



John F. Fullerton III

Member of the Firm

New York

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JOHN F. FULLERTON III is a Member of the Firm in the Employment, Labor & Workforce Management practice, in the New York office of Epstein Becker Green, where he co-leads the Financial Services strategic industry group.

Mr. Fullerton's practice currently focuses on conducting internal employee relations investigations for clients in financial services and other industries, including investigations of claims of discrimination, retaliation, sexual harassment, bullying, and other forms of alleged harassment or misconduct.

Mr. Fullerton also represents employers in whistleblower compliance with the Sarbanes-Oxley Act, Dodd-Frank Act, the False Claims Act, as well as state law whistleblower statutes. In this capacity, he has represented a variety of publicly traded companies and financial services companies, both public and private. He also advises on whistleblower retaliation charges that have been filed with the Occupational Safety and Health Administration, which has the authority to investigate whistleblower claims under dozens of statutes, including the Sarbanes-Oxley Act. In addition, Mr. Fullerton provides counsel and advice on whistleblower compliance issues, assisting in the development and application of internal whistleblower policies and advising and participating in internal investigations of claims made by whistleblowers.

In addition, Mr. Fullerton:

- Counsels employers on workplace issues, including hiring and promotion, firing and discipline, wage and hour, and the implementation of employment policies, to ensure compliance with federal and state laws
- Counsels clients on drafting all types of employment, consulting, and separation agreements
- Represents clients in labor relations and collective bargaining
- Provides corporate transactional advice on labor and employment issues

From 2004 to 2015, Mr. Fullerton was an adjunct professor of law at Pace University School of Law, where he taught classes in labor law and advanced appellate advocacy and served as the faculty advisor to the law school's National

Moot Court team. A frequent lecturer, Mr. Fullerton has authored numerous articles on labor and employment topics for various publications, including *The National Law Journal*, *The New York Law Journal*, *The Labor Lawyer*, *Employment Law360*, *Real Estate Weekly*, *Corporate Counsel*, and *Dispute Resolution Journal*. He has also authored the book *Employment Separation Agreements Line by Line: A Detailed Look at Employment Separation Agreements and How to Change Them to Meet Your Clients' Needs*, published by Thomson West in 2011. He edits and contributes to the *Financial Services Employment Law Blog* and serves as coeditor of the firm's *Act Now* Advisories.

Mr. Fullerton is a graduate of Brown University and New York University School of Law, where he was editor-in-chief of the *Moot Court Casebook* and a recipient of the New York Council of Defense Lawyers' Norman Ostrow Scholarship. Following graduation, he clerked for the Hon. Allyne R. Ross of the U.S. District Court for the Eastern District of New York.

Mr. Fullerton was recommended by *The Legal 500 United States* in the area of Labor and Employment Disputes (Including Collective Actions): Defense (2017 to 2019). He has been selected by his peers for inclusion in *The Best Lawyers in America*[®] (2007 to 2021) in the fields of Employment Law—Management, Labor Law—Management, and Litigation—Labor and Employment. He is also included on the *New York Metro Super Lawyers* list (2007 to 2019) in the areas of Employment & Labor and Employment Litigation: Defense. Mr. Fullerton is described as an "expert in labor union law" in the 2006 edition of *Chambers USA: America's Leading Lawyers for Business*.

Education

- New York University School of Law (J.D., 1994)
- Brown University (B.A., 1988)
 - *magna cum laude*

Court Admissions

- Supreme Court of the United States
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York

Bar Admissions

- Massachusetts
- New York

Practice Areas

- Whistleblowing and Compliance
- Wage and Hour
- Mergers, Acquisitions & Divestitures
- Trade Secrets & Employee Mobility
- Labor Management Relations
- Employee Relations Investigations

Industries

- Financial Services

Memberships

- American Bar Association, Labor and Employment Law Section
- New York State Bar Association, Labor and Employment Law Section