



Kenneth A. Rosenberg

Partner

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Ken provides clients with creative and practical solutions to resolve their labor and employment issues efficiently. He leads Fox Rothschild's Affirmative Action/OFCCP practice.

Ken practices labor and employment law, representing employers nationally in both union and nonunion contexts. He works closely with business owners, human resource professionals and in-house counsel to ensure they are complying with the myriad of complex workplace-related rules mandated by federal and state law. He provides guidance on federal prevailing wage statutes and regulations including the Davis Bacon Act, Service Contract Act, Walsh-Healy Public Contracts Act and others.

As head of the firm's AAP/OFCCP practice, Ken assists federal, state and municipal contractors:

- Comply with the numerous affirmative action and equal employment opportunity laws and regulations
- Develop affirmative action plans and related documents
- Navigate OFCCP audits.

For unionized employers, Ken represents his clients in collective bargaining, arbitration and unfair labor practice proceedings before the National Labor Relations Board, the New Jersey Public Employment Relations Commission, and the New York Public Employment Relations Board.

Ken also assists his clients in developing and implementing employee handbooks, personnel policies and procedures, and employment and severance agreements. He further provides day-to-day counseling and training to his clients in connection with all federal, state and local laws that impact the employment relationship including, but not limited to, disciplinary, leave and accommodation, wage and hour issues.

Ken aggressively defends his clients against claims of discrimination, harassment and retaliation in federal/state court and administrative tribunals.

Services

- Labor & Employment
- Federal Government Contracts
- Affirmative Action Programs, Workplace Culture & OFCCP Compliance
- Employment Class Actions

- Employment Counseling, Policy Development & Audits
- Workplace Training
- Labor Management Relations
- Trade Secrets & Restrictive Covenants
- Manufacturing
- Wage & Hour Compliance

Before Fox Rothschild

Ken was employed by the Essex County Counsel's Office as an Assistant County Counsel. He is a former Associate General Counsel for the City of New York's Department of Citywide Administrative Services.

Beyond Fox Rothschild

Ken is frequently engaged to educate business leaders and his peers on various labor, employment and affirmative action topics. Among the organizations Ken has presented to include the New Jersey Business and Industry Association, New Jersey Department of Labor, New Jersey Corporate Counsel Association, New Jersey Institute for Continuing Legal Education, New Jersey Gasoline-Convenience-Automotive Association, Public Employment Relations Commission's Annual Conference, New Jersey Association of Counties' Annual Conference, New York State Public Employer Labor Relations Association's Annual Conference, Commerce and Industry Association of New Jersey and Council on Education in Management.

Ken has served on the New Jersey State Bar Association's Labor and Employment Law Section Executive Committee since 2017. He serves as editor emeritus for the bar association's *New Jersey Labor and Employment Law Quarterly*.

Bar Admissions

- New Jersey
- New York

Court Admissions

- U.S. District Court, District of New Jersey
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York

Education

- Albany Law School (J.D., 1995)
- State University of New York at Albany (B.S., *cum laude*, 1992)

Memberships

- Essex County Bar Association
 - Delegate to the New Jersey State Bar Association General Council, 2019-2020
 - Past President
- New Jersey State Bar Association
 - Executive Committee, Labor & Employment Section
 - Nominating Committee, May 2017 – April 2019
- Sidney Reitman Employment Law American Inn of Court
- The National Industry Liaison Group

Board of Directors

- Jewish Community Foundation of Greater MetroWest New Jersey (Trustee)

Publications

October 2025

Regulating the Use of AI in the Hiring Process

New Jersey Business Magazine

July 11, 2025

Proposed Rules Would Eliminate Most Affirmative Action Requirements for Federal Contractors

June 10, 2025

Noncompete Agreements Once Again Under Attack in New Jersey

April 29, 2025

Equal Employment Opportunity Commission Announces 2024 EEO-1 Component 1 Data Collection Period

April 28, 2025

Trump Executive Order Rolls Back Disparate-Impact Enforcement

March 2025

Say What?! The Uneven Dichotomy of Employer/Employee Speech in the Workplace

New Jersey Labor and Employment Law Quarterly

February 11, 2025

DOJ Targets Private-Sector DEI Programs: What Employers Need to Know

January 27, 2025

Acting DOL Secretary Halts Enforcement of Johnson-Era Executive Order

January 22, 2025

Executive Order Ends Affirmative Action Requirements for Federal Contractors and Subcontractors

November 22, 2024

OFCCP Releases FY 2025 Corporate Scheduling List — 500 Contractors Listed

November 19, 2024

New Jersey's New Pay Transparency Law: Guidance for Employers

November 6, 2024

OFCCP Opens Objection Period for Contractors Concerning FOIA Requests for EEOC Type 2 Data

October 15, 2024

OFCCP Debuts Updated Scheduling Letter for Construction Compliance Reviews

June 11, 2024

OFCCP Targets 500 Contractors for Affirmative Action Audits. Are You on the List?

May 30, 2024

EEOC Cracks Down on Repeated Failure to File EEO-1 Component Reports as This Year's Deadline Looms

May 15, 2024

New Jersey Considers Restricting Use of Artificial Intelligence in the Hiring Process

April 26, 2024

More Projects Added to OFCCP's Mega Construction Project Program

April 16, 2024

EEOC Announces EEO-1 Reporting Schedule, Updated Instruction Booklet

April 1, 2024

OFCCP Opens Contractors Portal for Affirmative Action Compliance and Updates Benchmark for Veteran Hiring

October 13, 2023

OFCCP Announces Additional Projects for the Mega Construction Project Program

October 6, 2023

EEOC Employee Demographic Data Collection Starts Soon: What Employers Should Know

August 21, 2023

Labor Day Blues Come Early in New Jersey – Amendments to State's Unemployment Compensation Law Impose New Reporting Requirements

April 27, 2023

OFCCP Releases Updated Voluntary Self-Identification of Disability Form

March 28, 2023

OFCCP Designates 12 Large Federal Construction Projects as Mega Construction Projects

March 21, 2023

Federal Contractors Must Certify Compliance with Affirmative Action Program Obligations By June 29

December 27, 2021

For Federal Contractors, New Year Rings in New Minimum Wage Requirements

December 3, 2021

Affirmative Action Plan Verification Portal Announced for Federal Contractors

August 10, 2021

OFCCP Announces List of Corporate Affirmative Action Plan Audits for FY2021

July 20, 2021

EEOC Extends Filing Deadline for EEO-1 to August 23, 2021

July 13, 2021

Federal Contractors Beware: Affirmative Action Plan Verification Is 'Coming Soon'

February 1, 2021

EEOC Announces Data Collection Schedule

October 5, 2020

Complying With Federal Contractor Equal Employment Opportunity and Affirmative Action Requirements

July 13, 2020

OFCCP Issues Final Rule on TRICARE

July 2020

Complying With Federal Contractor Equal Employment Opportunity and Affirmative Action Requirements

June 8, 2020

OFCCP Issues Updated Voluntary Self-Identification of Disability Form

May 11, 2020

EEOC Delays EEO Data Reporting Requirements Until 2021

April 28, 2020

The OFFCP's Proposed Rule to End the Tricare Debate

Medical Economics

April 10, 2020

Federal Contractors May Be Eligible for Reimbursement of Paid Leave Under CARES Act

April 6, 2020

NJ Supreme Court Recognizes Medical Marijuana Discrimination

February 24, 2020

NJ Employers May Have to Cover Medical Marijuana Reimbursement for Those on Workers' Compensation

November 27, 2019

OFCCP Won't Use EEO-1 Component 2 Pay Data

November 11, 2019

500 Federal Contractors Now Facing Affirmative Action Audits

November 7, 2019

Toxic Mold Allegation Unable to Expand Workers' Comp Intentional Wrong Exception

New Jersey Law Journal

October 2, 2019

EEOC Continues to Accept EEO-1 Component 2 Data After September 30 Deadline

July 23, 2019

NJ Supreme Court to Rule on Medical Marijuana Protections

July 23, 2019

NJ Poised to Crackdown on Employee Misclassification

May 1, 2019

Deadline Extended for EEO-1 Employee Pay Reporting

April 9, 2019

3,500 Federal Contractors May Face Affirmative Action Audits

April 3, 2019

NJ Employers May Face Discrimination Claims for Firing Medical Marijuana Users

March 21, 2019

EEO-1 Employee Pay Data Reporting Requirement Makes A Comeback

Sobel & Co

February 25, 2019

OFCCP To Ramp Up Audits in Fiscal Year 2019

February 20, 2019

EEO-1 Reporting Deadline Extended to May 31, 2019

February 13, 2019

OFCCP Focusing on Pay Equity and Hiring by Tech Contractors

October 18, 2018

To Test or Not To Test: An Evolving Query for New Jersey Employers

Sobel & Co. LLC "Points of Fact" Newsletter

September 10, 2018

OFCCP Notifies 750 More Federal Contractors of Possible Audit

August 2018

Paid Sick Leave Becomes Law of the Land for All New Jersey

Sobel & Co.

February 6, 2018

OFCCP Warns 1,000 Federal Contractors of Potential Compliance Audits

Labor & Employment Alerts

December 4, 2017

When the Minister Blows the Whistle: CEPA and the Ministerial Exception

New Jersey Law Journal

December 1, 2017

Judge Orders OFCCP To Take Off the Blindfold From Contractors

Labor & Employment Alert

October 11, 2017

Federal Contractor Agrees to Pay \$5 Million to Settle Pay Discrimination Allegations Made By OFCCP

Labor & Employment Alert

July 5, 2017

Under Trump Budget, OFCCP's Focus Remains on Tech and Finance Contractors

Labor & Employment Alert

April 28, 2017

Federal Contractor To Pay Nearly \$1.66 Million To Settle Hiring Bias Allegations by OFCCP

Labor & Employment Alert

March 29, 2017

Federal Contractors Relieved From Compliance With Blacklisting Order

Labor & Employment Alert

October 31, 2016

Federal Contractors Win Reprieve From Onerous Disclosure Requirements in Executive Order

Labor & Employment Alert

September 1, 2016

New Jersey Businesses Should Consider Instituting Telecommuting Policies

Commerce Magazine

September 1, 2016

NLRB Ruling Opens the Door to Unionizing by Student Assistants in Private Universities

Labor and Employment Alert

July 21, 2016

Gov't Contractor Sick Leave Rule Likely Excludes Banks

Law360

July 19, 2016

Banks Not Likely To Be Subject to Executive Order on Paid Sick Days for Federal Contractors

Labor and Employment Alert

June 21, 2016

What To Know About DOL's Contractor Discrimination Regs

Law360

May 5, 2016

Governor Christie: New Jersey Pay Equity Bill "Very Business Unfriendly"

Labor & Employment Alert

April 28, 2016

Economic Opportunity Act Seeks to Attract New Business to New Jersey

Commerce and Industry Association of New Jersey

April 7, 2016

Federal Contractors Should Rethink Criminal Background Checks

Law360

March 1, 2016

Gov't Contractor Tips For Avoiding Gender Stereotype Claims

Law360