



Justin M. Swartz

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JUSTIN M. SWARTZ, a partner at Outten & Golden LLP in New York and Co-Chair of its [Class Action Practice Group](#), represents employees in class action wage/hour and discrimination cases, as well as individual discrimination cases and other employment matters. He is also Co-Chair of the firm's [Public Interest Committee](#).

Over the past ten years, Mr. Swartz has been lead counsel or co-lead counsel in dozens of unpaid wage theft class and collective actions on behalf of workers in a wide variety of industries. He has represented thousands of workers in unpaid overtime lawsuits including assistant store managers at drugstores, restaurants (including Chipotle), and retail clothing chains, furniture salespeople, unpaid interns, "volunteers" who work for private companies (including Major League Baseball), dishwasher repair people, exterminators, delivery drivers, security guards, financial services employees, bank assistant branch managers, grocery store assistant managers and hourly workers, pet groomers, entry-level accounting employees, and adult entertainers, among others. He is currently litigating cases challenging the practice of classifying workers as independent contractors and failing to pay overtime compensation. He has also represented thousands of restaurant workers in overtime, minimum wage, and tip theft cases, including cases against TGI Friday's and Applebees, as well as restaurants owned by Mario Batali, Bobby Flay, and other celebrity chefs. Mr. Swartz and Outten & Golden LLP's Public Interest Committee have represented hundreds of low-wage workers in minimum wage and unpaid overtime cases, including construction workers, farm workers, and low-wage cleaning workers in their claims that large contractors failed to pay them overtime compensation for their work cleaning buildings around Ground Zero in 2001.

He has also represented workers in employment discrimination claims against companies that have refused to hire minorities with criminal records, systemic gender discrimination claims against a major utility company; and several individual race, gender identity, sexual orientation, and national origin discrimination cases.

He has represented hundreds of female and African American stock brokers in nationwide discrimination class action lawsuits against the country's leading brokerage firms, including Merrill Lynch, Bank of America, Goldman Sachs, and Smith Barney.

Mr. Swartz is active in bar associations including the American Bar Association Section of Labor and Employment Law where he is Co-Chair of the Section's CLE/Institutes and Meetings Committee, Co-Chair of the Committee on Equal Employment Opportunity Law, and is a former Co-Chair of the Ethics and Professional Responsibility Committee.

Mr. Swartz frequently works with non-profit organizations on public interest matters including successfully representing a formerly incarcerated security guard in a licensing hearing in conjunction with MFY Legal Services and representing three low-wage immigrant women in sexual harassment, assault and battery, and overtime claims as co-counsel with the ACLU Women's Rights Project. He has co-counseled with, and performed pro bono services for, Make the Road New York, The Legal Aid Society, South Brooklyn Legal Services, Manhattan Legal Services, the New York Civil Liberties Union, Legal Momentum, NYLAG, the Sylvia Rivera Law Project, and MFY Legal Services as a volunteer attorney at its legal clinics. Mr. Swartz is also part of the Lambda Legal Cooperating Attorney Network. While living in Chicago, he volunteered at First Defense Legal Aid, providing emergency representation for recent arrestees and documenting police misconduct.

Mr. Swartz joined Outten & Golden LLP in December 2003 after representing workers as an associate at Goodman & Zuchlewski, LLP, in New York and Stowell & Friedman, Ltd., in Chicago.

He graduated from DePaul University School of Law with honors in 1998.