



Kimberly A. Rozak

Partner

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Overview

Having exclusively practiced management-side labor and employment law throughout her career, public and private employers rely on Kim's pragmatic advice and industry insights. She also counsels for-profit and not-for-profit organizations. As an experienced and trusted advisor, Kim ensures that clients comply with all labor and employment laws and regulations.

Kim advises clients on a broad range of topics, such as the drafting and implementation of personnel policies, discipline and termination practices, and employment agreements. She also represents numerous clients in labor arbitration matters.

Her practice also includes representing school committees and school districts, handling arbitrations and labor complaints, and providing advice on issues related to school policy and student discipline.

Kim regularly appears before the Massachusetts Commission Against Discrimination, The Equal Employment Opportunity Commission, the National Labor Relations Board, the State Division of Labor Relations, and the Civil Service Commission. She also appears in state and federal courts in connection with discrimination cases.

She was previously associated with Morgan, Brown and Joy in Boston and worked as an assistant attorney general for the Navajo Nation Department of Justice, handling a wide range of litigation matters for the tribal government, including discrimination and labor complaints involving highly complex jurisdictional issues.

Christine Farmer

Legal Support Specialist

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Education

Boston College Law School JD

College of the Holy Cross BA,
with honors

Bar Admissions

Massachusetts

U.S. District Court for
Massachusetts

U.S. District Court for Arizona

U.S. Court of Appeals for the
First Circuit

Navajo Nation

Related Services

Labor, Employment and
Employee Benefits

Public and Municipal Law

Related Industries

Non-Profit Organizations

Transportation

Experience

- Successfully represented a client in related cases before a state administrative agency, proving that workers were independent contractors and not employees under Massachusetts law
- Represented a transportation industry employer in arbitration involving the termination of an employee who also served as vice president of the union; obtained an award upholding termination
- Represented a transportation industry employer in arbitration involving the discipline of an employee and challenges the by union to the employer's use of video surveillance cameras; obtained an award upholding the discipline and no finding of invasion of privacy under Massachusetts law
- Obtained findings of lack of probable cause in two related national-origin cases before the MCAD, where brothers employed by the same manufacturer each brought separate discrimination charges and were the only employees of that heritage in the company's workforce
- Obtained a finding of lack of probable cause by the MCAD for a non-profit client in a protracted sexual harassment, retaliation and constructive discharge case
- Obtained the dismissal of an unfair labor practice charge by both the Massachusetts Labor Relations Commission and the NLRB in charges filed by union against major health care employer for unilaterally changing technology in the workplace
- Obtained a decision from the Massachusetts Civil Service Commission upholding the 60-day suspension of a municipal employee in a case that spanned eight years and involved an interlocutory appeal to the Superior Court in which the municipality also prevailed
- Negotiated a favorable prevailing wage settlement with the Commonwealth of Massachusetts for an employer that improperly calculated the benefits component of the prevailing wage
- Mediated and settled multiple protracted cases involving municipal employee in the global resolution of the matter on terms that included an eight-year prohibition on the employee's ability to compete for any promotional opportunities within the department
- Successfully represented a range of clients in arbitrations involving

procedural and substantive arbitrability, including before the Massachusetts Superior Court

- Preserved management rights through a number of successful arbitrations for broad range of clients in the public and private sectors

Affiliations

- Massachusetts Council of School Attorneys (MA COSA), member, past president
- Massachusetts Association of School Committees, member
- National School Board Association, Council of School Attorneys, member
- Worcester Economic Club, past president
- American Bar Association, Labor and Employment Section, member
- Massachusetts Bar Association, member
- Worcester County Bar Association, member; former co-chair, Labor and Employment Section
- State of Arizona Bar Association
- Navajo Nation Bar Association
- Society of Human Resources Professionals (MA Chapter), member
- Northborough Youth Hockey Program, Board of Directors
- Hanover Theatre, Board of Directors; Chair, HR committee; member of the executive committee
- Town of Boylston, moderator
- Worcester Regional Research Bureau, Director

Awards & Recognitions

- Recognized by *Massachusetts Lawyers Weekly* as one of the “Top Women in Law” (2010)
- Named a Massachusetts “Super Lawyer” by *Boston* magazine and *Law & Politics* (2011-present)

- Named an “Outstanding Women in Business” by the *Worcester Business Journal* (2021)
- Recognized by *Worcester Business Journal* as one of “40 under Forty” professionals honored for their professional excellence and community services (2001)

Articles & Speaking Engagements

- “Effectively Navigating the Massachusetts Paid Family and Medical Leave Act,” Mirick O’Connell Labor, Employment and Employee Benefits Annual Seminar (May 4, 2023)
- [“U.S. Department of Education Announces Timeline for Revisions to Title IX Regulations,”](#) Mirick O’Connell Client Alert, December 14, 2021
- [“What Employers Need to Know About the American Rescue Plan Act of 2021 and the anticipated Massachusetts COVID-19 Emergency Paid Sick Leave,”](#) Mirick O’Connell Employment Law Webinar (April 16, 2021)
- [“Can Employers Mandate Vaccine? Experts Discuss Strategies to Maintain Workforce Health and Safety in the Era of COVID-19,”](#) *Telegram & Gazette* (April 14, 2021)
- “Board of Elementary and Secondary Education Adopts Emergency Regulations Addressing Student Learning Time,” Mirick O’Connell Client Alert (December 18, 2020)
- “New Regulations Surrounding the Paid Medical Leave Act,” Worcester Regional Chamber of Commerce Webinar (October 28, 2020)
- “The Next Phase in the COVID-19 Battle for School Districts: Budget Cuts, Furloughs, Layoffs and Collective Bargaining,” Mirick O’Connell Client Alert (May 15, 2020)
- “Families First Coronavirus Response Act,” Milford Area Chamber of Commerce Webinar (April 6, 2020)
- “NEW Federal Employment Acts (Emergency Sick Leave, Emergency FMLA Amendment and Payroll Protection Act),” Worcester Regional Chamber of Commerce Webinar (April 2, 2020)
- “Extended Closure due to COVID-19 Raises Multiple Issues for Schools,” Mirick O’Connell Client Alert (March 30, 2020)
- “Governor Baker Recommends Legislation to Address Challenges



Caused by School Closures,” Mirick O’Connell Client Alert (March 2020)