



Brian McGinnis

Partner

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Brian advises businesses on a wide range of employment law issues, including managing employee performance and discipline, discrimination, harassment, retaliation, whistleblower laws, wage and hour laws, restrictive covenants, employment contract matters and more.

He has particular experience with, and passion for, advising employers on proactive adoption of best practices for LGBTQ+ employees in the workplace, including discrimination prevention, creating an LGBTQ+ affirming work environment, and assisting with employee gender transitions.

Brian frequently conducts training with clients to promote respect in the workplace while adopting practices designed to prevent workplace discrimination, harassment, and retaliation. Brian has also served as outside counsel conducting investigations into allegations of discrimination, harassment, and retaliation.

In addition to client advising, training, and investigations, Brian has represented employers in litigation matters in federal and state court in both trial and appellate matters, as well as a variety of administrative agency proceedings at the federal and state levels. Brian's approach to litigation has been noted as strategic and practical from both a legal and business standpoint.

Brian is a veteran of numerous political campaigns at the statewide, legislative, county and local levels. Brian also previously served as South Jersey Director to Garden State Equality, New Jersey's leading LGBTQ civil rights advocacy organization.

Services

- Labor & Employment
- Employment Counseling, Policy Development & Audits
- Employment Litigation
- Employee Privacy & Background Checks
- Workplace Training
- Environmental, Social & Governance (ESG)

Beyond Fox Rothschild

Brian was selected to join the 2023 Class of Fellows for the Leadership Council on Legal Diversity (LCLD), which consists of more than 300 corporate chief legal officers and law firm managing partners who are committed to creating a more diverse and inclusive legal profession.

Since 2017, Brian has been a member of the Board of Directors of the Independence Business Alliance, the greater Philadelphia region's LGBTQ+ Chamber of Commerce, which serves counties in Pennsylvania, Delaware, and Southern New Jersey. In 2018, the IBA elected Brian to its Executive Committee. As Governance Committee chair from 2019-2021, Brian played a key role in steering the organization through the extreme challenges presented by the COVID-19 pandemic. He was elected Board President on July 1, 2021 and has stated an unequivocal commitment to the IBA's diversity, equity, and inclusion initiatives, long-term strategic planning, and increased public policy advocacy as top priorities of the IBA during his tenure.

Brian also serves on the legislative committee of the New Jersey State Bar Association, which advises the board of trustees in taking positions on proposed legislation in New Jersey. He also continues to advocate on LGBTQ+ policy issues in both Pennsylvania and New Jersey. Brian has competed in several triathlons, is an avid soccer fan and is also a classically trained musician.

Before Fox Rothschild

Prior to practicing law, Brian worked in government and politics and for issue-oriented nonprofits and public interest campaigns. For nearly seven years, he served as Communications Director to New Jersey General Assembly Majority Leader Louis D. Greenwald and Assemblywoman Pamela R. Lampitt. In this role, he directed media relations, managed digital media communications, and developed and coordinated all external messaging for the members in a wide variety of media – earning a reputation for aggressive advocacy and effective public relations strategies. In addition, Brian coordinated policy analysis and development for members of the Assembly in the area of gun violence prevention, as well as for policy initiatives affecting New Jersey's LGBTQ+ community.

Before joining the firm, Brian was a summer associate at Fox. During law school, he served as student co-chair of the board of the James Hunter III Appellate Advocacy Moot Court Competition, a competition in which he was previously awarded Best Brief. A former executive editor of the *Rutgers University Law Review*, he also received Rutgers' Pro Bono Publico Award for significant service to the pro bono program. In addition, he served for four years in the Student Bar Association, including a term as the part-time student president.

In 2016, Brian was appointed to the Democratic National Committee's LGBT Advisory Board which complements the party's existing national organizing structure with a body of LGBT Democrats from all 50 states allowing "two-way conversations" with LGBT communities across the country, as well as mobilizing community members on behalf of LGBT-friendly candidates and policy issues at all levels.

In 2015, Brian received the Helen Levine Cohen Award for demonstrating the highest caliber of advocacy on behalf of the LGBTQ community.

Bar Admissions

- Pennsylvania
- New Jersey

Court Admissions

- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, District of New Jersey

Education

- Rutgers Law School (J.D., *magna cum laude*, 2015)
- University of Delaware (B.A., *cum laude*, 2007)

Memberships

- New Jersey State Bar Association
 - Legislative Committee

- Democratic National Committee's LGBT Advisory Board

Board of Directors

- Independence Business Alliance
 - President (2021 –)