

TEN LEADERS

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EMPLOYMENT LAW

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EDUCATION

Cornell University, BS with Honors, 1988
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AFFILIATIONS

Sharon Berlin is a member of the American Bar Association, the New York State Bar Association, and the Nassau and Suffolk County Bar Associations. She is chair of the State Bar Association's Municipal Law Section's Employment Relations Committee. She was a contributor to the publication *Discipline and Discharge in Arbitration*, published by the ABA in 1998. Berlin was also the co-author of "Romance in the Workplace: Employers Can Make Rules If They Serve Legitimate Needs." Her practice takes her all over New York, and she is well known in employment-law circles for her role in contract negotiations. In law school, she was managing editor of the *George Washington Journal of International Law*, from 1989-1990. Berlin lectures frequently at seminars and conferences of the New York State and Nassau County Bar Associations on private and public sector employment law issues.

BIOGRAPHY

Intelligent, feisty and hands-on, Sharon Berlin has proven her leadership role in employment law, both in New York and nationally. Raised in Rockland County, N.Y., in high school she had one of those defining, career-inspiring experiences: She worked part-time in a supermarket, where managers wanted to garnish her wages retroactively to collect union dues. Unbowed, Berlin took on the union - and won. "I had to learn the law, and law was on my side," the attorney says today. In the end, Berlin also won the union scholarship. Berlin later worked as a summer associate for Rains & Pogrebin, already in the thick of the employment-law explosion - and the firm hired her out of law school. Long Island, with its affluent and sophisticated populace, has been the scene of many high-stakes battles. Today rivals and colleagues regard Berlin as an able negotiator and energetic advocate for her clients' positions. With the utmost discretion, she has handled several investigations into allegations of misconduct by top officers of corporations and public entities. More than half of her work is in the public-sector, negotiating contracts and handling general employment issues from grievances and arbitrations to workplace discrimination and harassment. Though a litigator, Berlin is increasingly consulting to her clients - serving as a hands-on advisor to improve work cultures. "It's about having an impact on a workplace before lawsuits get filed," she says. One early case she handled involved a surly school bus driver with a twenty-plus year unblemished record who "tried to teach fourth graders a lesson" by stopping on rail tracks, as a train approached. Naturally, the school district wanted the employee fired - but in the face of worker protections that wasn't so easy. Still, Berlin prevailed. In another case, a school board wanted to fire its superintendent and the superintendent challenged the board's decision in a highly public manner. Ultimately, Berlin helped facilitate a resolution satisfactory to all. Today she covers the employment law spectrum while representing management in the private and public sector. In early 2004, when Rains and Pogrebin, P.C., one of the nation's original employment-law practices, dissolved, Berlin joined Lamb & Barnosky, LLP, Suffolk County's largest commercial law firm. She is one of 16 partners. A Mets fan, Berlin lives with her husband and two children in Suffolk County, and enjoys an occasional round of golf.

Sharon Berlin: Observations & Perspectives

Most employees nowadays know they have certain protections, and it seems that some sort of protection extends to everyone. When any employee is fired, employers have grown to anticipate a legal challenge of some kind. And in this environment employers are certainly hesitant to let someone go without sound legal advice.

And as the economy gets worse we've seen only more allegations of discrimination and harassment.

Part of my job is to protect employers - through preparation, training and documentation. As an employment lawyer, I spend a good portion of my time reviewing situations before they become terminations. I'll ask, what's the problem with the employee, what kind of documentation do you have, and can the relationship be salvaged or does the employer want it to end?

That's a big reason why I work closely with clients - all kinds of clients, from large corporations to mom

and pop operations to municipalities and school districts - to review their procedures, and be proactive to anticipate problems. Over time I come to know well my client's operations; I

understand their work cultures. We'll focus on such things as anti-harassment training, or work with human resources staff on better ways to conduct background checks. It's not just a matter of avoiding litigation - it's about raising

morale and productivity in a workplace and getting my client's the end results they need.

We handle all kinds of employment matters - not simply defending against discrimination or harassment claims, or negotiating contracts. And in each case outcomes don't just happen. They aren't easy to predict. I've had some dicey cases. But in every one, solutions are reached through some good lawyering along the way. Good lawyering makes a difference.

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