

Lyndsey M. Kruzer

Partner



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Practice Areas

Labor, Employment & Benefits
Complex Investigations & Litigation

Education

Harvard Law School
JD (2009)

Harvard University
AB (2006) *cum laude*

Admissions

Massachusetts

Lyndsey Kruzer counsels employers on all aspects of employee relations, helping them to successfully address disputes related to employment and ensure compliance with all applicable laws and regulations. She has successfully represented companies in dozens of lawsuits brought by their employees, involving a wide variety of claims. Lyndsey regularly advises private equity, venture capital, and strategic investors regarding employment diligence, regulatory, and transactional issues. She also advises companies on terminations and RIFs, disability and leave issues, wage and hour compliance and audits, harassment investigations, employment and severance agreements, employee handbooks and policies, non-competition and other post-employment restrictions, independent contractor arrangements, employee classifications, and virtually all other issues facing modern employers.

When it comes to employment disputes and controversies, Lyndsey handles employment litigation, arbitration, and administrative cases regarding discrimination, harassment, whistleblowing, non-competition, and other post-employment restrictions, ERISA benefits, and contract- and tort-based employment claims. She also has significant experience in helping clients to handle a wide range of litigation issues beyond employment matters.

Lyndsey's clients include high-tech and biotech companies, educational institutions, healthcare companies, and private equity funds and their portfolio companies.

Representative Engagements

- Represented employers in wage and hour class actions and putative class actions in both state and federal courts, including serving as counsel to Cultural Care, Inc. in the recently settled "bet the au pair industry" case (*Beltran v. Cultural Care, Inc.*) in federal court in Colorado.
- Secured trial victory for popular Boston restaurant group accused of violating minimum wage and overtime requirements under the FLSA and MA Wage Act.
- Successfully represented employer in jury trial to recover damages for tortious interference.
- Represented Dartmouth College (*Rapuano v. Dartmouth*) in putative class action case involving Title IX claims in federal court in New Hampshire.
- Obtained dismissal for a pharmaceutical company of breach of contract and breach of the covenant of good faith and fair dealing claims in federal court.

- Represented employers in front of state and federal agencies, including the EEOC, MCAD, US Department of Labor, National Labor Relations Board, Massachusetts Fair Labor Standards Division, Massachusetts Department of Unemployment, and agencies in other states.
- Conducted workplace investigations on wrongdoing, such as unlawful harassment and whistleblower retaliation.
- Drafted employment agreements, handbooks and policies, including social media policies.
- Conducted workplace audits to ensure compliance with wage and hour laws.
- Defended employers against whistleblower claims under Dodd-Frank Act and other state and federal statutes.
- Represented both union and non-union employers with regard to Unfair Labor Practice charges and advises employers on union-related concerns, including organizing campaigns, elections, labor arbitrations, neutrality agreements, and collective bargaining.
- Successfully counseled large and small employers through complex situations involving employee disability and leave issues, employment aspects of mergers and acquisitions, violations of non-competition agreements, and discrimination and harassment allegations.

Publications and Presentations

- ““New Challenges, Old Risks: Harassment, Discrimination & Retaliation after 2020,” presenter, Navex Global Risk & Compliance Virtual Conference, October 2020
- “Preventing & Litigating Wage & Hour Cases,” speaker, MCLE New England, June 2019
- “The Commonwealth’s ‘Grand Bargain,’” speaker, MCLE New England, June 2019
- “The Supremes: A Review of Recent Labor and Employment Decisions at the U.S. Supreme Court and Supreme Judicial Court,” speaker, Boston Bar Association, April 2019
- “Effective Employee Training Increasingly Important Amid Increased Whistleblower Liability and Damage Awards,” co-author, *Corporate Counsel*
- “What Employers Need to Know About the New PTO Laws,” speaker, Foley Hoag Labor and Employment Seminar
- “NLRB for “Non-Union Employers,” speaker, Foley Hoag Labor and Employment Seminar
- “What Are True Independent Contractors under US, Colombian, and Puerto Rican Law?,” speaker, Lex Mundi webinar presentation
- “How to Take a Case Before the NLRB,” chapter editor, *8th Edition, Bloomberg BNA*
- “Massachusetts Anti-Discrimination Laws Survey,” author, *Practical Law*
- “Massachusetts Discovery Practice: Essential Tools for Pretrial Litigation,” chapter editor, *MCLE New England*

Professional and Community Involvement

- Co-Chair, Boston Bar Association's Labor & Employment Section (2023-2024)
- Member, Board of Directors of the Harvard Law School Alumni of Massachusetts
- Member, Labor and Employment Steering Committee of the Boston Bar Association
- Member, Harvard Alumni Association and Class of 2006 Reunion Committee

Recognition

- *Chambers USA*: "Up and Coming" (2023-2024)
- *Legal 500* (2022-2024)
- *Massachusetts Super Lawyers* Rising Star