



Todd Mobley

Of Counsel

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Todd represents employers in connection with a wide variety of collective and class action wage and hour disputes brought pursuant to the FLSA, as well as claims of discrimination, harassment, retaliation and wrongful discharge.

Todd also has extensive experience working on complex ERISA litigation matters involving employee benefits and breach of ERISA fiduciary duty claims, as well as claims related to the Affordable Care Act, the Mental Health Parity and Addiction Equity Act, and the Health Insurance Portability and Accountability Act (HIPAA). He has also represented multi-employer benefit funds seeking to collect withdrawal liability and delinquent contributions from contributing employers, and he has assisted numerous clients with US Department of Labor audits and investigations, as well as investigations conducted by the US Equal Employment Opportunity Commission.

Todd's counseling experience involves all aspects of the employment relationship, including those related to ERISA, the ACA, HIPAA, Title VII, the ADA, the FLSA, and the FMLA. Todd also prepares employment agreements, including agreements containing restrictive covenants to protect employers' business interests and confidential information or trade secrets, and separation and release agreements. He often advises employers with respect to hiring practices, handbooks and employee policies, employee discipline and discharge decisions, and internal investigations.

Todd has previously served as a Special Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, Administrative Law Division, handling numerous civil cases, including challenges to regulatory agency determinations and actions involving the exercise of New York City's regulatory authority. In addition, Todd prosecuted numerous criminal cases involving Building Code and Fire Code offenses. Todd has been recognized as Empire State Counsel by the New York State Bar Association for his pro bono work.

- Employment

- Healthcare

Admissions

- New York
- Texas

Education

- J.D., University of California, Berkeley, School of Law
- B.A., Columbia University
summa cum laude

INSIGHTS

Publications

- "Checklist: Drafting Settlement Agreements Disposing of FLSA Claims," Bloomberg BNA (June 2018)
- Paid Family Leave Expands to DC (May 17, 2017)
- House Passes GOP Bill to Replace, Repeal the ACA (May 5, 2017)
- Transgender Workplace Rights — Are You in Compliance? *OutSolve Effective Affirmative Action Blog* (September 30, 2016)
- New OSHA Rule Requires Electronic Submission of Workplace Injuries and Illnesses Data, and Discourages Mandatory Post-Accident Drug Testing (September 1, 2016)
- New York is the Latest State to Adopt Paid Family Leave Law (April 13, 2016)
- Reducing Employees' Hours Could Lead to Discrimination Claims Under ERISA (February 19, 2016)
- Are You a Federal Contractor/Subcontractor? Not Knowing the Answer to this Question Could Have Costly Consequences *OutSolve Effective Affirmative Action Blog* (January 5, 2016)
- *King v. Burwell*, The ACA Survives Another Major Challenge (July 1, 2015)
- Ensuring Your Intern Program is Compliant (May 29, 2015)
- The United States Supreme Court Rules That the Sixth Circuit Can No Longer Infer That Collectively-Bargained Retiree Benefits Were Intended to Vest for Life (February 10, 2015)
- "Affordable Care Act and ERISA Litigation," Co-author, Chapter 24 *ERISA Litigation*, 5th Edition, published by Bloomberg BNA (2014)

Events

- 25th Annual Texas Minority Counsel Program (November 8, 2017)
- Rules of Employment Webinar Series: *Cybersecurity Hacks: How to Protect Your Workforce from Data Breaches* (October 24, 2017)
- SMU Corporate Counsel Symposium: "The Affordable Care Act and Other Employee Healthcare Topics" (October 28, 2016)
- Rules of Employment Webinar Series: *It's Time for Your Check Up: The Affordable Care Act and Other Employee Healthcare Topics* (October 18, 2016)
- "Employment Law 101," Client Presentation (February 2016)
- "Critical Employment Law Update," Client Presentation (October 2015)
- "ACA Whistleblowers," Webinar (May 2014)
- "Labor and Employment and ERISA *Class Actions After Walmart and Comcast*," Brownbag Lunch Series (June 2014)
- "Labor and Employment and ERISA *Class Actions After Walmart and Comcast*," Webinar (April 2014)