past several years at the National Association for Mother Centers Annual Work/Life Conference.

Camacho Moran is an advisory board member of Make-A-Wish Metro New York, for which she conceived and is organizing their first Walk for Wishes Long Island fundraiser in September 2014.

With more than 85 attorneys, Farrell Fritz provides a full array of legal services. Highly respected for its experience in many areas of law, Farrell Fritz handles legal matters in the areas of bankruptcy and creditors' rights; commercial litigation; construction; corporate and finance; distressed assets; emerging companies and venture capital; eminent domain; environmental law; estate litigation; health care; labor and employment; land use, municipal and zoning; real estate; tax planning and controversy; tax certiorari and trusts and estates for a variety of corporations, not-for-profit organizations and individuals.

Farrell Fritz's network of offices includes offices located in Uniondale, Hauppauge, New York City and Water Mill.