



Jonathan Sterling

SHAREHOLDER

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Overview

Jon Sterling defends employers against claims by current and former employees, including claims of wrongful discharge, unpaid wages, and harassment. He appreciates that employment disputes often feel personal, and his goal is to relieve employers of both the legal and the emotional burden they face. His clients include schools, colleges, businesses, municipalities, and other organizations, as well as individuals who have been sued in employment-related litigation.

In court nearly every week, Jon defends employers in cases involving FLSA, FMLA, ERISA, freedom of expression, workers' compensation retaliation, and common law claims. He has obtained numerous dismissals of lawsuits, as well as of administrative complaints filed with the Connecticut Commission on Human Rights and Opportunities (CHRO). Jon routinely defends employers in CHRO and EEOC investigations and has successfully litigated against the CHRO in Superior Court.

Jon also provides proactive advice to help employers stay compliant with employment laws and avoid litigation. Each day, he assists employers with practical matters, including reviewing and drafting employee handbooks, employment agreements, noncompete agreements, and arbitration agreements, and advises them on a variety of issues, such as terminations, investigations, reductions in force, and wage and hour issues, and in developing areas like biometrics and medical marijuana. Jon also conducts management, sexual harassment, and other training for employers.

Jon also assists education clients with a variety of matters unique to their industry, including academic and student discipline issues. He routinely counsels educational clients on a wide variety of student, employment, and academic matters, from Title IX to bullying to vaping on campus. For example, in recent years, Jon has obtained judgments following trial for a university on claims brought by former students alleging hazing and alleged failure to pay an athletic scholarship.

Jon has a significant litigation practice outside of the employment and education arena as well. He has represented clients in a number of industries in cases involving contractual, negligence, and other disputes in state and federal court, including class actions.

Jon belongs to the Employers Counsel Network and is an editor and frequent contributor to the *Connecticut Employment Law Letter* and *50 Employment Laws in 50 States*. He serves as a co-author of the *ERISA Litigation Handbook*.

Experience

- *Gagliardi v. Sacred Heart Univ., Inc.*, No. 3:17-cv-00857, 2019 WL 3202742 (D. Conn. July 16, 2019) (granting summary judgment as to all claims by former tennis coach under Title IX, Title VII, and EPA).
- *Doe v. Simsbury Bd. of Educ.*, No. HHDCV185051404S, 2019 WL 2142052 (Conn. Super. Ct. Apr. 12, 2019) (granting motion to strike public nuisance claim).
- *Gupte v. Watertown Bd. of Educ.*, No. 3:17-cv-00283, 2018 WL 4054880 (D. Conn. Aug. 24, 2018) (dismissing case in its entirety).
- *Reho v. Sacred Heart Univ., Inc.*, No. 3:16-cv-01692, 2017 WL 1014998 (D. Conn. Mar. 15, 2017) (granting partial dismissal).
- *Jauhari v. Sacred Heart Univ., Inc.*, No. 3:16-cv-00680, 2017 WL 819902 (D. Conn. Mar. 2, 2017) (limiting scope of comparator discovery in denial of tenure lawsuit).
- *Doe v. Trinity Coll.*, No. FSTCV175016597S, 2017 WL 7053895 (Conn. Super. Ct. Dec. 26, 2017) (sustaining objection to plaintiff's motion to sue anonymously).
- *DeLucia v. Sacred Heart Univ., Inc.*, No. FBTCV156049853, 2017 WL 4273404 (Conn. Super. Ct. Aug. 11, 2017) (judgment for defendants on all counts following bench trial).
- *Reid v. Town of W. Hartford*, No. CV156031283S, 2017 WL 5707522 (Conn. Super. Ct. Oct. 26, 2017) (dismissing CHRO's appeal of dismissal of public accommodation discrimination case).
- *Roberts v. Town of Orange, Dep't of Police Servs.*, No. AANCV166019852S, 2017 WL 4106132 (Conn. Super. Ct. Aug. 8, 2017) (granting summary judgment to defendant on all claims in employment discrimination case).
- *DeFusco v. Town of West Hartford*, No. 3:15-cv-00485, 2016 WL 1225496 (D. Conn. Mar. 28, 2016) (granting motion to dismiss claims in discrimination/retaliation case).
- *Skinner v. Martin*, No. CV146011250, 2015 WL 2261571 (Conn. Super. Ct. Apr. 22, 2015) (dismissing all claims in employment case).
- *Fasoli v. City of Stamford*, 64 F. Supp. 3d 285 (D. Conn. 2014) (granting summary judgment to defendant on all claims in employment discrimination/retaliation case).
- *McMahon v. Chubb Grp. of Ins. Cos.*, 553 F. App'x 85 (2d Cir. 2014) (affirming dismissal of unpaid wage claims).
- *Vega v. Sacred Heart Univ.*, No. 3:10-cv-01870, 2013 WL 2420329 (D. Conn. June 3, 2013) (judgment for defendant on all counts following bench trial).
- *Conn. Comm'r of Labor v. Chubb Grp. of Ins. Cos.*, No. 3:11-cv-00997, 2013 WL

836633 (D. Conn. Mar. 6, 2013).

- *Walsh v. Lebanon Bd. of Educ.*, No. 3:11-cv-00194, 2013 WL 425092 (D. Conn. Feb. 4, 2013).
- *Leichter v. Lebanon Bd. of Educ.*, 917 F. Supp. 2d 177 (D. Conn. 2013).
- *Conn. Comm'r of Labor v. Chubb Grp. of Ins. Cos.*, No. 3:11-cv-00997, 2012 WL 3443003 (D. Conn. Aug. 15, 2012).
- *Conn. v. Chubb Grp. of Ins. Cos.*, No. 3:11-cv-0099, 2012 WL 1110488 (D. Conn. Mar. 31, 2012).
- *Konspore v. Friends of Animals, Inc.*, No. 3:10-cv-00613, 2012 WL 965527 (D. Conn. Mar. 20, 2012).
- *Fitzgerald v. Chubb & Son Inc.*, No. 3:10-cv-00848, 2011 WL 2470701 (D. Conn. June 20, 2011).
- *Vega v. Sacred Heart Univ., Inc.*, 836 F. Supp. 2d 58 (D. Conn. 2011).
- *Worthington v. Carris Reels of Conn., Inc.*, No. 3:10-cv-00448, 2011 WL 3939005 (D. Conn. May 5, 2011).
- *Konspore v. Friends of Animals, Inc.*, No. 3:10-cv-00613, 2010 WL 3023820 (D. Conn. Aug. 2, 2010).
- *Tehan v. Sacred Heart Univ.*, 388 F. App'x 42 (2d Cir. 2010).
- *Richardson v. Comm'n on Human Rights & Opportunities*, 532 F.3d 114 (2d Cir. 2008).
- *Sebold v. City of Middletown*, No. 3:05-cv-01205, 2007 WL 2782527 (D. Conn. Sept. 21, 2007).
- *Brooks v. Sweeney*, No. CV065005224, 2007 WL 1976089 (Conn. Super. Ct. June 12, 2007).
- *Goldfarb v. Town of West Hartford*, 474 F. Supp. 2d 356 (D. Conn. 2007).
- *Santoro v. Town of Hamden*, No. CV040488583, 2006 WL 2536595 (Conn. Super. Ct. Aug. 18, 2006).
- *Rivera v. Men's Wearhouse, Inc.*, No. 3:05-cv-01907, 2006 WL 1801705 (D. Conn. June 27, 2006).
- *Deguzman v. Kramer*, No. 3:04-cv-02064, 2005 WL 2030447 (D. Conn. Aug. 23, 2005).
- *Strohmeyer v. Metro. Life Ins. Co.*, No. 3:04-cv-01808, 2005 WL 3963770 (D. Conn. Nov. 15, 2005).
- *Strohmeyer v. Metro. Life Ins. Co.*, 365 F. Supp. 2d 258 (D. Conn. 2005).
- *Russ v. Town of Watertown*, No. 3:04-cv-00014, 2005 WL 734344 (D. Conn. Mar. 29, 2005).
- *McEwan v. Town of New Canaan*, No. 3:03-cv-01966, 2004 WL 1897116 (D. Conn. Aug. 20, 2004).
- *Jenkins v. Area Co-Op Educ. Servs.*, No. 3:99-cv-02371, 2004 WL 413267 (D. Conn. Feb. 25, 2004).

All Insights

12.30.2019 Recession Preparation 101: Plan for Potential Layoffs Ahead of Time
HR Daily Advisor

02.13.2017 Worth the Wait?: SCOTUS to Hear Argument on Enforceability of Class Action Waivers in Employment Con

02.10.2017 Are Class Action Waivers Enforceable?

05.18.2016 DOL Raised The Bar: Final White Collar Overtime Exemption Rule Doubles Salary Threshold

01.27.2016 Keep This Between Us—and the Government: Confidentiality of Witness Interviews in Corporate Internal Investigations

10.30.2015 “Contractor?” I do not think that employers’ liability exclusion means what you think it means

07.27.2015 10 Tips for Minimizing Company Liability for Terminating Employees who Steal Trade Secrets

06.30.2015 Don’t Let Employee Trade Secret Thieves Turn the Table on You: Ten Tips for Minimizing Employment Liability

06.12.2015 Laid-Off Chicago Teachers Clear Class Certification Hurdles

05.01.2015 Exercise Prudence When Hiring Students

04.01.2015 Mandatory Direct Deposit a No-No

03.25.2015 Florida Court of Appeal: Photos on Facebook are Fair Game in Discovery

02.01.2015 Full Pay for Part-Time Work?

01.01.2015 The Aromatic Workplace

12.17.2014 NLRB Rejects Ban On Personal E-mail At Work

12.01.2014 Late FMLA Certification: A Problem For Employers or Employees?

11.01.2014 Must Mothers and Fathers be Treated Equally?

10.01.2014 Is my Business Covered by The CTFMLA?

09.01.2014 The Verdict on Using PTO for Jury Service

08.01.2014	'Voluntary' Meetings are a No-No
07.03.2014	How to Avoid Emerging Wage & Hour Risks: Exempt or Non-Exempt, Contractor Liability & Minimum Wage Hikes
07.01.2014	More than six months of leave? No way!
06.01.2014	Curbing FMLA Abuse
05.01.2014	Paid FMLA Leave Only for Execs May be Asking for Trouble
04.01.2014	Taking Advantage of Employer's Generosity?
03.31.2014	It May be Time to Update that Social Media Policy: FFIEC Releases Social Media Guidance
03.01.2014	The Perils of Firing an Older, Long-Tenured Worker
02.01.2014	Cracking Down On Long Lunches
01.01.2014	FMLA Leave For A Part-Timer?
12.01.2013	"Employer Not Required To Accommodate Sexually Harassing Volunteer
12.01.2013	Overtime 'Oops': How Much Do We Owe?
11.01.2013	We're Not Required To Pay For Jury Duty, Right?
10.01.2013	How Confidential Are Employee Evaluations?
09.01.2013	Are Parent's Employees Ours Under The FMLA?
08.01.2013	Smokers' Rights And E-Cigarettes
07.01.2013	A Potpourri Of Employment Law Issues
06.01.2013	Problem Employees, Problem Bosses
05.01.2013	Court Clarifies Interplay Between TTA and FEPA
04.17.2013	Supreme Court Finds Equitable Defenses Do Not Override ERISA Plan Terms

03.14.2013 Second Circuit Finds Jurisdiction Under ERISA to Decide Insurer's Counterclaim for Overpaid Plan Benefits

03.01.2013 Appeals Court Issues Three Decisions Of Note

02.01.2013 Nonpromotion Of Disciplined Officer Upheld

01.01.2013 Court Refuses To Go 'Looney' In Municipal Feud

11.01.2012 Court Says 'Tough Cookies' On Emotional Distress Claims

10.01.2012 State Supreme Court Decision Has Multistate Employers Saying 'Phew'

09.01.2012 For Employers, Christmas Came Early This Year

07.01.2012 How Does New Medical Marijuana Law Affect Employers?

06.01.2012 Appellate Court Kept Busy By Recent Case

03.06.2012 SEC and CFTC Issue Proposed Rules on Identity Theft

03.01.2012 Appellate Court Rejects Nurse's Wrongful Discharge Claim

02.01.2012 And The Appellate Court Taketh Away

01.05.2012 Recent Appeals Court Decisions Offer Good News to Employers

12.31.2011 50 Employment Laws in 50 States

12.25.2011 CTDOL Releases Guidance on Paid Sick Leave Law

11.09.2011 CHRO Procedures Changed

09.13.2011 Recent Case Not Good News For Employers

08.11.2011 Not All Facebook Postings Violate the NLRA

07.12.2011 Chro Closes Office of Public Hearings

06.06.2011 Gender Identity Bill Passes House

05.05.2011 Workers' Comp is Exclusive Remedy for Workplace Injury

04.08.2011	Employer Did Not Commit to Use Progressive Discipline
03.15.2011	Paid Sick Leave Law Being Considered
02.14.2011	Personnel Files Act Claims Dismissed
01.24.2011	Timing Alone Does Not Prove Retaliation
12.10.2010	Gender Change May Be a Physical Disability
11.11.2010	Judge Says WWE May Not Have Done Enough to Stop Sexual Harassment
10.10.2010	OSHA Proposes Steep Fines for Kleen Energy Disaster
09.09.2010	Some Bonuses Are Wages
08.15.2010	Lawsuits Must Be Filed Within Two Years of Chro Complaint
07.04.2010	All Out-of-State Employees May Count When Determining CTFMLA Coverage
07.01.2010	New Health Insurance Continuation Law Enacted
05.03.2010	'Unable to Socialize' Doesn't Necessarily Mean 'Unable to Work'
04.04.2010	Employees Must Visit CTDOL Before Filing CTFMLA Lawsuits
03.15.2010	Arbitration Agreement Upheld Over Employee's Objections
02.12.2010	Salesperson Not Subject to Administrative Exemption From Overtime Pay
01.25.2010	Getting The Message About E-Mail Monitoring
01.01.2010	Court Takes Tough FLSA Stance
12.12.2009	Think You Employ Professionals? Think Again
11.09.2009	Court Finds No ADA Liability Unless Accommodation Was Possible
10.10.2009	New Equal Pay Law In Effect

09.12.2009	Connecticut Enacts New Employee Leave Law
08.16.2009	Gender Stereotyping and Fear of a Lawsuit Not Grounds for Termination
06.12.2009	Injured Employees Are Not Necessarily Disabled Employees
04.15.2009	Connecticut Wage Payment Law Makes National News
03.16.2009	Chro Date Revealed
02.14.2009	Supreme Court to Evaluate NHFD's Promotional Exams
01.11.2009	Appeals Court Expands Free-Speech Defense
12.12.2008	Refusal of Examination is Grounds for Discharge
11.08.2008	Reliance on False Allegations of Misconduct
10.10.2008	Transgendered Employees May Have Recourse for Gender Stereotyping
09.08.2008	Only Town Council Can Create Employment Contract
09.01.2008	Update: Cort Convinces Court to Reconsider its Decision
08.19.2008	Nothing is Easy in HR These Days
08.16.2008	Refusing to Arbitrate Isn't Retaliatory
07.19.2008	Reservist Wins Court Battle
06.15.2008	Employee's Medical Information is Private
06.12.2008	CFEPA Requires Accommodation of Employees' Disabilities
05.28.2008	Employer's Demand to See Personal Phon Records is a Bad Call
04.19.2008	Can We Be Liable for After-Hours Harassment
04.16.2008	Smurfette's Claims Dismissed
04.10.2008	Employer Not Liable to "On Call" Employee

03.12.2008	Court OK's Tracking Employees in Company Vehicles
02.12.2008	Employer Deemed Less Than Accommodating
01.12.2008	Employer Not Powerless To Stop Departing Employees From Telling All
12.12.2007	A Primer On the CHRO Process
12.01.2007	Be Careful When Considering Pay Adjustments
11.11.2007	Rehab Center Must Clean Up Its Act, pay More Than \$1 Million in Fines
11.01.2007	Mandatory Flu Shots: Are You Shooting Yourself In The Foot?
10.10.2007	You Want My Honest Opinion? Connecticut High Court Says Yes
09.09.2007	Connecticut Employees Get Longer Period to File Discrimination Lawsuits
09.02.2007	Revoked "Paper Suspension" Qualifies as Adverse Action, Leading to Possible Litigation
08.20.2007	Connecticut Employers With Out-of-State Workers, Beware
08.09.2007	Use-it-or-Lose-it" Vacation Policy Upheld
07.01.2007	How To Help An Employee Resolve A Bad Situation
07.01.2007	No Pay Required for Time Spent Clearing Plant Security, Says Appeals Court
06.15.2007	Appellate Court Clarifies Jury Duty Leave Protection
06.12.2007	Arbitrator Upheld, Employee's Discharge for Downloading Information Set Aside
06.02.2007	GEICO Adjusters Say "Show Me the Money"
06.02.2007	GEICO Adjusters Say "Show Me the Money"

05.12.2007	Workplace Bullying Legislation Bill Being Considered by State Legislature
03.12.2007	Court Recognizes Broad Immunity for Municipal Officials
02.02.2007	Single-Employer Test Not Applicable to State-Law Unpaid Wage Claim
01.22.2007	Financial Services Sector Targeted In Litigation
01.15.2007	No Exculpatory Agreements for Independent Contractors
01.01.2007	Discrimination Laws Don't Apply to Clergy
12.16.2006	Connecticut Employees Can't Waive Negligence Claims
11.19.2006	Some Good News on Retaliation Claims
11.06.2006	Employees Can Still Sue After Winning CHRO Public Hearing
10.14.2006	Forfeiture Clause Was Really a Noncompete
09.15.2006	Burden of Proof is Squarely on Employees in Discrimination Cases
09.14.2006	Departing Employees may Be Held Liable for Deleting Files
08.12.2006	Accumulated Sick Leave Defined Under CTFMLA
07.19.2006	Court Finds Employer Duty-Bound To Aid Dying Employee
07.11.2006	That Diligent Employee Working Through Lunch Could Cost You Thousands
06.29.2006	Benefits Waiver Held To Be Valid
06.23.2006	Court Says Job Offer Isn't a Guarantee of Employment
05.16.2006	Appeals Court Explains Free Speech Claims
04.14.2006	Spidermen Lose Appeal
04.10.2006	Engineer-Theologian Told He Can't Compete With Former Employer

03.15.2006 Don't Forget About That Other Protected Class: State Legislators

02.28.2006 Overtime Claims by Employees on the Rise

02.14.2006 Court Finds No Evidence of Implied Contract

02.12.2006 State Proposes Increased Health Care Spending By Large Corporations

12.28.2005 Employees Can Be On Call, Yet Off the Clock

11.30.2005 Civil Union Law takes Effect

11.27.2005 Connecticut Supreme Court Rules on FMLA Reinstatement Issue

10.31.2005 Court Expands Title VII Retaliation Protection

10.24.2005 Getting Smart About Employee Medical Files

09.15.2005 California Recognizes Harassment Claim Based on Supervisor/Subordinate Affairs

09.01.2005 California Case on Workplace Affairs Unlikely To Change Much in Connecticut

08.17.2005 Rules for Hiring Young Workers

08.12.2005 Same Actor" Defense Dealt Serious Blow

07.07.2005 Why employers need not fear employment agreements

06.12.2005 Important Case Helps Small Employers Avoid Big Surprises

06.06.2005 Employees Can't Be Both At Will And Contractual

05.05.2005 Court Finds That Spidermen Must Cover Up Before Fighting Crime

04.11.2005 Court Puts New Arrow In Your Legal Quiver

03.15.2005 Please Be Nice To Your Employees When Firing Them

03.02.2005 Court OK's HIV Records Disclosure

02.16.2005	FMLA Statute Of Limitations Clarified
02.02.2005	Court Finds That One Reason Is Good Enough To Deny A Promotion
01.16.2005	When Can I Fire My Problem Contract Employee?
01.12.2005	Employee Fired For Eyebrow Ring Claims Discrimination Laws Were Pierced
12.20.2004	That Quiet Guy In The Corner May File Your Next Lawsuit
10.24.2004	Yet Another Reason To Have A Nondiscrimination Policy And Enforce It
09.18.2004	Employees Must Exhaust Grievance Procedures Before Suing
07.19.2004	Court Says Confidentiality Agreements Must Be Reasonable
07.09.2004	Employer Sinks for Employee's Drinks
04.19.2004	Employee Handbooks - Court Finds Promise Despite Language To Contrary
04.07.2004	Court Finds Promise Despite Language To Contrary
03.12.2004	Sad Songs: Employer Liability For Employees Downloading Music At Work
01.31.2004	Supervisors and Sexual Harassment
01.12.2004	Court Finds Employee Handbooks Can Be Your Friend - And Your Enemy
12.12.2003	Misclassification Of Temporary Workers Can Cause Permanent Problems
11.11.2003	Not Hungry? You Might Be Disabled
10.20.2003	Court Finds State And Federal Disability Discrimination Laws Are Different
10.20.2003	Where Does An Employee's Right To Free Speech End?

08.12.2003	Pennsylvania Court Limits Fun Of Blondes
07.01.2003	New "Supervisor" Definition Expands Employer Liability For Sexual Harassment
06.19.2003	Demystifying The CHRO process
04.18.2003	What's A Disability Anyway
03.13.2003	Sexual Harassment Training Q & A: What Are My Responsibilities?
02.24.2003	Employer Not Required To Reimburse For Gender-Reassignment Surgery
01.26.2003	Scandals Open Door For Unions
01.17.2003	If You Have Employees Who Are Under 18, Know These Rules
01.02.2003	Pay For Snow Days?
12.01.2002	How Do New HIPAA Privacy Rules Affect My Company?
10.01.2002	Employers' Responsibilities For Employees Who Serve On Juries Or In The Armed Forces
10.01.2002	Watch Out For Whistleblowers!

Speaking Engagements

- "HR Update," Carlton Fields In-House Counsel Forum, Orlando, FL (March 2019)
- "Employment Law Update: Trends From Hollywood to Hartford," Hartford, CT (May 2018)
- "Sexual Harassment Prevention Training," various employers (annually)
- "Employee Performance Management" Fairfield, CT (June 2018)
- "Federal Employment Law Roundup 2017: Which Laws Apply to Your Organization, When, and How to Stay Compliant This Year," BLR Webinar (January 12, 2017)
- "Family and Medical Leave Act Master Class," Hartford, CT (April 20, 2016)
- "Exempt vs. Non-Exempt and Independent Contractors: How to Correctly Classify Employees and Avoid Costly Mistakes," BLR Webinar (March 5, 2015)
- "How to Avoid Emerging Wage & Hour Risks: Exempt or Non-Exempt, Contractor Liability & Minimum Wage Hikes," BLR Webinar (June 10, 2014)
- "Perfecting Your PTO Policy: Know Your Obligations When Administering Leave," BLR Webinar (December 16, 2013)

- "Wage and Hour Bootcamp," BLR Webinar (October 10, 2012)
- "LinkedIn, Facebook, and Twitter Redux," Hartford County Bar Association (May 12, 2010)

Credentials

EDUCATION

- University of Connecticut School of Law (J.D., with honors, 2002)
- Colby College (B.A., 1997)

COURT ADMISSIONS

- U.S. District Court, District of Connecticut

BAR ADMISSIONS

- Connecticut

Areas of Focus

PRACTICES

- Discrimination
- Education
- ERISA Employee Benefit Plan Litigation
- Intellectual Property
- Labor & Employment
- Life, Annuity, and Retirement Litigation
- Litigation and Trials
- Property & Casualty Insurance
- Wage and Hour

INDUSTRIES

- Securities & Investment Companies