

Maureen S. Binetti

Chair, Employment Law Team

Shareholder

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Practices

Employment Law
Employee Rights and
Responsibilities
Alternative Dispute Resolution

Education

Rutgers School of Law - Newark,
J.D., 1982, Rutgers Law Review
Rutgers University, Douglass
College, B.A., *High Honors*, 1977

Admissions

New Jersey, 1982
Supreme Court of the United States
Third Circuit Court of Appeals
U.S. District Court for the District of
New Jersey

Memberships

Fellow - American Bar Foundation
American Bar Association Labor
and Employment Section; Co-Chair
Trial Advocacy/Moot Court
Competition Committee
American Bar Association
Employment Rights and
Responsibilities Committee: Former
Committee Co-Chair and
Workplace Investigations
Subcommittee Co-Chair
National Employment Lawyers
Association
New Jersey State Bar Association,

Maureen Binetti is chair of Wilentz, Goldman & Spitzer, P.A.'s Employment Law practice and has been a shareholder since 1990. Ms. Binetti has a nationwide reputation as a leading employment lawyer and a long history of success as a trial lawyer. Her areas of focus include litigation, arbitration, negotiation, mediation and investigation of employment law disputes, as well as employment advice to both employees and employers. Ms. Binetti also handles public accommodation discrimination cases.

Litigation: Trial and Appellate Practice; Arbitration

One of the very few female or employment attorneys certified by the New Jersey Supreme Court as a Civil Trial Attorney, Ms. Binetti has handled both sides of employment disputes for more than three decades in the New Jersey state and federal courts, as well as in arbitration. These disputes involved claims of harassment and discrimination based on age, gender, sexual orientation, race, ethnic origin, nationality, marital status, religion, and physical, psychological and learning disabilities; whistleblower and other retaliation claims; claims involving restrictive covenants and employment contracts, including high level executive compensation and termination claims; and wage and hour and other class actions.

Although the majority of her litigation practice is on behalf of employees, Ms. Binetti regularly represents small to medium-sized employers and professional groups in litigation, as well as providing them day-to-day employment advice. She has tried numerous cases to verdict, and has argued multiple times before the New Jersey Supreme Court, often resulting in the creation of new law in the employment arena. Ms. Binetti is perhaps best known for her successful representation before the New Jersey Supreme Court of the plaintiff in the seminal case of *Fuchilla v. Layman*, a sexual harassment and civil rights action, and for securing a \$1 million verdict in a retaliation case that involved the Conscientious Employee Protection Act (CEPA), and the New Jersey Law Against Discrimination (NJLAD). She has tried cases to verdict under the NJLAD, the CEPA and the Americans with Disability Act (ADA), and has handled

Labor and Employment Section,
Executive Committee; Trial
Practices Subcommittee Co-Chair
Middlesex County Bar Association
Middlesex County College
Foundation, Board of Trustees
Middlesex County Ethics
Committee, Former Member
Fellow - College of Labor and
Employment Lawyers
American Arbitration Association,
Employment Mediator and
Arbitrator
Member - National Academy of
Distinguished Neutrals, New Jersey
Chapter
New Jersey Superior Court Civil
Mediation Program Mediator
Sidney Reitman Employment Law
Inn of Court, Bencher and Team
Leader
Member - Justice Marie L. Garibaldi
Inn of Court for Alternative Dispute
Resolution

proceedings before the Office of Administrative Law, Equal Employment Opportunity Commission (EEOC) and the New Jersey Division on Civil Rights, as well as arbitration proceedings.

In addition to her jury trial and administrative hearing experience, Ms. Binetti has handled, and currently handles, substantial cases in arbitration, both as an advocate and as an arbitrator, through the American Arbitration Association (AAA) and otherwise. These cases include several involving termination claims of high level executives, including presiding over such a matter as a member of three-arbitrator panel, statutory discrimination claims, retaliation claims under CEPA, and salesmen commission claims involving novel legal issues.

Neutral Services

Ms. Binetti's extensive experience in managing both sides of employment disputes uniquely qualifies her to perform neutral services. Therefore, in addition to her litigation practice, Ms. Binetti often serves as an independent investigator of internal employee complaints, and as a state-approved mediator and arbitrator of employment claims. She has investigated all types of internal workplace complaints over more than 25 years, often resulting in the amicable resolution of potential legal issues. In addition, she has successfully mediated more than 900 employment law claims over the past 17 years, many pursuant to the early mediation requirement of all employment disputes by the New Jersey state courts, thereby helping parties avoid costly, risky and emotionally exhausting trials by resolving the majority of the disputes at an early stage, prior to discovery.

The majority of these disputes involved substantial damages, allegations of intentional harm, and complex legal and factual issues, in addition to high levels of emotion on both sides. Ms. Binetti has a proven track record of success handling and settling both single and multi-plaintiff cases raising all types of statutory and common law claims. Examples of cases Ms. Binetti has successfully mediated include: a nine-plaintiff workplace dispute involving alleged claims of multiple types of harassment by different plaintiffs; an age discrimination and breach of contract dispute by a former partner against a law firm; a variety of CEPA claims against hospitals, pharmaceutical companies, accountants, and other businesses; and multi-plaintiff cases involving allegations of severe sexual harassment and assault in the workplace. Ms. Binetti is listed on both the mediation and arbitration rosters of the American Arbitration Association (AAA).

Widely recognized as a leader in employment law, Ms. Binetti has received numerous recognition and awards, including the 2018 Trial Bar Award, presented by the Trial Attorneys of New Jersey in "recognition of excellence, given by peers to trial attorneys who have distinguished themselves in the cause of justice." She has been consistently selected for inclusion in *Best Lawyers in America* in the practice areas of Employment Law - Individuals and Litigation - Labor and Employment since 2007, including as "Lawyer of the Year" for Employment Law - Individuals in 2020. She has also been selected by New Jersey *Super*

Lawyers since 2005, including in the Top 50 Female List for 2008-2016 and 2020 as well as the Top 100 List for 2008-2015 and 2020. She is the author of numerous articles and other publications on employment law developments which impact the workplace. She is also a recurring speaker at the American Bar Association (ABA) and the New Jersey Institute for Continuing Legal Education (NJICLE), among others, and has given numerous trial advocacy and mediation seminars.

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Reported Cases:

- *Battaglia v. United Parcel Services, Inc.*, 214 N.J. 518 (2013)
- *Fitzgerald v. Stanley Roberts, Inc.*, 186 N.J. 286 (2006)
- *Zubrycky v. ASA Apple, Inc.*, 381 N.J. Super. 162 (App. Div. 2005)
- *Ford v. Schering-Plough Corp.*, 145 F.3d 601 (3rd Cir. 1998)
- *Mortgagelinq Corp. v. Commonwealth and Title Ins. Co. et al*, 142 N.J. 336 (1995); 275 N.J. Super. 79 (App. Div. 1994)
- *Neil S. Sullivan Associates, Ltd. v. Medco Containment Services, Inc.*, 257 N.J. Super. 155 (Law Div. 1992)
- *Fuchilla v. Layman*, 109 N.J. 319 (1988)