

PARTNER

Robert G. Young

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OVERVIEW

Bob Young is an experienced advisor and trial lawyer, helping clients navigate complex employment and labor issues and defending employers facing claims in the state and federal courts of Massachusetts and before administrative agencies. Bob regularly represents businesses, municipalities, educational institutions and nonprofit organizations of all sizes, as well as high-level executives, in high-exposure claims and disputes involving discrimination and retaliation, non-competition, trade secrets, wage-and-hour and other complex, constantly evolving employment-related issues.

Clients also turn to Bob for practical, down-to-earth advice outside of the courtroom. For example, he counsels clients regarding the negotiation of agreements, medical leaves and accommodation requests, as well as on employee discipline and termination matters. In addition, he conducts internal investigations on behalf of clients when employers face alleged harassment, whistleblower and other employee claims. “My goal in advising clients,” as Bob describes it, “is to find reliable, big-picture solutions that remove obstacles and allow the focus to return to where it belongs: the business.”

Bob represents several national companies, including those in the telecomm, commercial construction and healthcare sectors, as well as regional banks and financial institutions, higher education institutions, private schools and manufacturers. Bob also heads up the firm’s [Craft Brewers](#) industry group, coordinating a team of Bowditch attorneys to provide brewers at all stages of development – from brewers-in-planning to long-established businesses – with advice and counsel on a range of issues, from real estate to intellectual property to corporate formation and development and (of course) employment issues. As part of his work at Bowditch, he is editor of the firm’s [At the Bar with Bowditch](#) blog.

Besides work

Bob plays golf...poorly, he admits. He’s also a big New York Jets fan, having grown up in New Jersey a few minutes from the Meadowlands. “I’ve also been known to research the craft beer market in my spare time.”

EXPERIENCE

An alternative to litigation in a non-competition case

To its chagrin, Bob’s client – a construction design/build company – received a cease and desist letter after hiring a competitor’s former employee. Bob investigated, reviewing the individual’s non-compete clause and developing an argument why it was unenforceable in this instance. “I worked with our client to find a practical solution that would allow the client to move its business forward.” Bob negotiated an agreement with the competing company that restricted the new employee from certain, limited projects for a short period of time, which helped the client to devote its full energy toward

driving growth in its business rather than getting bogged down in litigation.

Keeping control of the outcome in a discrimination claim

A client was facing a discrimination charge from an employee, alleging that the company – a major corporation – had failed to accommodate his disability with light duty after he was injured on the job. The case was being handled as an administrative action by a state agency, and a hearing had been scheduled. “We prepared at full speed and we were ready for trial. That preparation allowed me to have frank discussions with the plaintiff’s lawyer as part of the ongoing efforts to resolve the case.” The negotiations progressed, and the parties reached a favorable settlement on the eve of the hearing. “In this way, the client and I kept our eye on the bigger picture, and the client retained control of the outcome.”

OTHER EXPERIENCE

Bob has worked with many of his clients for years. “I take pride in knowing my clients and their labor and employment issues first hand, whether executives, HR personnel or front-line managers.” What follows is a list of representative clients and matters that Bob has handled.

Discrimination and retaliation

- Complete defense verdict on behalf of a Fortune 500 company in a federal jury trial brought by a former manager alleging retaliation (the underlying race discrimination claims had been dismissed on summary judgment). The plaintiff asserted two counts: retaliatory hostile work environment and retaliatory termination, and he was seeking damages in excess of \$2 million. After a one-week trial, the jury deliberated for four hours and returned a complete defense verdict on both counts.
- Summary judgment for a Fortune 500 company against an employee alleging age discrimination, breach of contract and defamation in connection with his termination.
- Summary judgment, affirmed on appeal, for a publicly-traded company against an employee alleging age discrimination.

Non-compete

- Secured a preliminary injunction on behalf of a medical technology company to uphold the terms of a non-competition agreement executed between the company and one of its sales representatives, and to protect the company’s trade secrets and other confidential business information.

Wage and Hour compliance

- Assisted in the litigation and briefing of an issue of first impression in Massachusetts concerning the interpretation of the Sunday pay requirements of the Massachusetts Blue Laws and the state overtime law, resulting in a favorable result for the client. The case is *Swift v. AutoZone, Inc.*, 441 Mass. 443 (2004).

Employer counseling

- Conducted a high-level internal investigation involving allegations of gender discrimination brought forward by a high-level executive in a large hospital system, resulting in an amicable parting with no claims asserted against the hospital system.
- Counseled banking client through complex FMLA leave/ADA accommodation questions for an employee on an extended leave of absence.
- Negotiated severance agreement for high-level executive at a financial services company, using the leverage of the individual’s allegations of company wrongdoing to secure additional benefits while counseling the client about the time, expense and uncertain outcome of litigation to maintain expectations.

Employment contracts

- Secured the dismissal, affirmed on appeal, of a complaint brought by a former consultant alleging breach of contract and violation of G.L. c. 93A in connection with stock options that had expired before the consultant attempted to exercise them.

AFFILIATIONS

- Member, Massachusetts Bar Association
- Member, Boston Bar Association
- Member, [National Association of College and University Attorneys](#)

HONORS

- Named to *Massachusetts Lawyers Weekly's* inaugural list of top 20 Massachusetts Go To Lawyers for Employment Law
- *Best Lawyers in America*, Litigation – Labor and Employment (2023 and 2024)
- Selected to Massachusetts *Super Lawyers* since 2017 for Employment & Labor; *Super Lawyers' Rising Star* 2012 – 2016

ARTICLES & TALKS

ARTICLES

- [“MCAD Announces Draft of Updated Harassment Guidelines and Seeks Public Comment,”](#) Bowditch, 2024
- [“NLRB General Counsel Weighs in Against Non-Competes,”](#) Bowditch, 2023
- [“Is the Sky Falling? The FTC’s Proposed Ban on Non-Compete Agreements,”](#) Bowditch, 2023
- [“FTC proposes sweeping changes to non-compete law,”](#) *Worcester Business Journal*, 2023
- [“Garden Leave Payments Under MA Noncompetition Agreement Act Not Covered by Wage Act,”](#) Bowditch, 2022
- [“10 Things I know about ... Employer vaccine mandates,”](#) *Worcester Business Journal*, 2021
- [“Can employers demand employees get vaccinated against COVID-19?,”](#) *MetroWest Daily News*, 2021
- [“The Next Draft: Bowditch & Dewey law firm launches group catering to state’s craft beer industry,”](#) *Worcester Telegram*, 2019
- [“Federal Court Blocks New FLSA Regulations,”](#) Bowditch, 2016
- [“How to Respond to Employee Requests for Accommodation,”](#) *New England In-House*, 2015
- [“Employment Issues for Growing Brewers,”](#) Brewers Association’s *The New Brewer*, 2015
- [“Six Employment Law Tips for Growing Craft Breweries,”](#) *Craft Brewing Business*, 2014
- [“How Employers Can Minimize Their Risks When Executives Jump Ship,”](#) Bowditch, 2014

TALKS

- [HR Support + Compliance](#), Mass Brewers Guild (MBG) Technical Brewing & Business Conference, 2023
- [Spring Member Meet-up](#), Massachusetts Brewers Guild, 2023

- [Where Are My Employees and How Are They Doing?](#), Bowditch Employment Law Update, 2023
- [FTC proposes nationwide ban on non-competes](#) *Massachusetts Lawyers Weekly*, 2023
- [Changes possible for 'joint employer' test](#), *Massachusetts Lawyers Weekly*, 2021
- Human Resources & Navigating Hot Button Issues, Massachusetts Brewers Guild (MBG) Conference, 2021
- [Computer Fraud and Abuse Act: What's the Impact of the Recent Supreme Court Decision?](#), *Massachusetts Lawyers Weekly*, 2021
- [Un-Masking the Future: Reopening Post-COVID](#), Bowditch, 2021
- [Data Risks in the Work from Home Environment: What Businesses Need to Know](#), *Massachusetts Lawyers Weekly*, 2021
- The Employment Life Cycle: Practical Tips for Hiring and Separation, Massachusetts Brewers Guild, 2021
- [12th Annual Employment Law Update Part 2](#), Bowditch, 2021
- [Legal Aspects of Returning High-Risk Employees to Work in Massachusetts](#), *Massachusetts Lawyers Weekly*, 2020
- [Reopening Your Business in the Age of Coronavirus](#), *Massachusetts Lawyers Weekly*, 2020
- [Cybersecurity Threats and Employment Law in a Remote World](#), New England Association of Corporate Counsel, 2020
- [Employment Legal Issues in a COVID-19 Remote World](#), Worcester Regional Chamber of Commerce Human Resources Roundtable, 2020
- [11th Annual Employment Law Update](#), Bowditch, 2020
- Tips and Wages and Employment Law, Oh My!, Mass Brewers Conference, Massachusetts Brewers Guild, 2019
- Sexual Harassment in the Workplace: What it Means for Nonprofits in the Wake of Weinstein, Greater Worcester Community Foundation, Bowditch, 2018
- Growing Your Business Safely & Securely in 2018, Supporting Strategies' Business Fundamentals Bootcamp, 2018
- [Massachusetts Non-Competes: Alive, Dead, or on Life Support?](#), Bowditch, 2018
- [9th Annual Federal and State Employment Law Update](#), Bowditch, 2018
- #MeToo? #NotHere! Confronting Sexual Harassment in the Workplace, Mass Brewers Guild, 2017
- [So, What Do We Do Now? Title IX in the Time of Trump](#), Bowditch, 2017
- [Competition or Career Building: The Massachusetts Non-Compete Law and the Barrier to the Start-Up Community](#), Worcester Regional Chamber of Commerce's Game Changers Business Conference & Expo, 2017
- [Massachusetts Employment Law Basics](#), Massachusetts Brewers Guild New Brewery Bootcamp, 2017
- [Managing Student, Faculty and Staff Mental Health Disabilities](#), Bowditch College and University Roundtable, 2017
- [FLSA On Campus: What You Need To Do Before December 1, 2016](#), Bowditch College and University Roundtable, 2016
- [What's Brewing With Craft Beer Entrepreneurs](#), Bowditch/The Venture Forum, 2016
- [FLSA Changes Are Coming – What You Should Do Now to Prepare](#), Bowditch Breakfast @ Bowditch series, 2016
- [Changes in the Overtime Law and What it Means for Your Business](#), MetroWest Chamber of Commerce, 2016
- [Say Anything? Tips and Strategies for Addressing Student and Employee Speech on Campus and Online](#), Bowditch, 2016

- Who Are You? Worker Classification: Guidance on Independent Contractors, Interns & Volunteers, and Preparing for the New Wage & Hour Regulations, Bowditch, 2015
- How to Conduct an Effective Internal Investigation, and Common Mistakes to Avoid Along the Way, Bowditch, 2015
- Leaves and Accommodations for Employees and Students, Bowditch College and University Roundtable, 2014

MEDIA MENTIONS

- “Hospital leader vindicated in long-running defamation, retaliation suit brought by nurses” (*Massachusetts Lawyers Weekly*)
- “Business bar questions FTC’s proposed ban on noncompetes” (*Massachusetts Lawyers Weekly*)

BAR ADMISSIONS

- Massachusetts
- U.S. Court of Appeals, First Circuit
- Federal District Court, District of Massachusetts

EDUCATION

- J.D., *magna cum laude*, Boston University School of Law
- B.A., *magna cum laude*, Boston University