



David L. Disler

Counsel

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David represents public and private entities in resolving complex labor and employment matters. He prides himself in being responsive to his client's needs and finding unique solutions to challenging issues. He regularly guides clients through a variety of challenging circumstances. David is a member of the firm's Litigation Practice Group and the Education and Employment Team. He regularly provides training to clients and has been asked by a variety of organizations to present on labor and employment issues. He also has authored numerous articles for various publications, including the New Jersey Law Journal, New Jersey Lawyer, the School Leader Magazine, and the New Jersey Police Chief Magazine.

Education Law

David has a particular expertise in education law. He serves as general counsel to boards of education throughout New Jersey, where he helps them untangle difficult problems involving their employees, unions, students, and community. He regularly attends public meetings to assist his clients through challenging circumstances. This includes representing his clients during hearings, such as HIB hearings, Donaldson hearings, and grievance hearings. He also defends his clients against lawsuits filed against them and during arbitrations filed by their union. He regularly provides training on such topics as the Anti-Bullying Bill of Rights, the Open Public Meetings Act, the School Ethics Act, and compliance with various state and federal laws. He presently serves on the Board of Trustees and as a Vice President for the New Jersey Association of School Attorneys.

Employment

David advises employers on complying with a variety of complex employment laws, including providing reasonable accommodations under the Americans with Disability Act (ADA), ensuring leave is correctly provided under the Family Medical Leave Act (FMLA) and New Jersey Family Leave Act (NJFLA), and complying with state and federal wage and hour laws. He also counsels clients through allegations of discrimination, harassment, retaliation, and breaches of the collective bargaining agreement. He also works with clients to prepare a wide array of contracts, such as settlement agreements, severance agreements, collective bargaining agreements, and vendor contracts. He represents employers in defending against lawsuits filed by their employees, including discrimination and harassment cases, and in whistleblower and alleged retaliation cases. He also provides a variety of trainings to employers to assist in complying with the law and avoiding issues that may arise.

Labor

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David serves as the lead negotiator for clients during collective negotiations with their union. Upon completion of negotiations, he assists in the preparation of the new collective bargaining agreement. He prides himself on taking a proactive approach by working with the employer and union leadership to reach amicable solutions and ensure a strong working relationship. He also regularly assists client in responding to union grievances, and represents clients in arbitration and in unfair labor practice proceedings.

Organizations

David presently serves on the Board of Trustees and as a Vice President for the New Jersey Association of School Attorneys, as a Member of the New Jersey Supreme Court District Ethics Committee (District XA), on the Board of Directors for the Lehigh Lawyers Association, and as the Morris County co-coordinator for the Vincent J. Apruzzese High School Mock Trial Competition.

Recognitions

No aspect of this or any advertisement has been approved by the Supreme Court of New Jersey. For ranking methodologies, please see [here](#).

- *Best Lawyers: Ones to Watch® in America* - Labor and Employment Litigation (2021-2023)
- New Jersey Rising Stars® (2019-2023)

Memberships

- New Jersey Association of School Attorneys, Vice President, Board of Trustees
- Lehigh Lawyers Association, Board of Directors
- Roseland Glen Condominium Association, Board of Trustees
- Vincent J. Apruzzese High School Mock Trial Competition, Morris County Co-Coordinator
- New Jersey State Bar Association
- New Jersey Supreme Court District XA Ethics Committee

News

- Porzio, Bromberg & Newman Successfully Represents New Jersey Chiefs of Police in Appeal of "Daniel's Law" Ruling, 4/29/2024
- Porzio, Bromberg & Newman Successfully Represents New Jersey State Association of Chiefs of Police as Lead Amicus Against Constitutional Challenge to "Daniel's Law", 9/22/2023
- 27 Porzio Attorneys Recognized in *The Best Lawyers in America®*; *Best Lawyers: Ones to Watch®*, 8/17/2023
- Twenty Porzio Attorneys Recognized in 2023 New Jersey Super Lawyers and Rising Stars Lists, 5/11/2023

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- Porzio's David L. Disler Appointed as a Vice President of the New Jersey Association of School Attorneys, 3/24/2023
- Three Porzio Attorneys Serve as the Coordinators for Morris County's High School Mock Trial Competition, 2/28/2023
- 24 Porzio Attorneys Recognized in The Best Lawyers ® in America, 2023 Edition, 8/18/2022
- 22 Porzio Attorneys Selected for Inclusion in 2022 New Jersey Super Lawyers Rankings, 4/06/2022
- Congratulations To The 23 Porzio Attorneys Recognized In Best Lawyers® In America, 2022, 8/19/2021
- Porzio Announces Principal and Counsel Promotions, 7/01/2021
- Three Porzio Attorneys Served as Morris County Co-Coordiators for Vincent J. Appruzzese Mock Trial Competition, 4/27/2021
- Porzio Employment Law Alert Republished in The New Jersey Police Chief Magazine, 3/27/2017
- 8th Annual Porzio Employment Law Forum, 11/15/2016
- Porzio's Litigation Practice Profiled by New Jersey Law Journal, 11/15/2016
- Porzio's Education Team Participated in the New Jersey School Boards Association Workshop 2016, 10/26/2016

Articles

- Porzio's 2023 Employment Law Year in Review, 12/29/2023
- Two New Laws Change Landscape for New Jersey Employers, 8/31/2023
- School Sick Leave Law Greatly Expanded , 7/05/2023
- Porzio's 2022 Employment Law Year in Review, 12/28/2022
- Uber New Rule: DOL Proposed Guidelines on Classifying Independent Contractors, October 2022
- New Guidance For Businesses When Responding To A Subpoena, February 2022
- Porzio's Employment Law Year in Review, 1/10/2022
- New Jersey Prohibits Employers From Tracking Employees' Vehicles Without Warning, January 2022
- Reductions in Force: Recent Developments and Statutory Guidance, Fall 2021
- Impact of the Legalization of Marijuana on New Jersey Schools, 3/17/2021
- The First Significant School Regionalization Legislation in Nearly Three Decades, 3/05/2021
- Guidance Released on New Jersey's Equal Pay Act, 11/20/2020
- New Jersey Expands Leave and Insurance Benefits To Employees Impacted by COVID-19, 4/01/2020

- NJ Passes Significant Employment Laws Aimed At Providing Additional Protections For Employees, 1/24/2020
- Third Circuit Provides Guidance on When a Request for a Religious Accommodation Can Be Denied, 10/30/2019
- Why New Jersey's Reverse Age Discrimination Standard Creates Difficulties for Both Employers and Employees, 10/10/2019
- Employers Guide to New Jersey Equal Pay Act, 7/01/2019
- Employers May Have To Accommodate Off-Duty Medical Marijuana Use, 5/29/2019
- Governor Murphy Signs Bill Expanding Family Leave Benefits, 3/19/2019
- Equal Pay for Equal Work? Employers Should Prepare for NJ's Equal Pay Act, 3/12/2019
- New Jersey's Minimum Wage Will Begin Increasing Starting July 1, 2019, 2/05/2019
- Minimum Wage in New Jersey Expected to Increase Beginning July 2019, 1/30/2019
- The Smoke Is Beginning to Clear: Accommodating Employees Who Use Medical Marijuana in New Jersey, October 2018
- Are NJ Law Firms Prepared for the Legalization of Marijuana?, 9/26/2018
- What Marijuana Legalization Means For Employers, 8/10/2018
- New Jersey Employers Must Now Offer Paid Sick Leave, 5/04/2018
- Equal Pay and Gender Equality Prioritized By Governor Murphy, 1/24/2018
- PERC Upholds Mandatory Contributions Under Chapter 78, 12/05/2017
- Negotiating Indemnification Provisions and Agreements, December 2017
- Recreational and Medical Marijuana In New Jersey - What is an Employer To Do?, November 2017
- Is It Really Work If You're Having Fun? Shedding Light on the Employment Protections Afforded to College Students, Winter 2017
- New Jersey Municipalities Catch Paid Sick Leave Fever, 4/17/2017
- Appellate Division Does Not "Waiver" - Recent Decision Provides Guidance on the Enforceability of Jury-Waiver Agreements in NJ, 3/27/2017
- New Jersey Appellate Division Increases Requirements Under the Open Public Meetings Act, 2/10/2017
- Court Gives Immunization Policy Shot in the Arm, October 2016

Events

- Cannabis & Developmental Disabilities: Emerging Issues & Answers, 4/05/2019

Speaking Engagements

- "ChatGPT – Generative AI History and the Impact on K-12 Education," Morris-Union Jointure Commission, 2/05/2024
- "Keeping Up with the Rapidly Changing Employment Landscape Under Federal & Northeast State Laws," The Pool & Spa Show, 1/23/2024
- "Considerations on Artificial Intelligence Use for Association Management Businesses," Mid-Atlantic Society of Association Executives, 12/04/2023
- "Issues Involving School Administrators — From a Board and Administrator Perspective," New Jersey School Board Association's School Law Forum, 10/26/2023
- "Fireside Chat – School Sick Leave Law," New Jersey School Board Association's Workshop 2023, 10/25/2023
- "Artificial Intelligence (AI) is Here! What do we do now?," The New Jersey Superintendents' Study Council, 10/19/2023
- "Understanding NJ Sick Leave and NJ FLA...Hooray," Porzio Employment Law Forum, 10/04/2023
- "The Intersection of FMLA, NJ FLA, and the New School Sick Leave Law," Passaic County Business Administrators' Round Table, 9/28/2023
- "Porzio's 2023 School Safety Symposium", 6/01/2023
- "Truancy and School Avoidance," New Jersey School Boards Association's Fall School Law Forum 2022, 12/14/2022
- "Artificial Intelligence in the Workplace," Porzio Employment Law Forum, 11/02/2022
- "Hot Topics In Employment Law," Morris County Chamber of Commerce, Human Resources & Talent Committee, 3/08/2022
- "The Old School and the New - Considerations for School Re-Opening," Porzio Webinar, 7/07/2020
- "Ethical Issues Attorneys Face in Representing Cannabis Businesses," NBI's Marijuana Business Law in NJ, Princeton, NJ, 12/05/2019
- "Political Employees: Employers' Rights, Legal Obligations, and Practical Responses," Porzio Employment Law Forum, October 20, 2021.
- "Reductions in Force & Chapter 66," New Jersey School Boards Association Spring School Law Forum, July 23, 2021.
- "Managing Staff in the COVID-19 Era," New Jersey State Association of Chiefs of Police Executive Briefing Series, December 17, 2020.
- "Politically Incorrect: Regulating Employee Speech In and Out of the Workplace," Porzio Employment Law Forum, October 27, 2020.
- "The Impact of COVID-19 on Collective Negotiations," New Jersey School Boards Association Spring School Law Forum, June 17, 2020.

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- "Recent Legislation Impacting New Jersey Schools," New Jersey School Boards Association School Law Forum, Atlantic City, NJ, October 24, 2019.
- "Dress to Impress, Not to Discriminate," Porzio Employment Law Forum, October 2019.
- "Are You Being Reasonable? Handling Requests For Accommodations," Porzio Employment Law Forum, October 2019.
- "School Law for the 'Non-School' Paralegal," Paralegal Association of New Jersey's General Membership Meeting, Morristown, NJ, June 11, 2019.
- "Managing Employment Issues Related to Cannabis for Disability Providers," Cannabis & Disabilities: Emerging Issues & Answers, Porzio, Bromberg & Newman, PC, Morristown, NJ, April 5, 2019.
- "New Jersey's Equal Pay Act," New Jersey State Bar Association's Corporate Counsel Institute, New Brunswick, NJ, January 31, 2019.
- "PERC and the School Laws, Scope Petitions and Unfair Practices," New Jersey School Boards Association School Law Forum, Atlantic City, NJ, October 25, 2018.
- "New Jersey's Equal Pay Act Explained," Porzio Employment Law Forum, Morristown, NJ, October 3, 2018.
- "Student Residency Disputes," New Jersey Institute for Continuing Legal Education, Law Center, New Brunswick, NJ, September 25, 2018.
- "The FMLA and Other Leave Issues," National Business Institute, Princeton, NJ, July 17, 2018.
- "Negotiating Indemnification Provisions and Agreements," National Business Institute, Newark, NJ, December 21, 2017.
- "Battle of the Sexes: Waging War Over Pay Equity," Porzio Employment Law Forum, Morristown, NJ, November 15, 2017.
- "Negotiating Healthcare Benefits and the Sunset of Chapter 78," New Jersey School Boards Association School Law Forum, Atlantic City, NJ, October 26, 2017.
- "National Labor Relations Board Decisions Affecting Unionized and Non-Unionized Workplaces," National Business Institute, Newark, NJ, December 7, 2016.
- "Cyber Security For Employers: Not A Question Of If, But When," Porzio Employment Law Forum, Morristown, NJ, November 15, 2016.

Practices

- Education Law
- Employment and Labor

Area of Focus

- Disability Accommodations & Leaves of Absence
- Discrimination, Harassment and Retaliation
- Employment Counseling
- Reductions in Force
- Restrictive Covenants
- Wage and Hour

Industries

- Cannabis
- Education

Relevant Experience

- Hon. Frances A. McGrogan, Superior Court of New Jersey, Hackensack, NJ, *Judicial Law Clerk*.

Opinions, Decisions and Cases

- *Rotimi A. Owoh, Esq., et al. vs. Maple Shade Police Department*, No.A-3643-21, (App. Div. March 18, 2024)
- *Gannett Satellite Information Network, LLC v. Township of Neptune*, 254 N.J. 242 (2023)
- *In the Matter of Atlantic Recycling Group*, No. A-1079-20 (App. Div. Aug. 9, 2022)
- *In re Attorney General Law Enforcement Directive Nos. 2020-5 and 2020-6*, 246 N.J. 462 (2021)
- *Matter of Ridgefield Park Bd. of Educ.*, 244 N.J. 1, (2020)
- *Fraternal Order of Police, Newark Lodge No. 12 v. City of Newark*, 244 N.J. 75 (2020)
- *Rivera v. Borough of Fort Lee*, No. A-4006-16, (App. Div. May 3, 2019)
- *Matter of Ridgefield Park Bd. of Educ. & Ridgefield Park Educ. Ass'n*, 459 N.J. Super. 57 (App. Div. 2019)
- *Paff v. Ocean Cty. Prosecutor's Office*, 235 N.J. 1 (2018)
- *Squitieri v. Cnty of Passaic*, No. A-3348-17 (App. Div. Apr. 1, 2019)
- *Innisfree v. Hopatcong Bd. of Educ.*, SSX-L-93-17 (Law Div. May 3, 2017)
- *T.O. v. Summit Bd. of Educ.* UNN-L-2960-16 (Law Div. Oct. 28, 2016)
- *Mardis, et al. v. Jackson Hewitt Tax Service, Inc., et al.* 2:16-CV-02115-JMV-JAD (D.N.J. 2016)

Bar Admissions

- New Jersey, 2013
- New York, 2014

Court Admissions

- United States District Court, District of New Jersey

Education

- *Brooklyn Law School*
J.D., 2013
cum laude
- *Lehigh University*
B.A., 2010
magna cum laude