



## Amy Komoroski Wiwi

Partner

New Jersey

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Long fascinated by the complex relationships among members of the workforce, managers, and their employers, Amy translates a passion for problem-solving into strategic counsel and effective dispute resolution. Praised by clients as "very knowledgeable," "very objective," and a "superior strategist" (*Chambers USA*), she thrives on crafting creative solutions to the most intricate of employment problems.

Amy counsels employers on the myriad issues they face related to hiring, disciplining, and termination of employees; family and medical leaves; disability leaves and accommodations; compliance with anti-discrimination and anti-retaliation laws; and workforce reductions. She also drafts and negotiates executive employment and consulting agreements, restrictive covenant agreements, and separation and release agreements, working closely with company management, in-house counsel, and human resources to develop and implement employment policies and handbooks.

Amy's practice also covers a wide range of litigation involving federal and state laws, where she represents management in claims of discrimination, wrongful termination, and sexual harassment. She handles contract actions, disputes over noncompetition and confidentiality agreements, and other business torts.

Amy is deeply committed to supporting her local community. She sits on the **Jersey Battered Women's Service** board of directors, supporting its work against domestic violence by protecting and empowering victims, rehabilitating family members, advocating social reform to prevent partner violence, and educating the public. She is also on the board of directors for Free the Slaves, a not-for-profit with a mission to liberate slaves around the world and change the systems that allow slavery to exist.

## EXPERIENCE

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- > Represent a private investment firm against claims of a hostile work environment and discrimination on the basis of pregnancy.
- > Represented a company that manufactures, sells, and rents equipment for construction projects against allegations by five current and former unionized employees that they are or were subjected to a hostile work environment and discrimination on the basis of their respective national origins.
- > Represented a biotechnology company and two individual defendants in defense of claims of a hostile work environment and discrimination on the basis of gender, sexual orientation, race, and skin color; quid pro quo sexual harassment; and retaliation.
- > Represented a biotechnology company and four individual defendants in connection with claims of discrimination, harassment, failure to accommodate, and retaliation under the New Jersey Law Against Discrimination and the workers' compensation statute, as well as claims of intentional and negligent infliction of emotional distress.
- > Defended a client against a putative wage and hour class action/collective action arising out of work supposedly performed by the named plaintiff and nearly 100 other putative class members at an annual weeklong rock and roll music festival.
- > Represented an insurance management company in federal court in defense of claims that the plaintiff was demoted and ultimately terminated in violation of the Age Discrimination in Employment Act and the Family Medical Leave Act.
- > Defended a private investment firm against claims of harassment and discrimination on the basis of race.

## HONORS & AWARDS

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- > **Chambers USA: America's Leading Lawyers for Business (2013-2020)**  
Recognized for work in Labor and Employment
- > **Super Lawyers (2010, 2012-2013, 2016)**  
Recognized as a "Rising Star"

## NEWS & INSIGHTS

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## Publications

- > June 2020  
**"Redesigning the Workforce,"** *The Financial Manager*  
Amy Komoroski Wiwi, Lauren M. Hollender
- > December 10, 2019  
**"New York State Prohibits Discrimination Based on Reproductive Health Decisions,"** *Employment Counseling & Litigation Client Alert*  
Amy Komoroski Wiwi, Lauren M. Hollender
- > March 29, 2019  
**"New Jersey Voids Non-Disclosure Agreements for Claims of Discrimination, Retaliation, or Harassment and Effectively Bans Arbitration Agreements Relating to Those Claims,"** *Employment Counseling & Litigation Client Alert*  
Amy Komoroski Wiwi, Lauren M. Hollender
- > February 2019  
**"Honor and Protect,"** *The Financial Manager*  
David M. Wissert, Amy Komoroski Wiwi
- > August 23, 2018  
**"New Anti-Harassment Posting and Distribution Requirements for NYC Employers,"** *Employment Counseling & Litigation Client Alert*  
Amy Komoroski Wiwi, Amy C. Schwind
- > May 9, 2018  
**"New Jersey Mandates Statewide Paid Sick Leave,"** *Employment Counseling & Litigation Client Alert*  
Amy Komoroski Wiwi
- > May 7, 2018  
**"New Jersey at the Forefront: The State Enacts Broad Pay Equity Law,"** *Employment Counseling & Litigation Client Alert*  
Amy Komoroski Wiwi, Amy C. Schwind
- > December 8, 2016  
**"New California Law Restricts Choice of Law and Forum,"** *Employment Counseling & Litigation Client Alert*  
Amy Komoroski Wiwi
- > November 16, 2016  
**"Despite Opposition, Employers Should Plan for December 1 DOL Overtime Rule,"** *Employment Counseling & Litigation Client Alert*  
Amy Komoroski Wiwi
- > November 10, 2015  
**"Cybersecurity Breach: The Threat From Within,"** *New York Law Journal*  
Matthew M. Oliver, Amy Komoroski Wiwi,

## In the Media

- > June 12, 2020  
Mary M. Collins, President and CEO of the **Media Financial Management Association**, discusses the article, **"Redesigning the Workplace,"** by **Amy Komoroski Wiwi** and **Lauren M. Hollender** (published in May/June 2020 issue of *The Financial Manager*), in her column for **TVNewsCheck**. Collins reiterates the authors' counsel on employment issues arising from working from home during the pandemic, including the classification of independent contractors and possible audits, remote privacy concerns and training, and Federal Fair Labor Standards Act (FLSA) requirements. She also discusses their points about joint-employer liability, which can vary by jurisdiction, for companies using staff through agencies.
- > November 9, 2019  
Lowenstein's representation of **W2O**, the leading independent provider of analytics-driven, digital-first marketing communications to the health care sector, in the acquisition of Arcus Medica, a recognized leader in medical and scientific communications, highlighted in the **Global Legal Chronicle**. The Lowenstein deal team included **David L. Goret, Marita A. Makinen, Andrew P. Erdmann, Matthew Tippy, Eugene R. Cheval, Tracy F. Buffer, Michael Walutes, Sophia Mokotoff, Megan Monson, Matt Savare, Bryan Sterba, Mary J. Hildebrand, Manali Joglekar, Carly S. Penner, Amy Komoroski Wiwi,** and **James C. Shehan**. **View Lowenstein's news announcement about this transaction.**
- > February 1, 2019  
**David M. Wissert** and **Amy Komoroski Wiwi's** recent article in *The Financial Manager*, highlighting the steps employers can take to both prevent and address sexual harassment in the workplace as a result of the #MeToo Movement, was featured in **TVNewsCheck**. These steps include: examining the company culture, ensuring company policies are strong and widely communicated to all employees, providing training, conducting investigations when necessary, acting and communicating quickly, and considering an investment in employment practices liability (EPL) insurance policies to mitigate risk.
- > September 7, 2018  
**TVNewsCheck** notes **David M. Wissert's** leading a panel discussion with **Amy Komoroski Wiwi** on the impact of the #MeToo movement and other employee law issues at MFM's **Media Outlook 2019**. The panel will provide attendees with the information and tools needed to implement policies and training programs that can lead to a positive culture in which all employees can contribute and thrive. **View Lowenstein's posting about this event.**
- > August 21, 2018  
The Media Financial Management Association's (MFM) **Multichannel News** announces **David M. Wissert's** leading a panel discussion with **Amy Komoroski Wiwi** on the impact of

the #MeToo movement and other employee law issues at MFJ's **Media Outlook 2019**. The panel will provide attendees with the information and tools needed to implement policies and training programs that can lead to a positive culture in which all employees can contribute and thrive. ***View Lowenstein's posting about this event.***

## SPEAKING ENGAGEMENTS

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- > Speaker, **No Longer Business as Usual? What Boards of Directors and General Counsel Need to Know About Running a Business During a Pandemic**, Lowenstein Sandler LLP, Webinar, March 20, 2020
- > Speaker, **Navigating Workplace Culture in 2019**, Lowenstein Sandler, Roseland, NJ & New York, NY, October 15-16, 2019
- > Speaker, **#MeToo and Other Employment Law Issues**, Media Outlook 2019, New York, NY, September 12, 2018
- > Presenter, **Workplace Conduct Investigations Breakfast Seminar**, Lowenstein Sandler Roseland Office - May 9 | Lowenstein Sandler NYC Office - May 10, May 9-10, 2018
- > **Sexual Harassment in the Workplace – What Can Your Company Do to Prevent It?**, February 14, 2018 (New York Office) and February 15, 2018 (New Jersey Office)
- > Speaker, **New York Employment Law Developments in 2017**, New York Employment Law Developments in 2017 Seminar, New York, NY, May 9, 2017
- > Speaker, **Wage and Hour Update**, ACC NJ and Lowenstein Sandler Breakfast Series, January 20, 2016

## EDUCATION

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- > Boston University School of Law (J.D. 2002), cum laude
- > Syracuse University, College of Visual and Performing Arts (B.F.A. 1998), cum laude

## ADMISSIONS

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- > New York
- > New Jersey