



## Linda T. Prestegaard

Partner

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**Ms. Prestegaard advises employers on the full range of employment and workplace issues, and represents them in federal and state courts and agency proceedings defending Title VII, ADA, ADEA, FMLA and Human Rights Law claims. Ms. Prestegaard handles wage and hour collective and class actions under the FLSA and New York Labor Law, as well as investigations and actions by federal and state Departments of Labor. She has represented higher education institutions with her work on faculty tenure and contract disputes, investigations of claims of misconduct and civil rights violations, regulatory compliance, faculty and staff handbooks, appointment letters and affirmative action plans.**

**Ms. Prestegaard also represents management in traditional labor law matters, including conducting training regarding concerted activity, union awareness and campaigns, collective bargaining, labor arbitrations, NLRB proceedings and LMRA litigations. She also has extensive experience investigating claims of harassment, discrimination and workplace misconduct. In addition, Ms. Prestegaard conducts training on avoiding sexual and other harassment in the workplace, wage and hour compliance, human resources best practices and other workplace issues.**

### **PRACTICE AREAS**

Class Action

Commercial Litigation

Education

- Campus Accountability

#### Labor & Employment

- Advice and Counseling
- Affirmative Action
- Alternative Dispute Resolution
- Background Checks
- Employment Litigation
- I-9 Compliance and Enforcement
- Labor Relations Law
- Social Media
- Training Programs/Risk Management
- Wage and Hour and Class Action
- Workplace Fraud/Unfair Competition
- Workplace Health and Safety (OSHA)

#### HONORS & AWARDS

- Listed in *The Best Lawyers in America*®
- Selected for the *Upstate New York Super Lawyers*® list, 2007-2018
  - Named *Top 25 Women Super Lawyers*®, Upstate 2012, 2013

#### EDUCATION

- Cornell Law School, J.D., 1988
- Tufts University, B.A., *magna cum laude*, 1985

#### ADMITTED TO PRACTICE

- New York
- Connecticut
- U.S. District Court, Central District of Illinois
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of New York
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, D.C. Circuit

#### PROFESSIONAL ASSOCIATIONS

- American Bar Association
  - Labor and Employment Law Section
  - Litigation Section
- Greater Rochester Association for Women Attorneys
- Monroe County Bar Association
  - Litigation Section
- National Association of College and University Attorneys
- New York City Bar Association

- New York State Bar Association
  - Labor and Employment Law Section
  - Trial Lawyers Section

### **SPEAKING ENGAGEMENTS**

- Presenter, “Conducting an Internal Investigation,” Phillips Lytle Labor & Employment Law Seminar, April 2018
- Presenter, “How to Hire, Fire, and Manage Employees to Minimize Your Legal Liability,” Phillips Lytle Labor & Employment Law Seminar, June 2017
- Presenter, “How to Hire, Fire, and Manage Employees to Minimize Your Legal Liability,” Phillips Lytle Labor & Employment Law Seminar, April 2017
- Presenter, “NLRB and the Employee Handbook: Does the Company Handbook Comply?” Phillips Lytle Labor & Employment Law Seminar, June 2016
- Speaker, “Top Trending Issues in Wage and Hour Law,” Rochester Business Alliance Business Briefing, April 2015

### **PRESENT ACTIVITIES**

- U.S. District Court for the Western District of New York, Panel of Approved Mediators, ADR Plan, Member
- ABA Committee on Practice & Procedure under the NLRA, Region III Employer Co-chair
- Mercy Community Services, Inc., Board of Directors
- Volunteer Legal Services Project of Monroe County, Inc., Board of Directors

### **PAST ACTIVITIES**

- Mercy Residential Services, Board of Directors
- Rochester Hearing and Speech Center, Board of Directors