



Rachel A. Gonzalez

Partner

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Overview

Rachel Gonzalez represents management in traditional labor law, employment counseling and litigation.

Rachel regularly partners with clients and serves a strategic advisor on labor and employee relations issues. Rachel represents employers during union election campaigns, collective bargaining negotiations, arbitrations and before the National Labor Relations Board. She leads employer bargaining committees during collective bargaining negotiations. Rachel provides clients with advice on strike preparations and during strike injunction proceedings. Rachel also advises corporations on workforce planning during business changes including business sales, acquisitions, stock and asset purchases, and plant closings and relocations. She has represented management in matters involving the IBEW, CWA, UAW, IBT, IAM, SEIU, AFSCME, RWDSU, UFCW, USW, IATSE, Amalgamated Lithographers, Hotel Workers, IUOE, AFM and NOITU unions.

Rachel regularly counsels and trains employers on wage and hour issues, workplace investigations, the FMLA, the ADA accommodation process and compliance with other federal and state employment laws. She has represented employers in claims involving discrimination and retaliation under Title VII, ADA, NJLAD NYHRL, Section 1981 and USERRA; breach of contract; workers' compensation retaliation; wrongful discharge; negligent hiring and Section 301 claims, in state and federal courts and agencies. She also regularly advises foreign corporations establishing U.S. operations on federal, state and local employment and labor laws.

Prior to entering the legal profession, Rachel worked as a human resources professional in unionized and non-unionized facilities in the United States and Sweden. While in law school, Rachel worked with the National Labor Relations Board in Hartford, Connecticut.

Rachel serves in a leadership role with the Day Pitney Diverse Attorneys Network and is a member of the firm's Diversity Committee. She is also the co-chair of Day Pitney's Hiring Committee.

Experience

No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.

Practices & Industries

Automotive

Employment & Labor

Employment Contracts

Employment Counseling & Training

Employment Litigation

Labor Management Relations

Litigation

OSHA Compliance and Litigation

Wage and Hour Compliance & Employee Compensation

Workplace Investigations

Represented buyer in conducting due diligence on labor and employment matters in conjunction with the multi-billion dollar acquisition of public infrastructure

Represented buyer in conducting due diligence on labor and employment matters, involving 13 separate unions, in conjunction with the multi-million dollar acquisition of utility company assets

Represented lender in conducting due diligence on labor and employment matters in connection with multi-million dollar hotel acquisition

Led team negotiating the effects of the closure and relocation of a parts manufacturing business

Lead negotiator or legal advisor at several collective bargaining negotiations achieving significant client objectives

Obtained injunctions during strikes occurring at Fortune 100 company

Obtained a jury verdict in New Jersey federal court dismissing plaintiff's disability discrimination and workers' compensation retaliation claims

Obtained a directed verdict in New Jersey federal court in favor of the employer on hostile work environment and failure to promote claims a former employee brought against the company and a jury verdict in favor of employer on its counter-claim against the former employee for conversion and unjust enrichment

Obtained dismissal of sex discrimination claim following lengthy bench trial before an administrative law judge of the New York State Division of Human Rights

Obtained summary judgment for employer on age, race, and public policy claims in New Jersey federal court

Obtained summary judgment for employer on battery/offensive physical conduct, bias crime, failure to render assistance, negligence, intentional infliction of emotional distress, and constructive discharge claims in New Jersey state court

Obtained summary judgment for employer on Section 301 claim in New Jersey federal court

Defended employers in over 100 unfair labor practice charges filed with the National Labor Relations Board resulting in dismissal or withdrawal

Education and Credentials

Education

Cornell University, B.S., School of Industrial and Labor Relations, Dean's List

University of Connecticut School of Law, J.D., with Honors, Articles Editor, *Connecticut Journal of International Law*

Admissions

State of New Jersey

State of New York

U.S. District Court, District of New Jersey

Affiliations

Hispanic National Bar Association (HNBA), Law Student Division, former Region I Co-President

New Jersey Hispanic Bar Association, Press Secretary, 2017-2018

New Jersey State Bar Association, General Council, Delegate

Recognition and Community

No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome. See Awards Methodology.

Recognitions

Selected to the Lawyers of Color's Inaugural Nation's Best list (2019)

Selected to the list of New Jersey *Super Lawyers* Rising Stars (Thomson Reuters), 2014-2018

Selected to "Forty under 40" by *NJBIZ* (BridgeTower Media) for "commitment to business growth, professional excellence and to the community," 2017

Chosen as one of the New Leaders of the Bar by the *New Jersey Law Journal* (ALM Media Properties, LLC), 2016

Recipient of a Day Pitney Coleman Award for her commitment to pro bono and public service for her work supporting refugees seeking asylum in the United States, 2009

Community Involvement

American Dream Pipeline Mentoring Program at Union City High School, 2015-2018

Human Rights First, 2007-2010

Asylum and Human Rights Legal Clinic, while at the University of Connecticut School of Law

Insights

No Consequential Damages: Third Circuit Refuses to Recognize NLRB's Remedial Authority Beyond Reinstatement and Back Pay

Day Pitney Alert, January 3, 2025

New Jersey's New Pay Transparency Law Is on the Horizon

November 20, 2024

In a Blow to Employers' Ability to Defend Against Union Organizing Drives, NLRB Outlaws Mandatory Captive Audience Meetings

November 15, 2024

NLRB GC Proposes Significant Penalties for Employers' Use of Non-Compete and Stay-or-Pay Agreements

October 11, 2024

"Annual Scholarship," Garden State Bar Association

June 29, 2024

Supreme Court's Clarified Standard Makes It Harder for NLRB to Obtain Injunctions

June 18, 2024

Cos. Must Stay On Alert With Joint Employer Rule In Flux

May 29, 2024

EEOC Final Rule and Interpretive Guidance on the Pregnant Workers Fairness Act and Legal Challenge to the Final Rule

May 30, 2024

New York Employment Law Developments: Paid Lactation Breaks, Posting Requirements and More
May 22, 2024

EEOC's New Guidance on Workplace Harassment Being Challenged
May 21, 2024

Updated: U.S. Department of Labor Increases Exempt Salary Thresholds
May 20, 2024

Union Officials and Other Non-Employees Now Allowed in OSHA Inspections
May 14, 2024

Updated: NLRB's Proposed Joint Employer Rule Is Still in Flux
May 8, 2024

New Protections for Domestic Workers Under the New Jersey Domestic Workers' Bill of Rights
April 11, 2024

Connecticut Employee's Claims That She Was Terminated Based on Medical Marijuana Use Go Up in Smoke
March 26, 2024

Key Labor Law Developments Affecting All Employers
January 30, 2024

2023 New Jersey Employment Law Recap and Looking Ahead in 2024
January 29, 2024

New York Rings in the New Year With New Employment Laws
January 29, 2024

U.S. Department of Labor Finalizes Independent Contractor Rule
January 26, 2024

U.S. Department of Labor Proposes Increases to Exempt Salary Thresholds
December 4, 2023

District of New Jersey Reiterates What Is Just Not Reasonable
September 18, 2023

New York Employment Law Continues to Heat Up Even as the Weather Cools Down
August 31, 2023

Supreme Court Reexamines Undue Hardship Standard for Title VII Religious Accommodation
August 4, 2023

New Jersey Employers Face New Reporting Requirements Under Unemployment Insurance Law
July 28, 2023

NLRB Overhauls Independent Contractor Test for the Third Time in Less Than a Decade
June 20, 2023

Updated: New York Legislature Passes Noncompete Ban
June 13, 2023

2023 Annual Employment and Labor Conference
June 7, 2023

NLRB General Counsel Clarifies Limits on Broad Confidentiality and Non-Disparagement Provisions in Employment Documents
May 23, 2023

UPDATED: New York City Makes Moves to Expand Protections Against Appearance-Based Discrimination
May 18, 2023

New York Updates Sexual Harassment Prevention Model Policy and Training Materials
May 3, 2023

New York State and City Pay Transparency Laws Continue to Evolve
March 24, 2023

NLRB Limits Use of Confidentiality and Non-Disparagement Provisions
March 7, 2023

UPDATED: Groundbreaking Changes to Temporary Workers' Rights in New Jersey
March 2, 2023

2022 New Jersey Employment Law Recap and Looking Ahead in 2023
February 24, 2023

"13th Annual Corporate Counsel Conference," Hispanic Bar Association of New Jersey and Prudential
February 15, 2023

Omnibus Spending Bill Includes New Workplace Protections for Pregnant and Nursing Employees
January 19, 2023

After COVID-19 Delay, New Jersey WARN Act Amendments Set to Take Effect in 90 Days
January 12, 2023

2023 New York Employment Law Updates
January 11, 2023

Congress Tells Victims to Speak Out!
January 6, 2023

New York Law Prohibits Employers From Disciplining Employees for Lawful Absences
December 20, 2022

Labor Law Updates of Concern to All Employers
November 28, 2022

Have You Told Your Employees About Their Rights? New Workplace Posting and Distribution Requirements
November 17, 2022

The "STOP WOKE Act" – Florida's Attempt to Prohibit Mandatory Employee Diversity Training Put on Hold for Now
October 21, 2022

Connecticut Expands Anti-Discrimination Protections
October 20, 2022

DOL Shakes Up Employee/Independent Contractor Distinction Again
October 17, 2022

Don't Fall Behind: Stay Up to Date With the Changes to New York's Employment Laws
October 3, 2022

Weeding Out Impaired Employees: NJ Commission Issues Guidance on Adverse Employment Action for Cannabis Use
September 20, 2022

When Less Isn't More: An Overview of East Bay's Impact on Employee Misclassification
August 8, 2022

EEOC'S Updated COVID-19 Guidance Places Additional Restrictions on Employers
July 20, 2022

Day Pitney's Annual Employment and Labor Conference Session 1

June 9, 2022

NJ Court Holds First Amendment Does Not Prohibit Employee Discharge for Racially Insensitive Post

June 8, 2022

New York City Council Votes to Amend Pay Transparency Law and Extend Effective Date to November 1, 2022

May 2, 2022

The 'Other' ADA Claim - Website Accessibility Under Title III

April 28, 2022

UPDATED: 2022 Brings More Employment Law Updates for New York Employers

April 14, 2022

Do You Know Where Your Employees Are? The Risks of Remote Work

April 11, 2022

Don't Be Late on Wage Payments to Terminated Employees in Massachusetts

April 7, 2022

Employers Are Required to Provide Written Notice of Tracking Devices in Vehicles Used by Their Employees

March 21, 2022

EEOC's Advice to Employers on Accommodating Religion and COVID-19 Vaccines in the Workplace

March 16, 2022

Massachusetts Ends COVID-19 Emergency Paid Sick Leave Program

March 11, 2022

Biden Signs Act Restricting Forced Arbitration of Sexual Harassment or Assault Claims

March 4, 2022

2021 Recap and What's New for 2022: Updates to New Jersey Employment Law

January 19, 2022

Updated: The Supreme Court Has Spoken: OSHA ETS Stayed

January 14, 2022

New Year, New(ish) Connecticut Employment Laws

January 13, 2022

Keeping Up With New York's New Employment Laws in the New Year

January 11, 2022

Sixth Circuit Lifts Stay of OSHA COVID-19 Emergency Temporary Standard Requiring Vaccination or Testing

Day Pitney Alert, December 21, 2021

Biden DOL Rescinds Trump-Era FLSA Joint Employment Rule

October 28, 2021

New York City Mandates Private Employers to Provide Retirement Savings Plans for Employees; Similar Statewide Law Not Far Behind

October 28, 2021

New York Amends Labor Law and Expands Coverage for Wage Theft

October 27, 2021

New Jersey Amends Law Against Discrimination to Expand Protections Against Age Discrimination

October 8, 2021

New York Revises Model Workplace Safety Plan Under HERO Act

October 4, 2021

NY Designates COVID-19 a Highly Contagious Communicable Disease, Triggering HERO Act Workplace Safety Plans

September 13, 2021

Managing the Workplace in Wake of COVID-19

September 3, 2021

New Jersey Supreme Court Makes Clear That No Adverse Action Is Required for Failure-to-Accommodate Claims

July 29, 2021

New York Issues HERO Act Airborne Infectious Disease Exposure Prevention Standard and Model Plan

July 8, 2021

New Jersey Supreme Court Weighs In on Pregnant Workers Fairness Act: Undue Hardship Is Not What You Thought It Was

July 6, 2021

A WARNING to New Jersey Employers Contemplating Mass Layoffs or Other Business Change

June 28, 2021

New York Amends HERO Act Mandating Workplace Safety Plan for Airborne Infectious Diseases

June 25, 2021

OSHA Issues COVID-19 Emergency Temporary Standard for Employers in the Healthcare Industry and Updates Guidance for All Employers

June 16, 2021

EEOC OKs Employer COVID-19 Vaccine Mandates and Incentives

June 11, 2021

New Jersey Executive Orders 242 and 243 Reduce COVID-19 Workplace Restrictions

May 28, 2021

New York Passes 'HERO' Act Mandating Workplace Safety Plan for Airborne Infectious Diseases

May 11, 2021

New Jersey Guidance Supports Mandatory Vaccination Policies

April 12, 2021

Not So Fast: New York City Ordinance Ends At-Will Employment for Fast Food Workers

March 25, 2021

What the American Rescue Plan Means for Employers

March 19, 2021

Connecticut Follows Growing Trend in Proscribing Workplace Hair Discrimination

March 18, 2021

Out With the Old, In With the New: President Biden Shakes Up Federal Labor Law

March 3, 2021

EEOC Updates: Conciliation Program Changes, Guidance on Systemic Discrimination, EEO-1 Data Collection Resumes and New Leadership

February 17, 2021

New Guidance Indicates Employees Entitled to Multiple Leaves Under the New York COVID-19 Sick Leave Law

February 1, 2021

A New Year Means New Changes to NY and NJ Wage and Hour Laws

January 20, 2021

Massachusetts Paid Family and Medical Leave Act Provisions Go Into Effect on January 1, 2021

December 29, 2020

Congress Declines to Extend Paid Sick and Emergency Family Leave but Incentivizes Employers To Continue Voluntarily Providing Leaves

December 28, 2020

EEOC Issues Guidance for Employers on COVID-19 Vaccines, But Should Employers Mandate Vaccination?

December 22, 2020

New DOL Rule Expands Religious Employers' Exemption From Federal Contracting Anti-Discrimination Requirement

December 17, 2020

As Deadlines for New Connecticut Laws Approach, Employers Must Be Sure To Comply

December 15, 2020

CDC Updates Guidance on Quarantine After COVID-19 Exposure, But State Guidance May Differ

December 7, 2020

Negotiating a Successor Collective Bargaining Agreement During a Pandemic

November 5, 2020

EEOC Issues Guidance for Employers on Telework as a Reasonable Accommodation Amidst a Global Pandemic

October 30, 2020

New Jersey Employees' Children Not Going Back to In-Person School - Now What?

September 2, 2020

Ruling Invalidates Portions of the Families First Coronavirus Response Act Regulations

August 5, 2020

Form I-9: An Updated Form, a Primer on Use and COVID-19 Accommodations

July 30, 2020

Trio of Cases Limit Union Activity

July 30, 2020

OSHA Reverses Course and Reinstates Employers' Obligation to Determine Whether COVID-19 Cases Are Work-Related

May 28, 2020

The Road Back' from COVID-19 - Reopening NJ Businesses

May 22, 2020

New York Relaxes Layoff Notification Requirements for Some Employers Due to COVID-19

April 27, 2020

NLRA Issues for All Employers To Be Aware of During the COVID-19 Pandemic

April 21, 2020

Employer Update: COVID-19 Employee Benefits and Labor & Employment Law During the Pandemic

April 7, 2020

New COVID-19 Amendments to New Jersey's WARN Act Provide Some Relief for Employers

April 16, 2020

COVID-19 Response: NY Executive Order Requires Some Employers to Provide Masks to Employees, and Temporary Changes to Real Estate Law

April 15, 2020

New Jersey Executive Order No. 122 Mandates Stricter Protocols for Businesses During COVID-19 Pandemic

April 10, 2020

New Jersey Expands Protections and Paid Leave Benefits for Employees Impacted by COVID-19

March 30, 2020

Department of Labor Wage and Hour Division Issues Employment Law Guidance Relating to COVID-19

March 26, 2020

Day Pitney Prepared to Assist Clients in Requesting Designation as "Essential" Business under New York's COVID-19 "Work from Home" Executive Order

March 22, 2020

COVID-19 - Answers to Questions on Every Employer's Mind

March 18, 2020

Preparing Your Business for the New Coronavirus, COVID-19

March 3, 2020

New Jersey Becomes First State in the Country To Require Severance in Mass Layoffs

January 28, 2020

No Adverse Employment Action Required to Establish Failure to Accommodate Claim Under New Jersey Law

December 12, 2019

Following Lead of Other States, Discrimination Based on Certain Hairstyles Is Now Unlawful in New Jersey

December 12, 2019

Demystifying Employers' Obligations to Transgender and Non-Binary Employees

October 2019

Day Pitney to Host CLE on Employment Law and Contract and Tort Healthcare Issues

April 13, 2016

NLRB Update: Proposed Election Rules Encouraging Employee Free Choice

September 11, 2019

Demystifying Employers' Obligations to Transgender and Non-Binary Employees

June 28, 2019

New FLSA Proposed Rule Would Provide Overtime to Millions More Americans

March 28, 2019

New Jersey Becomes First State to Ban Employers From Using Arbitration, Nondisclosure and Confidential Settlement Agreements for All Claims of Discrimination, Harassment or Retaliation

March 19, 2019

NJ Leave Law Amendments: More Employers Affected, More Leave, More Covered Family Members and More Paid Benefits

February 26, 2019

NYC Commission on Human Rights Declares a Ban on 'Hair' Discrimination

February 22, 2019

We're Pregnant: New State Law Protections for Pregnant Employees

March 29, 2018

New Jersey Poised to Legalize Recreational Cannabis Use, but Federal Criminal Prohibition Remains in Place

December 4, 2018

NJ Employers Beware: Federal and State Departments of Labor Team Up to Address Independent Contractor Misclassification

September 26, 2018

Despite Contrary Law in Other States, New Jersey Employers Not Required to Accommodate Medical Marijuana Use
September 26, 2018

New Massachusetts Noncompetition Law Effective October 1
September 26, 2018

Massachusetts "Grand Bargain" Creates Paid Family and Medical Leave, Increases the Minimum Wage and Eliminates Retail Premium Pay Obligations
September 26, 2018

NYC Releases Guidance and Notice Posting For New Temporary Work Schedule Changes Law
September 26, 2018

What's on the Horizon? Important Proposed Legislation in New Jersey
September 26, 2018

As the Fraternity of States With Earned Sick Leave Adds a New Chapter, New Jersey Employers Can Expect Big Changes
June 27, 2018

New Jersey Joins a String of States Cracking Down on Employee Misclassification
June 27, 2018

NYS and NYC Crack Down on Sexual Harassment, Imposing New Requirements on Employers
June 27, 2018

Enforcing Arbitration Agreements in New Jersey
June 27, 2018

Still Using Unpaid Interns? Be Sure to Comply With Federal and Applicable State Law
June 27, 2018

SCOTUS Limits American Pipe Tolling to Individual Actions, Resolving Circuit Court Split on Untimely Subsequent Class Actions
June 12, 2018

Supreme Court Upholds Class Waiver Provisions in Employee Arbitration Agreements
May 23, 2018

New Jersey Enacts Statewide Earned Sick Leave Law
May 2, 2018

New Jersey Enacts a Broad and All-Encompassing Equal Pay Act
April 30, 2018

Do Your Severance Agreements Adequately Protect You?
March 29, 2018

Now Put It in Writing: New York City's New Employer Requirements for Workplace Accommodations
March 29, 2018

Supreme Court Recently Limited the Scope of Whistleblower Protection Under Dodd-Frank, But State Laws Continue to Provide Broader Protections
March 29, 2018

New IRS Code Section 45S - Employer Credit for Paid Family and Medical Leave
March 29, 2018

Reorienting Title VII - Although The Second Circuit Expands Sexual Orientation Protections Under Federal Law, State Laws Remain More Favorable to Plaintiffs
March 29, 2018

How Long and Where Can Employees Breastfeed or Pump Milk? States Continue to Weigh In
March 29, 2018

New Year Brings Even More Leave Requirements for New York City Employers
March 29, 2018

The Potential Legalization of Cannabis in New Jersey: Real Estate Considerations
March 20, 2018

NLRB Reverses Significant Precedents Impacting Employers
December 19, 2017

National Labor Relations Board's General Counsel Memo Turns a Page on the Obama NLRB Enforcement Policy
December 11, 2017

Revised EEO-1 Reporting Requirements Stayed Indefinitely
August 31, 2017

New York City Bans Employers from Asking Applicants About Salary History
May 9, 2017

Even Simple Misconduct Must Be Willful and Deliberate to Disqualify Employees from Unemployment Benefits in New Jersey
May 5, 2017

Court Enjoins Revised Federal Overtime Regulations
November 23, 2016

NLRB Eases Organizing of Temporary Workers
July 15, 2016

The NLRB Eases Organizing of Temp Workers
July 12, 2016

NLRB Adopts New Joint-Employer Standard
September 1, 2015

News

Rachel Gonzalez Receives Salute to the Policy Makers Award from Executive Women of New Jersey
May 4, 2022

Day Pitney Represents TriStruX LLC in Sale to Huron Capital
December 23, 2021

It's Not Going to Happen by Magic': What the 2020 Top Women in Law Said
December 10, 2020

Rachel A. Gonzalez Honored as One of Top Women in Law 2020
October 28, 2020

Day Pitney's Rachel Gonzalez Named to "Nation's Best" List by Lawyers of Color
October 4, 2019

Rachel Gonzalez Sworn-In as Press Secretary for the Hispanic Bar Association of New Jersey
November 7, 2017

87 Day Pitney Lawyers Named to 2016 Super Lawyers List
November 10, 2016

Katharine Coffey and Rachel Gonzalez Selected as NJLJ 2016 New Leaders of the Bar

June 28, 2016

Day Pitney Announces New Partners

February 10, 2016

Rachel A. Gonzalez

January 1, 2016

Day Pitney Promotes Seven Partners

December 28, 2015

91 Day Pitney Lawyers Named to 2015 Super Lawyers List

October 30, 2015

Eighty-Four Day Pitney Attorneys Recognized by Super Lawyers for 2014

November 3, 2014

In The Media

Experts Say Tentative Dockworkers Deal Strikes Balance

The Food Institute, January 13, 2025

"Best Practices for Retaining and Elevating Diverse Attorneys," AFBNJ and the HBA of New Jersey

October 16, 2024

"Pathways to Success," Hispanic Bar Association of New Jersey

June 24, 2024

2023 Annual Employment and Labor Conference

June 7, 2023

"NLRB Updates: The Biden Administration Board," New Jersey State Bar Association

November 18, 2022

After Hours: Gonzalez Receives Executive Women of NJ Award

New Jersey Law Journal, June 29, 2022

Employment and Labor Conference Session 1

Day Pitney Webinar, June 8, 2022

Diverse Lawyers Network: Industry News

Diverse Lawyers Network, May 6, 2022

New York City Protects Fast Food Workers with Ban on At-Will Terminations

GOBankingRates.com, June 23, 2021

Women in Law Have New Allies: Men

Connecticut Law Tribune, May 14, 2021

Hispanic Bar Association of New Jersey's Women Empowerment Leadership and Law Conference

June 26, 2020

Power of The Past, Force of The Future

Hispanic National Bar Association, September 30, 2019

Women's Empowerment Leadership & Law Conference

March 24, 2018

NJBIZ Announces Forty Under 40 for 2017

Day Pitney Press Release, July 19, 2017

Announcing the 2016 NJLJ New Leaders of the Bar

Day Pitney Press Release, April 25, 2016

Unions set to begin voting on NJ Transit rail contract

NJ.com, March 15, 2016

New Partners Yearbook 2016

New Jersey Law Journal, March 11, 2016

Attorney Named Partner

The Jersey Journal, February 25, 2016

Career Ladder

The Hartford Courant, January 12, 2016

New Partners for Day Pitney

New Jersey Business, December 29, 2015

Two Big Conn. Law Firms Make Partner Promotions

The Connecticut Law Tribune, December 29, 2015

37th Annual NLRB Labor Law Conference

November 13, 2015