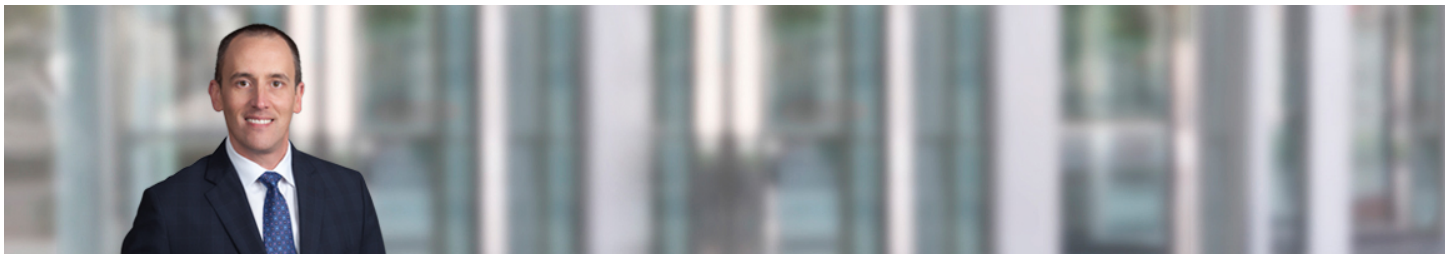


## Andrew L. Rodman



Shareholder

Miami Office

arodman@stearnsweaver.com

Phone: 305-789-3255

### PRACTICE AREAS

Labor & Employment

Litigation & Dispute Resolution

Banking & Financial Institutions

Hospitality & Leisure

Life Sciences

Arts, Sports & Culture

### OVERVIEW

Andrew Rodman is a Shareholder in the Firm's Labor & Employment Law Department and a member of the Firm's Board of Directors. Andrew's labor & employment law practice encompasses both counseling and litigation on behalf of employers.

On the counseling side, Andrew takes pride in developing working partnerships with his clients to analyze problems and implement practical solutions to the broad range of issues that executives and Human Resource professionals regularly encounter. Those issues include the hiring process, background screening and Fair Credit Reporting Act compliance, drug testing and Drug-Free Workplace issues, compliance with federal, state and local EEO laws, discipline, termination, reduction in force, workplace safety, conducting internal investigations and audits, drafting personnel policies, drafting severance and release agreements, drafting employment contracts, independent contractor agreements and non-compete agreements, managing leave-related issues under the FMLA, ADA and USERRA, wage and hour compliance, and protecting confidential and proprietary information.

On the litigation side, Andrew defends clients before administrative agencies (such as the EEOC and Florida Commission on Human Relations, and U.S. Department of Labor), federal and state courts, and arbitration panels against claims of employment and housing discrimination, harassment, retaliation and whistleblower retaliation, unpaid wages (including overtime, minimum wage, and commissions), OSHA compliance, defamation, and family, medical and military leave. Andrew has litigated claims under Title VII, ADA, ADEA, FMLA, FLSA, USERRA, OSHA, Sections 1981 and 1983, the Fair Housing Act, and their state and local counterparts.

Andrew also represents clients in non-compete, trade secret, and employment contract litigation.

Andrew conducts management training and internal audits for clients as preventative measures aimed at avoiding internal complaints, administrative

investigations, and costly litigation.

Andrew is a co-editor of the Florida Employment Law Letter (a BLR publication) and a regular contributor to the Firm's labor and employment law blog, [BeLabor the Point](#). He served a 3-year term on the Florida Bar Grievance Committee (2016 Chair), and he served as Legislative Director on the Board of the Greater Miami Society for Human Resource Management.

Before joining the Firm, Andrew worked in the New Haven/Hartford, Connecticut firm Siegel, O'Connor, Schiff & Zangari (1996-1998), and in the Boston, Massachusetts firm Stoneman Chandler & Miller (1998-2000). At each of those firms, Andrew represented management in labor and employment law.

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## REPRESENTATIVE EXPERIENCE

*Delva v. The Continental Group, Inc.*, 137 So. 3d 371 (Fla. 2014) – represented The Continental Group in defense of sex and pregnancy discrimination claims, and argued the case before Florida's Third District Court of Appeal and the Florida Supreme Court.

Florida's Fourth District Court of Appeal affirmed jury verdict entered for international banking institution on national origin discrimination claims.

Represented golf courses and country clubs in defense of individual and collective action overtime claims, negotiation of employment and separation agreements, and defense of discrimination, harassment, and retaliation litigation.

Obtained summary judgment on behalf of retail grocery chain on race and national origin discrimination claims.

Obtained summary judgment in federal court on behalf of national banking institution on Family and Medical Leave Act claims.

Obtained summary judgment on behalf of local banking institution on race, color, and national origin discrimination claims.

Represented cruise line in collective action overtime litigation involving more than 70 opt-in plaintiffs.

Obtained summary judgment on behalf of local banking institution on whistleblower retaliation claim.

Obtained dismissal, following 3-day evidentiary hearing, of race and age discrimination claims asserted against property management company.

Obtained dismissal of race and age discrimination claims asserted against national banking institution.

Represented timeshare company in collective action overtime litigation involving in excess of 700 opt-in plaintiffs.

Florida's Fourth District Court of Appeal affirmed summary judgment for retail grocery chain on sexual harassment claim.

Obtained summary judgment in federal court on behalf of medical billing review company on claims of sexual harassment, intentional infliction of emotional distress, negligent supervision, and negligent retention.

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## RECOGNITION

*Benchmark Litigation, Labor & Employment Star, 2018-2019*

*AV Rated by Martindale-Hubbell*

*Employers Counsel Network, Best Column ("Ask Andy" – Florida Employment Law Letter), 2015*

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## **PUBLICATIONS & PRESENTATIONS**

**Publications: [Top Takeaways from Our Back to Work Virtual Chat](#)**

BeLabor the Point Blog | June 2020

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**Events: [Back to Work Virtual Chat](#)**

Stearns Weaver Miller Webinar | | June 2020

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**COVID News Update, Labor & Employment News Update, Publications: [DOL Issues New FFCRA Poster and Further Guidance](#)**

BeLabor The Point Blog | March 2020

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**COVID News Update, Labor & Employment News Update, Publications: [Federal Paid Leave Law Signed by President Trump](#)**

BeLabor The Point Blog | March 2020

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**Publications: [Co-Editor, Southeast Employment Law Letter](#)**

| January 2020

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| December 2019

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| November 2019

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**Publications: [‘No, You Must Take FMLA Leave,’ Says the DOL \(Again\)](#)**

Florida Employment Law Letter | October 2019

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| September 2019

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**Publications: [An HR takeaway from USWNT’s latest World Cup victory](#)**

Florida Employment Law Letter | August 2019

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**Publications: [Is 'No Comment' Still the Best Policy for Job References?](#)**

Florida Employment Law Letter | July 2019

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| June 2019

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**Publications: [How to Implement Drug-Free Workplace Program in Florida](#)**

Florida Employment Law Letter | May 2019

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**Events: [Are You Sherlock Holmes or Inspector Clouseau? – Conducting Workplace Investigations](#)**

Stearns Weaver Miller's 29th Annual Labor and Employment Law Seminar | | May 2019

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**Events: [Are You Sherlock Holmes or Inspector Clouseau? –Conducting Workplace Investigations](#)**

Stearns Weaver Miller's Annual Tampa Labor and Employment Law Seminar | | May 2019

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| April 2019

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| March 2019

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**Publications: [Brackets, Buzzer-Beaters and . . . Criminal Liability?](#)**

Florida Employment Law Letter | February 2019

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**Publications: [Gambling at Work: Everybody Out of the \(Office\) Pool](#)**

Daily Business Review | January 2019

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**Publications: [Adhere to the Scout Motto: 'Be Prepared' \(During Interviews\)](#)**

Florida Employment Law Letter | January 2019

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**Events: [“Why Does the FMLA Make Your Head Explode? Top 10 Most Common Employer Mistakes”](#)**

Brightline Training Seminar | | January 2019

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**Publications: [Weighing the Options: 2 Ways to Calculate Overtime for Dual-job Employees](#)**

Florida Employment Law Letter | December 2018

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**Publications: [Telling an Employee to Stop Working from Home](#)**

Florida Employment Law Letter | November 2018

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**Publications: [Revisiting the FLSA Travel Time Rules](#)**

Florida Employment Law Letter | October 2018

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| September 2018

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**Publications: [Obligations, Limits of Intermittent, Reduced Schedule FMLA Leave](#)**

Florida Employment Law Letter | August 2018

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**Publications: [A Return-to-Work FMLA Refresher](#)**

Florida Employment Law Letter | July 2018

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**Publications: Co-Editor, Florida Employment Law Letter**

| June 2018

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**Publications: Co-Editor, Florida Employment Law Letter**

| May 2018

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**Events: LGBTQ: The Issues, the Law, the Reality, and the Decisions Florida Employers Must Make**

Stearns Weaver Miller's 28th Annual Labor and Employment Law Seminar || April 2018

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**Publications: Guns at Work: A Refresher in the Wake of Horror**

Florida Employment Law Letter | April 2018

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**Publications: Assessing Employee FMLA Eligibility**

Florida Employment Law Letter | March 2018

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**Publications: Effective Training Can Help Prevent Harassment and Discrimination**

South Florida Legal Guide | March 2018

---

**Publications: Co-Editor, Florida Employment Law Letter**

| February 2018

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**Events: Advanced Skills for Employee Leave Management**

2018 FMLA Master Class: Florida || February 2018

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**Publications: Does Sexual Harassment Training Work?**

BeLabor The Point Blog | January 2018

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**Publications: Does Sexual Harassment Training Work?**

Florida Employment Law Letter | January 2018

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**Publications: Rethinking the Harassment Complaint Model**

Daily Business Review | December 2017

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**Publications: Rethinking The Harassment Complaint Model**

Florida Employment Law Letter | December 2017

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**Publications: Spoiler Alert: Court Plunges Dagger In Heart Of Obama-Era Overtime Regulations, Setting Stage For Possible Season 2 Resurrection**

Dade County Bar Association Bulletin | November 2017

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**Publications: Best Practices for Separation Agreements**

Florida Employment Law Letter | November 2017

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**Publications: Unlimited Vacation Policies: A Curse or A Blessing?**

Florida Employment Law Letter | October 2017

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**Publications: [Spoiler Alert: Court Plunges Dagger In Heart Of Obama-Era Overtime Regs, Setting Stage For Season II Fireworks](#)**

BeLabor The Point Blog | September 2017

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**Publications: [Did Florida Appellate Court Just 'Dis' an Arbitration Agreement?](#)**

Florida Employment Law Letter | September 2017

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**Publications: [EEOC Sues to Give Fathers the Same “Maternity” Leave as Mothers](#)**

BeLabor The Point Blog | August 2017

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**Publications: [“Like” or “Dislike” – Did Zuckerberg Overlook Facebook’s Paternity Leave Policy?](#)**

BeLabor The Point Blog | August 2017

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**Publications: [Did A Florida Appellate Court Just “Dis” An Employment Agreement’s Arbitration Provision?](#)**

BeLabor The Point Blog | August 2017

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| August 2017

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**Publications: [The Interplay Between FMLA Leave and Domestic Violence Leave](#)**

Florida Employment Law Letter | July 2017

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**Publications: [21st Century Hiring: The Times They Are A-Changin’](#)**

Florida Employment Law Letter | June 2017

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**Events: [Analyzing the Analytics, Artificial Intelligence & Algorithms of the 21st Century Workplace](#)**

Stearns Weaver Miller's 27th Annual Labor and Employment Law Seminar | | May 2017

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**Publications: [Another Attempt To Pass Private Sector Comp-Time Legislation](#)**

BeLabor The Point Blog | May 2017

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| May 2017

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**Publications: [Internal Investigations: Duty to Investigate and Confidentiality](#)**

Florida Employment Law Letter | April 2017

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**Publications: [Calculating FMLA Leave Exhaustion for Reduced-Schedule Leave](#)**

Florida Employment Law Letter | March 2017

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**Events: [Advanced Skills for Employee Leave Management](#)**

2017 FMLA Master Class: Florida | | February 2017

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**Publications: [Supreme Court Will Settle the Score on Class Action Waivers](#)**

Florida Employment Law Letter | February 2017

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**Publications: [Class Action Waivers: Will The Supreme Court Successfully Realign the Litigation Galaxy?](#)**

BeLabor The Point Blog | January 2017

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| January 2017

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| December 2016

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**Publications: [Paying Nonexempt Employees By the Day or the Job](#)**

Florida Employment Law Letter | November 2016

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**Publications: [Dreaded Ultimatum: Cut Your Hair or Get Out of Here!](#)**

Florida Employment Law Letter | October 2016

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**Events: [Employment Law Review](#)**

The Rural Broadband Association 2016 Legal Seminar | | October 2016

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**Events: [Florida Advanced Skills for Wage and Hour Compliance](#)**

2016 FLSA Master Class | | October 2016

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**Publications: [Words Matter: Preparing for a Reduction in Force](#)**

BeLabor The Point Blog | September 2016

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**Publications: [Time to Revisit Your Standard Separation Agreement?](#)**

Florida Employment Law Letter | September 2016

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**Publications: [When Your Top Performer Refuses to Sign a Noncompete](#)**

Florida Employment Law Letter | July 2016

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**Publications: [Is it Discrimination If My Actions Are Well-Intentioned?](#)**

Florida Employment Law Letter | June 2016

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**Events: [Going Into Labor: Pregnancy & Workplace Complications](#)**

Stearns Weaver Miller's 26th Annual Labor and Employment Law Seminar | | May 2016

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**Publications: [Employment Agreements and At-Will Employees Can Go Together](#)**

Florida Employment Law Letter | May 2016

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**Publications: [Sexual Harassment Training for Congress: Necessary or a “Really Dumb Idea”?](#)**

BeLabor the Point Blog | April 2016

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**Publications: [Don't Forget to Check FMLA Eligibility](#)**

Florida Employment Law Letter | April 2016

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**Events: 2016 FMLA Master Class: Florida - Advanced Skills for Employee Leave Management Seminar**

Hilton Miami Downtown | | March 2016

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**Publications: You Can't Sue Me . . . I Sued You! Liability for HR Employees**

Florida Employment Law Letter | March 2016

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**Publications: 2-4-6-8 Minimum Wage is Not So Great: NFL Cheerleaders Fight Back**

BeLabor the Point Blog | February 2016

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**Publications: Navigating the FLSA's 'On-Call' Rules**

Florida Employment Law Letter | February 2016

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**Publications: Working During FMLA Leave**

Florida Employment Law Letter | January 2016

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**Events: New FMLA Developments**

2015 Greater Miami Society for Human Resource Management GMSHRM Legal Update | | December 2015

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**Publications: Go Directly to Jail: Individual Liability for Overtime Violations**

Florida Employment Law Letter | December 2015

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**Publications: Is a 'Paid Leave' on the Horizon in Florida?**

Florida Employment Law Letter | November 2015

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**Publications: Is "Paid Leave" on Florida's Horizon?**

BeLabor the Point Blog | October 2015

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**Publications: When is a 'Trainee' Really an Employee Entitled to Pay?**

Florida Employment Law Letter | October 2015

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**Publications: Are unmarried parents entitled to FMLA Leave?**

Florida Employment Law Letter | October 2015

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**Publications: Breastfeeding and depositions and politicians . . . oh my!**

Florida Employment Law Letter | September 2015

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**Publications: Breast Pumps, Depositions, and Politicians**

BeLabor the Point Blog | August 2015

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**Publications: Expanding Title VII: Who Needs Congress When We Have the EEOC?**

Florida Employment Law Letter | August 2015

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**Publications: Who Needs Congress When We Have the EEOC?**

BeLabor the Point Blog | July 2015

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**Publications: [Shhh. Be Vewy, Vewy Quiet: Elmer J. Fudd Takes On The NLRB](#)**

BeLabor the Point Blog | July 2015

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| July 2015

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**Publications: [OMG! Your Policy Says What?](#)**

BeLabor the Point Blog | June 2015

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**Publications: [Referral Bonuses, Diversity, and Disparate Impact Liability](#)**

Florida Employment Law Letter | June 2015

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**Publications: [A Picture May Be Worth a Thousand Words \(or Thousands of Dollars\)](#)**

Florida Employment Law Letter | June 2015

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**Events: [The Six Pre-Employment Issues Most Likely to Bite You in the Backside](#)**

Stearns Weaver Miller's 25th Annual Labor & Employment Law Seminar | | May 2015

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**Publications: [Title VII Protection for Transgender Employees](#)**

Florida Employment Law Letter | May 2015

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**Publications: [Proving Emotional Harm: Using One's "Head"](#)**

BeLabor the Point Blog | April 2015

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**Publications: [Common cent\\$, Glass Ceilings, and a 9-Year Old Girl](#)**

BeLabor the Point Blog | April 2015

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**Publications: [Moonlighting During FMLA Leave](#)**

Florida Employment Law Letter | April 2015

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**Publications: [Sign Here or Go Home - You Have 5 Minutes](#)**

Florida Employment Law Letter | April 2015

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**Events: [Overcome Compliance and Employee Leave Challenges](#)**

2015 FMLA Master Class for Florida Employers | | March 2015

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**Publications: [Same-Sex FMLA Coverage: Where You Were Married, Not Where You Live](#)**

BeLabor the Point Blog | March 2015

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**Publications: [FMLA Eligibility Pitfalls: 'You Worked Here When?'](#)**

Florida Employment Law Letter | March 2015

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**Publications: [6 Words That Cost an NBA Star \\$25,000](#)**

BeLabor the Point Blog | February 2015

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**Publications: 11th Circuit Rejects Employer's 'Blame the Employee' Defense to Overtime Claim**

Florida Employment Law Letter | February 2015

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**Publications: The Retroactive FMLA Designation Dilemma**

Florida Employment Law Letter | January 2015

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**Publications: FMLA Reinstatement Rights for 'Key' Employees**

Florida Employment Law Letter | November 2014

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**Publications: An EGGcellent Employee Benefit or a Degrading Message?**

BeLabor the Point Blog | October 2014

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**Publications: The NFL's Off-The-Field Woes Prompt Refresher on Employees' Domestic Leave Rights**

BeLabor the Point Blog | September 2014

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**Publications: After Ray Rice Scandal, A Timely Review of Employee Domestic-Violence Leave**

Daily Business Review | September 2014

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**Publications: Religion in the Workplace: Ignorance May Be Your Savior**

BeLabor the Point Blog | August 2014

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**Publications: Administration of FMLA Leave Starts With a Well-Written Policy**

Florida Employment Law Letter | August 2014

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**Publications: Bathroom Breaks & Decreased Productivity #HoldItIn2WinAPrize**

BeLabor the Point Blog | July 2014

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**Publications: Is it Reasonable to Accommodate the Fear of Rush Hour Traffic?**

BeLabor the Point Blog | July 2014

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**Publications: The Wage & Hour Battle Rages On**

BeLabor the Point Blog | June 2014

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**Publications: Effective Use of Non-Compete Agreements**

BeLabor the Point Blog | June 2014

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**Publications: The Unpaid Internship: A Trap for the Unwary Employer**

Daily Business Review | June 2014

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**Publications: Social Media: A Blessing & A Curse for Employers**

BeLabor the Point Blog | June 2014

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**Publications: Avoiding Reverse Disability Discrimination Claims**

Florida Employment Law Letter | June 2014

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**Publications: [A Little HR Humor: Employee Tardiness](#)**

BeLabor the Point Blog | May 2014

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**Publications: [By The Numbers: How Working Moms & Dads Compare in Salary and Job Satisfaction](#)**

BeLabor the Point Blog | May 2014

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**Publications: [Plight of the Long-Term Unemployed](#)**

Daily Business Review | May 2014

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**Publications: [Hey, NBA Commissioner Silver, Way to Flex Your HR Muscle](#)**

BeLabor the Point Blog | May 2014

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**Publications: [11th Circuit Clarifies Scope of Nonwaivable FMLA rights](#)**

Florida Employment Law Letter | May 2014

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**Events: [Whiners or Winners? Whistleblowers Who “Tee Off” on Employers](#)**

Stearns Weaver Miller’s 24th Annual Labor and Employment Law Seminar | | May 2014

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**Publications: [Pay to Quit Policies: “Go on, Take the Money And Run”](#)**

BeLabor the Point Blog | April 2014

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**Publications: [Jail Staffer’s Response to Complaints Aids & Abets Sexual Harassment](#)**

BeLabor the Point Blog | April 2014

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**Publications: [RAGE, Stigma, and... Paternity Leave](#)**

BeLabor the Point Blog | April 2014

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**Publications: [Kids Say the Darnedest Things: Daughter Mouths Off About Dad’s Settlement](#)**

Florida Employment Law Letter | April 2014

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**Events: [Overcoming Compliance and Employee Leave Challenges](#)**

2014 FMLA Master Class for Florida Employers | | March 2014

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**Publications: [Balancing Attendance Requirements and Accommodation Obligations](#)**

Florida Employment Law Letter | March 2014

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**Publications: [FMLA Policy Translation](#)**

Florida Employment Law Letter | February 2014

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**Publications: [Co-Editor, Florida Employment Law Letter](#)**

| January 2014

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**Events: [Sound \(And Unsound\) Hiring Practices: Don’t Stumble Right Out Of The Gate](#)**

2013 Greater Miami Society for Human Resource Management GMSHRM Legal Update | | September 2013

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**Events: [The Wage and Hour Virus: Has Your Workplace Been Vaccinated?](#)**

Stearns Weaver Miller's 23rd Annual Labor and Employment Law Seminar || May 2013

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**Publications: [Florida Employment Law Manual](#)**

Florida Chamber of Commerce | January 2013

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**Events: [The Year In Review](#)**

2012 Greater Miami Society for Human Resource Management GMSHRM Legal Update || September 2012

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**Events: [The Two Minute Drill: How to Conduct Employee Investigations](#)**

Stearns Weaver Miller's 22nd Annual Labor and Employment Law Seminar || May 2012

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**Events: [2011 Greater Miami Society for Human Resource Management GMSHRM Legal Update](#)**

Miami || September 2011

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**Events: [Revenge of the FLSA: Top 10 Things Employers Do That Get Them Sued](#)**

Stearns Weaver Miller's 21st Annual Labor & Employment Law Seminar || May 2011

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**Events: [2010 Update: What's New?](#)**

2010 Greater Miami Society for Human Resource Management GMSHRM Legal Update || September 2010

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**Publications: [DOL Issues Guidance Regarding Break Time for Nursing Mothers](#)**

Labor & Employment | July 2010

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**Events: [Tight Fitting Genes](#)**

Stearns Weaver Miller's 19th Annual Labor and Employment Law Seminar || May 2009

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**Events: [Are You Ready for the Changes to the FMLA and ADA](#)**

Stearns Weaver Miller Labor & Employment Breakfast Series || January 2009

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**Events: [Employment Law Speed Dating](#)**

Stearns Weaver Miller's 18th Annual Labor & Employment Law Seminar || May 2008

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**Events: [The Collective Action Lawsuit – What It Is And How To Prevent It](#)**

| December 1993

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**Events: [Wages Are Now A Class Act: New Trends In FLSA Litigation](#)**

| December 1993

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**Events: [Incoming Wage & Hour Lawsuits – Are You A Target?](#)**

| December 1993

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**Events: [What's New in Employment Law and Healthcare Reform?](#)**

| December 1993

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**Events: Occupational Safety Health Act: Newsflash – OSHA Is Not Dead**

| December 1993

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**Events: Americans with Disabilities Act Amendments of 2008**

| December 1993

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## NEWSROOM

**In the Media: Reductions-in-force: 6 ways to reduce legal exposure**

What's Working In Human Resources | | November 2016

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**Firm Announcements: Stearns Weaver Miller Presents 26th Annual Labor & Employment Law Seminar**

| March 2016

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**In the Media: Exploring how top management can get the most out of HR**

HR Hero | | July 2015

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**Firm Announcements: Stearns Weaver Miller Presents 25th Annual Labor & Employment Law Seminar**

| April 2015

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**In the Media: FMLA leave and reinstatement: How to handle 'key employees'**

HR Hero | | January 2015

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**In the Media: Bloggers: Your Audience Wants Real-time Conversation**

Leadership Close Up Blog | | July 2014

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**In the Media: The Unpaid Internship: A Trap For The Unwary Employer**

Daily Business Review | | June 2014

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**Firm Announcements: Stearns Weaver Miller Presents 24th Annual Labor and Employment Law Seminar**

| April 2014

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**Firm Announcements: Three Stearns Weaver Miller Attorneys Appointed to Board of Directors**

| October 2011

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## EDUCATION

J.D., *cum laude*, Boston University School of Law, 1996

B.A., *magna cum laude*, Brandeis University, 1993

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## ADMISSIONS

Florida

Massachusetts

Connecticut

United States District Court for the Northern, Middle and Southern Districts of Florida

United States District Court for the District of Massachusetts

United States Court of Appeals for the Eleventh Circuit

The Supreme Court of the United States