



## Michael F. McGahan

Member of the Firm

### **New York**

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**MICHAEL F. MCGAHAN** is a Member of the Firm in the Employment, Labor & Workforce Management practice, in the New York office of Epstein Becker Green. He concentrates on labor relations providing advice and counsel to management on a wide variety of employment issues and representing employers in labor and employment litigation. His clients come from a wide range of industries, including health care and life sciences, health insurance, hospitality, trucking and warehousing, and theater.

Mr. McGahan's experience includes:

- Serving as chief spokesperson, on behalf of multi-employer groups and individual employers, in collective bargaining, including performing comprehensive, company-wide reviews of wages, benefits, and grievance issues in preparation for collective bargaining and the costing of employer and union proposals; bargaining master contracts for newly merged employers and bargaining units; and preparing for, and responding to, informational picketing and strikes
- Providing employers with advice and counsel on issues under collective bargaining agreements, including terminations, layoffs, subcontracting, plant closings, relocations, effects of acquisitions and mergers, and bargaining unit accretions
- Representing employers in hundreds of grievance arbitrations, on both disciplinary and contract interpretation issues, and in federal court actions to stay arbitrations or enforce arbitration awards
- Providing training to supervisory personnel on managing a union-represented workforce
- Representing employers before the National Labor Relations Board in representation and unfair labor practice proceedings, appeals, and related federal litigation
- Providing advice and counsel to employers on avoiding and/or responding to union organizing campaigns
- Providing comprehensive labor and employment due diligence related to mergers, acquisitions, and other transactions, including the analysis of collective bargaining agreements, compliance with employment laws,

pending and potential employee claims and litigation, potential successorship liability, WARN Act responsibilities, and potential withdrawal liability under ERISA

- Advising and counseling employers on compliance with federal, state, and local laws governing employment, including the NLRA, the FLSA, Title VII, the ADEA, the ADA, the FMLA, and the WARN Act
- Defending employers before federal, state, and local agencies, such as the EEOC and New York State Division of Human Rights
- Reviewing, updating, and drafting employee handbooks and policies
- Advising employers about issues and policies related to social media and the online conduct of employees

Mr. McGahan has given numerous presentations on labor and employment issues to client, industry, and professional groups and for the Pace Law School New Directions for Attorneys Program.

### **Education**

- St. John's University School of Law (J.D.)
- Fordham University (B.A.)

### **Court Admissions**

- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York

### **Bar Admissions**

- New York

### **Practice Areas**

- Labor Management Relations
- Employment Litigation
- Wage and Hour
- Employment Training, Practices, and Procedures
- Social Media and the Workplace

### **Industries**

- Health Care and Life Sciences Industry
- Hospitality

### **Memberships**

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