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#### EDUCATION

- George Washington University School of Law, J.D., 1995; Winner, American Trial Lawyers Association National Student Trial Advocacy Competition
- Emory University, B.A., Phi Beta Kappa, 1992

#### BAR & COURT ADMISSIONS

- New Jersey, 1995
- U.S. District Court, District of New Jersey, 1995
- New York, 1996
- U.S. Court of Appeals, Third Circuit, 2003
- U.S. District Court, Southern District of New York, 2007
- U.S. District Court, Eastern District of New York, 2010

## Randi W. Kochman

### Member

Employment Law

Litigation

Employment Counseling & Litigation

Randi Kochman focuses her practice in the areas of employment law and litigation. She has extensive experience representing clients in all types of employment-related matters, including wrongful discharge, discrimination, retaliation, harassment, wage and hour compliance issues, contract disputes, and business tort claims in the state and federal courts and administrative agencies in New Jersey and New York. Ms. Kochman also provides guidance on all types of policy, procedure, training and personnel issues. Ms. Kochman lectures and writes regularly on all aspects of employment law.

### NOTEWORTHY

Ms. Kochman has been awarded an AV rating for her professionalism and the quality of her legal work from Martindale-Hubbell, the premier directory of legal professionals. She has been selected for inclusion in *New Jersey Super Lawyers® Rising Stars* in Employment Litigation and was named to *New Jersey Law Journal's* "40 Under 40" list for 2009. Ms. Kochman was also named to "Forty Under 40" by *NJBiz* in 2009 and was recognized by *NJBiz* as one of the Top 50 Women in Business in 2011.

Ms. Kochman has been included in *201 Magazine's* list of Top Lawyers in Bergen County for 2011. She has also been listed as one of *Arrive Magazine's* "2011 Top Women Lawyers In The Northeast."

### PUBLISHED DECISIONS

Martinez v. Volkswagen of America, 189 F.3d 461, 1999 WL 710107, Unpublished Disposition, C.A.2 (N.Y.), September 02, 1999 (No. 99-7038.)

### PUBLICATIONS

Employers Beware: United States Department of Labor and Internal Revenue Service Team Up to Combat Misclassification of Workers,

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*Sobel & Co., LLC: Points of Fact*, November 21, 2011

Stop Workplace Violence Before It Happens, *New Jersey Law Journal*, December 6, 2010

Workplace Violence: New Jersey Employers Have Cause for Concern in Difficult Economic Times, *Commerce Magazine*, November 2010

Is There A 'Loose Cannon' Employee In Your Midst?, *Law 360*, September 29, 2010

Ask A Lawyer: How to Use the Paid Family Leave Law, *The Record*, January 13, 2009

New York Adopts State Worker Adjustment and Retraining Notification Act, *Cole Schotz Docket*, Fall 2008

Employee Handbooks: Doing It the "Write" Way, *New Jersey Business*, November 2008

Ask A Lawyer: New Law Limits Use of Genetic Data, *The Record*, July 15, 2008

Ask A Lawyer: 'Non-Exempt' Workers Entitled to Overtime Pay, *The Record*, May 20, 2008

Ask A Lawyer: Family Leave Expanded for Military Kin, *The Record*, May 13, 2008

Ask A Lawyer: State's WARN Act Stricter Than Federal Law on Downsizings, *The Record*, May 6, 2008

Ask A Lawyer: How Civil Union Laws Affect Employers, *The Record*, October 2, 2007

Ask A Lawyer: Employees Must Meet Strict Rules for Drug Testing, *The Record*, July 24, 2007

Ask A Lawyer: Soldiers' Jobs Protected While They Are At War, *The Record*, June 26, 2007

Stereotyping Parent Employees, *New Jersey Law Journal*, April 9, 2007

Corporate Officers and Directors Personally Liable for Unpaid Wages, *Cole Schotz Docket*, Winter 2007

Supreme Court Holds That Unemployment Compensation Proceeding Determinations Are Not Entitled To Collateral Estoppel In Subsequent Litigations, *Bergen Barrister*, Winter 2007

What Every New Jersey Employer Needs to Know: Personnel Practices and Policies, *Cole Schotz Docket*, July 2006

What Every New Jersey Employer Needs to Know: Hiring Practices, *Cole Schotz Docket*, Spring 2006

**Randi W. Kochman** (Continued)

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Poor Employee Hiring and Retention Decisions Could Have Deadly Consequences, *New Jersey Law Journal*, April 19, 2004

New Jersey Courts Tie Employers' Hands Regarding Noncompetition Agreements, *Cole Schotz Docket*, Summer 2003

Reconciling Federal and State Family Leave Laws, *New Jersey Lawyer*, December 3, 2001

The After-Acquired Evidence Doctrine: Did Cedeno Sound Its Death Knell in Civil Rights Cases?, *Employment Law Supplement to the New Jersey Law Journal*

Law Firms Must Ensure Attorneys are on Their Best Behavior, *New Jersey Law Journal*

Employers Likely to Lose on Collateral Benefits, *Employment Law Supplement to the New Jersey Law Journal*

**LAW BLOG ARTICLES**

United States Supreme Court Recognizes "Ministerial Exception" and Bars Certain Religious Employees from Bringing Employment Discrimination Claims, *Employment Law Monitor*

Employers Beware: United States Department of Labor and Internal Revenue Service Team up to Combat Misclassification of Workers as Independent Contractors, *Employment Law Monitor*

NLRB Settles In Re American Medical Response Facebook Termination Case

Think You Can Fire Employees Based Upon Their Facebook Comments? Think Again...

EEOC Issues Final Regulations Interpreting Federal Genetic Information Nondiscrimination Act of 2008

Supreme Court Holds That Employer May Lawfully Search Public Employee's Private Text Messages, *Employment Law Monitor*

New York City Employers Take Heed: State's Highest Court Rejects Affirmative Defense to Harassment Claims Under New York City Human Rights Law, *Employment Law Monitor*

COBRA Subsidy is Extended Yet Again, *Employment Law Monitor*

New Jersey Supreme Court Decision in Stengart Gives Employers Strong Reason to Review Corporate Technology Policies, *Employment Law Monitor*

**Randi W. Kochman** (Continued)

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President Obama Extends the COBRA Premium Subsidy Period Until February 28, 2010, *Employment Law Monitor*

Employers - Are You Aware of the Potential Pitfalls in Using the Internet and Social Networking Sites, *Employment Law Monitor*

ARRA COBRA Subsidy Set to End As of December 31, 2009, *Employment Law Monitor*

New York Employers Must Be Aware of Recent Amendments to State's Human Rights, Labor and "Mini-Cobra" Laws, *Employment Law Monitor*

Appellate Division Reverses Trial Court and Holds that Employee Did Not Waive Attorney/Client Privilege by Using Web-Based Email on a Company Computer, *Employment Law Monitor*

Supreme Court Alters Burden of Proof Requirements in Federal Age Discrimination Cases, *Employment Law Monitor*

Employers Must Prepare For A Swine Flu Pandemic and Other Possible Disasters, *Employment Law Monitor*

Court Holds Employee Waived Attorney-Client Privilege By Using Web-Based Email On A Company Computer, *Employment Law Monitor*

Employers Must Be Aware of Changes to NJ COBRA Rules, *Employment Law Monitor*

Americans with Disabilities Act is Broadly Expanded, *Employment Law Monitor*

Employers Must Be Aware of Amendments to Federal Family and Medical Leave Act, *Employment Law Monitor*

**SPEAKING ENGAGEMENTS**

- Employers Beware: United States Department of Labor and Internal Revenue Service Team up to Combat Misclassification of Workers as Independent Contractors, November 16, 2011 from 8:00 am - 10:00 am
- Technology in Employment - What You Need to Know to Protect Your Company in Our Digital Age, *A Cole Schotz Seminar co-sponsored by West LegalEdcenter*, September 21, 2010
- Panelist, Social Media Risks and Rewards for Lawyers and Firms, *New Jersey State Bar Association Annual Meeting and Convention*, May 20, 2010
- How Technology is Changing the Face of Employment Law, *Society for Human Resources Management*, March 17, 2010

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- How Technology is Changing the Face of Employment Law, *Meadowlands Chamber of Commerce*, March 16, 2010
- Technology in Employment Law: What You Need to Know to Protect Your Company in a Digital Age, *Cole Schotz Webinar*, October 27, 2009
- Before You Layoff, Stop: Ensure Your Human Resources Decisions are Legally Compliant, *Commerce and Industry Association of New Jersey (CIANJ)*, May 6, 2009
- How to Strengthen Your Company During a Down Economy, *Cole Schotz Seminar*, September 24, 2008
- Better Safe Than Sorry: Ensuring a Safe and Productive Workplace Through the Use of Employee Background Checks, *CIANJ Human Resources Roundtable*, September 23, 2008
- 9 H.R. Topics in 90 Minutes, *New Jersey State Bar Association Annual Meeting & Convention*, May 22, 2008
- Developing Employee Handbooks & Policies, *New Jersey Business & Industry Association*, May 2, 2008
- Floods, Power Outages and Other North Jersey Disasters: Is Your Business Ready?: 2008 Disaster Planning For Medium-Sized Businesses, *Cole Schotz and Meadowlands Regional Chamber of Commerce Seminar*, April 8, 2008
- Taking Your Company's Temperature: Do Your Personnel Practices Comply with Recent Developments in NJ and NY Employment Law?, *Cole Schotz Seminar*, November 28, 2007
- How to Litigate an Employment Discrimination Case, *Bergen County Bar Association*, October 17, 2007
- Understanding the Financial Impact of Human Resources Decisions on the Business, *Society for Human Resource Management (SHRM)*, November 7, 2006
- The Avian Flu: Preparing Your Business for a Possible Pandemic, *New Jersey General Counsels*, September 14, 2006
- Enforcing Restrictive Covenants: How to Control Competition by Ex-Employees, *New Jersey Corporate Counsel Association*, May 12, 2005
- When the Employment Relationship Sours: Employee Termination and Related Issues, *Cole Schotz Seminar*, October 26, 2004
- Basic Wage and Hour Law in New Jersey, *National Business Institute*, August 20, 2004
- Running Your Business Without Running Afoul of New Jersey Employment Laws, *Cole Schotz Seminar*, June 3, 2004

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**PROFESSIONAL ACTIVITIES**

- Chief Operating Officer, New Jersey Women Lawyers Association, 2011-Present
- New Jersey State Bar Association
- Bergen County Bar Association
- Former Barrister, Sidney Reitman Employment Law Inn of Court
- Co-Director of Women's Leadership Committee, New Jersey Women Lawyers Association, 2008-2010
- Co-Secretary, New Jersey Women Lawyers Association, 2010-2011
- Member, Steering Committee, CIANJ Human Resource Council, 2009-present