



Brian B. Selchick

Partner

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Brian B. Selchick is a partner in the firm's Corporate department. He also serves as the firm's Labor and Employment practice group leader and as a member of the Higher Education Practice group. Brian is an experienced labor and employment lawyer with a focus on representing employers and executives in both the public and private sectors.

From serving as the chief negotiator in union contract negotiations to conducting workplace investigations to advising on day-to-day employment matters, Brian's practice encapsulates all aspects of labor and employment law. He frequently serves as outside labor counsel to companies and governmental entities, including serving as Outside Counsel to the New York State Assembly's Committee on Ethics and Guidance. Brian routinely handles high stake and sensitive employment matters for employers.

Prior to joining the firm, Brian served as the Director of Employee Relations & Training for the University at Albany for the State University of New York where he managed a unionized workforce of approximately 5,000 employees represented by six different statewide unions. During his time with the University, Brian conducted over 1,500 internal investigations involving fraud, workplace misconduct, discrimination, hostile work environment claims, breach of contract, Public Officers Law violations, out-of-title claims, improper practice charges, unethical behavior and other general matters. During his career, Brian successfully and directly handled the separation of employees from state service, including dozens of just cause terminations. He also represented the interests of the University in labor-management meetings, disciplinary, contract and administrative matters, including at the New York State Public Employment Relations Board ("PERB"). Additionally, he handled matters relating to statutory compliance with respect to FERPA, OWBPA, ADEA, ADA, OTETA, NYS Human Rights Law, NYS Corrections Law and critically, NYS Civil Service Law, namely, the Taylor Law.

Brian is highly experienced and steeped in higher education and labor relations with a practice focused on serving the needs of public and private sector employers in collective bargaining, contract interpretation, shared

governance, labor-management, as well as contract and disciplinary arbitrations. Having represented private sector employers on corporate and employment related matters, Brian is equally well-versed in non-unionized employment issues. As a former union labor attorney, Brian brings a perspective to the table from the role of an internal labor relations manager to that of a statewide labor union. At the Civil Service Employees Association, Inc., Brian served as an Associate Counsel where he routinely handled matters ranging from public sector labor disputes in front of arbitrators and mediators appointed by the American Arbitration Association and state arbitration panels to litigating improper practice charges at PERB.

Further, Brian handles a substantial amount of wage and hour claims and manages compliance for employers, by providing proactive counsel as well as defending against FLSA and NYS Labor Law claims in state and federal courts and in front of the NYS Department of Labor, the NYS Workers' Compensation Board, and the NYS Department of Tax and Finance. This includes frequency of pay, overtime, and minimum wage claims – including collective or class actions.

Brian's practice across numerous industries such as hospitality, retail, technology, energy, banking, financial services, venture capital, private equity, higher education, construction, manufacturing and distribution, and public entities.

He is also available to serve as a neutral in mediations and arbitrations (including serving as a hearing officer for Section 75 proceedings) involving labor and employment matters. He is a frequent speaker at conferences involving labor and employment issues, including speaking at the National Center for the Study of Collective Bargaining in Higher Education, and is well-known for mediating employment matters quickly and effectively.

In addition to labor and employment law, Brian is an experienced corporate finance and securities regulation attorney having served as counsel to venture capital and private equity funds, issuers, emerging companies, start-ups and private investors with a focus on cross-border transactions. He regularly represented clients with respect to private placements, fund formation, Regulation D offerings, securities law and regulatory matters, as well as debt, equity and mezzanine financings.

Brian started his career at a large international law firm in Boston, MA after successfully exiting from a technology-focused start-up. For his work as an entrepreneur, the Albany Business Review selected Brian as a recipient of the 40 Under 40 award at the age of 21.

Areas of Concentration:

- Labor Relations
- Workplace Investigations
- Arbitration
- Mediation
- Collective Bargaining
- Outside Labor Counsel
- Wage and Hour Law, Compliance & Counsel
- Discrimination Defense
- FMLA, ADEA & ADA Compliance, Counseling & Defense

- General Corporate Law & Business Counseling

Practices

- Higher Education
- Title IX
- Labor and Employment
- Internal Investigations Unit
- Startups and Emerging Companies

Bar Admissions

- New York
- Massachusetts

Education

- J.D., Albany Law School, 2009, Cum Laude
 - Served on the Albany Law Review
 - Recipient of the Dean Sponsor Fellowship for Civil Procedure
 - Member of the Justinian Society
- B.A. History, Union College, 2006, Cum Laude
 - Served on the College's Board of Trustees from 2004 – 2006.

Representative Experience

- Serves as outside counsel to a clean water company, an international sourcing company, a residential builder, and as labor counsel to municipalities as well as clients in the clean energy sector.
- Successfully negotiated an executive compensation package with a face value of approximately \$70mm+.
- Successfully defended against a class action involving the alleged misclassification of independent contractors.
- Conducted dozens of internal workplace investigations for public and private sector employers.
- Successfully settled a discrimination claim filed by a c-level executive in the banking industry.
- Represented the seller in an asset sale of a coffee roaster and distribution company.
- Represents the interests of shareholders and investors in cannabis companies or in areas adjacent to the cannabis industry.
- Successfully negotiated dozens of individual and group (reductions in force) severance agreements.

- Successfully negotiated collective bargaining agreements on behalf of private and public sector employers, including project labor agreements and labor peace agreements.
- Prevailed at the NYS Division of Human Rights, the EEOC, and at the Office of Civil Rights on various allegations of unlawful discrimination.

Honors and Awards

- Rising Star, Super Lawyers, Corporate Finance & Securities Regulation, 2016-2018