

Long Island Business NEWS

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DOMENIQUE COMACHO MORAN *Farrell Fritz*

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

Camacho Moran has extensive experience in issues that include discrimination, unlawful harassment, wage and hour, hiring and firing, 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 at stake in this lawsuit.

Moving forward, employers need to understand the 2017 Tax Cuts and Jobs Act (TCJA) as it relates to harassment complaints, Camacho Moran said.

"2018 will likely see a modest rise in the number of harassment complaints, and perhaps litigation in the wake of #MeToo, she noted. "For employers, the biggest change may well be the 2017 Tax Cuts and Jobs Act (TCJA). The TCJA will impact the price of settling sexual harassments claim if the settlement is tied to a non-disclosure agreement. In the past, businesses could deduct harassment settlement amounts and legal fees

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as pre-tax business expenses. Employees/plaintiffs could also deduct their lawyers' fees from any settlement payment. Now, harassment monies tied to a non-disclosure agreement will not be valid business expenses. "

"Without those deductions, the cost of settlement increases for employers," Camacho Moran said. "Likewise, the net dollars received by employees/plaintiffs will decrease."

"The lesson: carefully evaluate the price of non-disclosure agreements," she noted. "As always, the best and most cost-effective strategy for businesses is to promptly investigate complaints, prohibit retaliation, and take appropriate remedial action when necessary."

Camacho Moran does a significant amount of public speaking on issues related to employment law. This includes being a keynote speaker and moderator at the HIA-LI's 2015 – 2017 Women's Leadership events and a keynote speaker for several years at the National Association for Mother Centers Annual Work/Life Conference.

Since 2013 she has been named annually to the Best Lawyers in America and the New York Metro Lawyers Super Lawyers lists. Camacho Moran is an advisory board member of Make-A-Wish Metro New York, for which she has chaired and co-chaired the Walk for Wishes Long Island fundraisers that collectively have raised more than \$500,000.

With 85 attorneys, the law firm of Farrell Fritz is recognized for providing high quality legal services, practical advice and responsiveness. Farrell Fritz handles legal matters in the areas of arbitration and mediation; bankruptcy and restructuring; business divorce; commercial litigation; construction; corporate and finance; eDiscovery; emerging companies and venture capital; environmental law; estate litigation; health law; labor and employment; land use, municipal and zoning; not-for-profit law; real estate; tax planning and controversy; tax certiorari, and trusts and estates for corporations, not-for-profit organizations and individuals. The firm is also known for its deep commitment to the local community.