


TEN LEADERS

OF LONG ISLAND • NEW YORK

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EMPLOYMENT LAW

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EDUCATION

Rutgers University, BA, 1972
Long Island University, MA, 1975
St. Johns University, JD, 1987

AFFILIATIONS

Kathleen Tomlinson is a member of the American Bar Association, New York State Bar Association, Nassau County and Suffolk County Bar Associations and the Federal Bar Council. She continues to serve on the Federal Courts Committees and Labor and Employment Law Committees of both Nassau and Suffolk County Bar Associations. In addition, she is a member of the New York State Bar's Commercial and Federal Litigation Committee on Professionalism and has co-authored with members of the Committee various articles on the bar's ethics and civility guidelines. She is the author of several articles and reviews on employment-law and litigation matters, including "Awash in the Privacy Frenzy" published in *Business Long Island* and is a frequent lecturer and regional conference planner and moderator on employment issues of the day.

BIOGRAPHY

Down-to-earth, respected and well-liked by her peers, Kathleen Tomlinson of Farrell, Fritz in Uniondale brings an unpretentious sensibility and skill to employment law. The second of eight children growing up in New Jersey, Tomlinson took on family responsibilities early, and, helping to care for her ailing father, she forestalled her own ambitions and went to work. After earning her Masters from Long Island University in 1975, she settled into a position as an academic administrator at LIU's CW Post Campus. Tomlinson made the most of her years there: She led an effort to organize mid-level administrators, the first NLRB certification of its kind. She went on to represent the college in negotiations, and by the time she began attending St. John's law school in the mid-1980s, "I had significant experience in labor matters - on both sides of the table." After three years as a Legal Aid appellate attorney and after a prestigious clerkship with federal Judge Arthur D. Spatt, Tomlinson joined Farrell Fritz. Today, Tomlinson is head of the firm's employment practices group, focused primarily on management and defense work. A partner since 1997, Tomlinson is calm and measured, and respected by her employment-law peers — "my favorite co-counsel," says a fellow Leader of Employment Law. Tomlinson last year handled a high-profile discrimination case in which she represented a female wrestler - going to the legal mat against the World Wrestling Federation. Indeed, she handles an array of cases, but she enjoys defense work in part to help make substantive improvements in workplaces; much of that involves state and federal statutory compliance reviews. "Preventive medicine," she says. A golf enthusiast, Tomlinson has participated in and helped organize charity events; she sits on the board of the Long Island Fund for Women & Girls, a philanthropic organization. She lives in Huntington, Long Island.

Kathleen Tomlinson: Observations & Perspectives

Since I started in the late 80s, the economy has had little impact on how busy we've been. When the marketplace is booming, we are busy with employment agreements; in a downturn, we are busy assisting with critical issues of unavoidable personnel reductions. In today's eggshell economy, employees are less likely to bring litigation if they know they can just walk into another job. Instead, we spend much of our time counseling clients about workplace environment issues, measuring employee performance and dealing with termination questions, severance packages and workplace violence.

Workers have become better educated in employment law matters. They know when they arrive at work in the morning they have the right to be treated with a level of respect and fairness that was not previously legislated 20 years ago. Since the passage of the Civil Rights Act of 1991, which grants plaintiffs in discrimination and harassment cases the right to jury trials and compensatory damages,

employment law has mushroomed.

But as employees become more familiar with these statutes, the more the risk of a few individuals exploiting them. In representing companies in jury trials, we protect many that did everything they could to protect their employees' rights - if not their feelings. An employee filing a complaint for a perceived slight today may well file an additional claim for retaliation if that employee is subsequently terminated regardless of the reason.

Often what we do in our firm's Employment Law group intersects with our Corporate group colleagues, although I am in court much more often. There is no feeling in the world like presenting your case to a jury, then waiting for the results. Preparation is constant and crucial. When the jury comes back with a fair decision that recognizes the facts you have presented, you know you've done your job for your client - and that's very rewarding.

**Representing
companies in
jury trials, we
protect many
that did every-
thing they
could to pro-
tect their
employees'
rights.**



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