



Michael A. Gamboli

Partner

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Practice Areas

Corporate & Business
Employment & Labor
Litigation & Disputes
Nonprofit & Tax-Exempt

Education

Boston University School of Law, J.D.,
magna cum laude

Bucknell University, B.S.

Bar Memberships & Admissions

Rhode Island

Massachusetts

Michael provides counsel to businesses on all aspects of employment law, partnering with business clients to strategically address employment issues in order to minimize legal risk and the impact on the company's operations. Michael works closely with human resource professionals, in-house counsel, and executives on a daily basis to address potential discrimination, wage and hour, employee discipline, and termination issues. Michael also provides guidance to businesses under investigation or being audited by state or federal regulatory agencies such as the EEOC or DOL, and he has extensive experience negotiating and drafting employment contracts, noncompetition agreements, handbooks, voluntary separation programs, and separation agreements.

In addition to providing guidance and advice on compliance issues, Michael has over 25 years' experience defending businesses in state and federal courts (in multiple jurisdictions) and administrative agencies (such as EEOC, RICHR, MCAD) on both individual and class action employment claims, such as claims of discrimination, sexual harassment, whistleblower retaliation, misclassification and wage and hour violations. He has also defended and prosecuted numerous lawsuits concerning the enforcement of noncompetition, nonsolicitation and nondisclosure of trade secrets agreements.

Honors

- *Benchmark Litigation*, 2021 Labor & Employment Star
- *Best Lawyers in America* Lawyer of the Year – Rhode Island Employment Litigation (2018), Management (2015)
- *Best Lawyers in America* – Rhode Island Employment Law, Management (2010 through 2022).
- *Chambers USA* – Band 1 Labor & Employment Law (2009 through 2021)
- *Rhode Island Super Lawyers* – Employment Law, Employment Litigation, Business Litigation (2009 through 2021)
- AV® Preeminent Rated from *Martindale-Hubbell*

Representative Publications

- Rhode Island Legislative Update July 20, 2023
- Supreme Court Clears the Way for an Influx of Religious Accommodation Requests July 5, 2023
- Employers Will Face More Pregnancy Accommodation Requests Under New Federal Law June 23, 2023
- Massachusetts Employer Forced to Pay \$24 Million for Failing to Accommodate an Executive's Anxiety May 31, 2023
- NLRB Prohibits the Use of Confidentiality and Non-disparagement Provisions in Severance Agreements February 24, 2023
- Rhode Island Pay Equity – Here's the Notice That Must Be Posted by January 1st December 22, 2022
- Blitz for 6: Rhode Island TCI Benefits to Increase to a Maximum of Six Weeks Beginning January 1, 2023 November 22, 2022
- The NLRB is Back at it Again: New Proposal Broadens Definition of "Joint Employer" September 13, 2022
- Rhode Island Employers can No Longer Discipline Employees for Out-of-Work Recreational Weed Use June 21, 2022
- RIDLT Proposes Regulations and Issues Compliance Guidance for the New Pay Equity Law June 3, 2022
- Massachusetts Wage Update: SJC Overturns Years of Precedent and Finds That Employers Must Automatically Pay Triple Damages if Wages are Paid Even One Day Late April 8, 2022
- Massachusetts SJC Holds that Independent Contractor Statute Applies to Franchisees March 31, 2022
- Congress Moving Forward To Limit Employers' Right to Arbitrate Sexual Harassment Claims – A Slippery Slope February 11, 2022
- Supreme Court Rescues Large Employers from the OSHA ETS Vaccine Mandate January 18, 2022
- Updates to the Massachusetts Minimum Wage and PFML Coming in 2022 December 14, 2021
- Federal COVID Action Plan Announced September 10, 2021
- United States Supreme Court Limits An Employer's Ability to Protect Trade Secrets Through Violations of the Computer Fraud and Abuse Act July 15, 2021
- Rhode Island's New Pay Equity Law Changes How Employers Must Compensate Their Workforce July 2021
- Massachusetts Mandatory Emergency Paid Sick Leave Starts Now June 7, 2021
- IRS FAQ Expands Free COBRA Entitlement May 28, 2021
- Employers Should Brace Themselves for the ARPA's Burdensome Paid COBRA Mandate March 29, 2021
- New FFCRA Leave Starts April 1, 2021 March 23, 2021
- The End of Mandatory COVID-19 Related Leave (For Now) January 20, 2021

- CDC Expands the Definition of “Close Contact” for Purposes of Quarantine and Contact Tracing October 22, 2020
- Solving Staffing Nightmares Created By State Travel Restrictions August 25, 2020
- FFCRA Update – One Federal Court Strikes Down Portions of the DOL’s Final Rule Implementing The FFCRA August 11, 2020
- FFCRA Child Care Leave During Summer Vacation – What’s The Rule? June 16, 2020
- Restrictive Covenant Agreements June 11, 2020
- Department of Labor Updates Employer Guidance on FFCRA May 12, 2020
- Families First Coronavirus Response Act March 20, 2020
- Engaging Independent Contractors in the Gig Economy: 3 Things for Employers to Know February 19, 2020
- Coronavirus: Guidance for Employers February 19, 2020
- Uber Contractor/Employee Status to be Determined by Federal Jury *As seen in Rhode Island Lawyers Weekly*, February 6, 2020
- Here We Go Again – For The Second Time – DOL Unveils Final Overtime Rule September 27, 2019
- Update: Massachusetts Paid Family And Medical Leave – Deadline For Employer Contributions Extended To October 1, 2019 *Partridge Snow & Hahn Client Alert*, June 12, 2019
- One Epic Year Later: Have You Implemented A Mandatory Arbitration Agreement Yet? May 17, 2019
- Update: Massachusetts Paid Family And Medical Leave – New Deadlines And Tax Implications May 2, 2019
- Update: Massachusetts Paid Family And Medical Leave – New Notice Requirement Deadline Of May 31 *Partridge Snow & Hahn Client Alert*, April 18, 2019

- New Massachusetts Paid Leave of Absence Law *Partridge Snow & Hahn Client Alert*, April 11, 2019
- Here We Go Again – DOL Unveils “New” Overtime Rule *Partridge Snow & Hahn Client Alert*, March 18, 2019
- What You Need to Know About the New Mass. Noncompete Law *As seen in Providence Business News*, October 26, 2018
- Rhode Island Employers Take Note: Amend Your Paid Time Off Policy Now June 27, 2018
- An Epic Win for Employers Across the Nation: What Employers Should Do To Avail Themselves of the Benefits of the New U.S. Supreme Court Decision May 24, 2018

- Employers toe fine line to avoid misclassification liability *Published by Massachusetts Lawyers Weekly and Rhode Island Lawyers Weekly*, May 17, 2018

- It is Not an Early April Fools’ Joke: Give Your Employees the Required Massachusetts Pregnant Workers Fairness Act Notice TODAY March 30, 2018
- Why Your Company Will Be in Violation of the Massachusetts Equal Pay Law on July 1st – And How to Fix It March 28, 2018
- Proposed Rhode Island Sick Leave Regulations Fail to Provide Clarity and Will Increase Employer Headaches if Finalized March 14, 2018
- Massachusetts Employers Take Notice February 22, 2018
- Rhode Island Paid Sick Leave Law Lacks Clarity on Several Key Issues October 5, 2017
- Massachusetts Employers Take Notice: Evaluate and Comply Now or Risk Paying More Later August 22, 2017
- Accommodating Medical Marijuana Users: A National Trend? *As seen in Law360*, August 2, 2017
- Massachusetts High Court Concludes that State Anti-Discrimination Laws Protect Medical Marijuana Users July 19, 2017
- Rhode Island Company Liable for Refusing to Hire Marijuana User – Is Massachusetts Next? May 25, 2017
- Employers thrown curve on new overtime rule Texas judge grants injunction on eve of changes; lawyers say no one-size-fits-all advice, *Michael A. Gamboli was quoted in a Massachusetts Lawyers Weekly article.*, December 2, 2016
- Not So Gentle Reminder – EEO-1 Reports are due on September 30 September 26, 2016
- Update – Red States Sue to Stop Enactment of Obama Administration’s Changes to Federal Overtime Laws September 21, 2016
- Department of Labor Issues Final Changes to the Overtime Law May 19, 2016
- “Employer can’t enforce non-compete vs. doctor.” *Michael Gamboli, was quoted in a Rhode Island Lawyers Weekly article.*, April 20, 2016
- “Employer can’t enforce non-compete vs. doctor” April 20, 2016

- Outsmart the Pending Changes to the Overtime Law with Advance Planning November 2015
- “President Obama Announces Proposed Sweeping Change to Federal Overtime Law” June 2015
- Massachusetts Sick Time – AG Amends Safe Harbor Provision June 12, 2015
- Massachusetts Sick Leave Notice to Employees June 12, 2015
- Massachusetts Sick Leave Law – Safe Harbor for Employers May 20, 2015
- “Sexual Harassment Claims – An Ounce of Prevention Equals a Pound of Cure” *The Anchor, Second Quarter 2015*, 01 May 2015
- FMLA Recognizes Same-Sex Marriages March 18, 2015
- Massachusetts Officially Provides Paternity Leave! February 24, 2015
- Employers: Be Ready for a Union Ambush January 14, 2015
- Employers – Be Prepared to Revise Your Email Policies January 7, 2015
- U.S. Supreme Court Takes Up Major Challenge to Federal Health Reform November 10, 2014
- Massachusetts Voters Pass Mandatory Paid Sick Time November 5, 2014
- Mandatory Paid Sick Time in Massachusetts? October 29, 2014
- US Department of Labor to Aggressively Pursue Misclassification Matters October 17, 2014
- Health Reform News September 8, 2014
- Dueling Districts on Major Challenge to Federal Health Reform July 23, 2014
- When it Comes to Volunteers and Unpaid Interns There is No Such Thing As a Free Lunch June 18, 2014
- RI Increased Employee Absences (and Headaches) due to the 2014 Temporary Caregiver Leave Law January 8, 2014
- Bi-Weekly Pay in RI – Finally!! January 3, 2014
- Bi-Weekly Pay Update – One Step Closer!! December 13, 2013
- Bi-Weekly Pay – The Devil is in the Details December 3, 2013
- Not Everything in Health Reform is Delayed: Employers Must Send Notices to Employees by October 1 September 13, 2013
- Rhode Island Labor Law Changes Passed by Legislation July 11, 2013
- New Background Check Forms Required under the FCRA February 25, 2013
- Employer Beware – Automatic termination policies are illegal. Just ask Sears. February 13, 2013
- Misclassification of Independent Contractors – Increased Risks and Damages under New Law November 1, 2012
- Massachusetts Transgender Equal Rights Bill April 12, 2012
- New Massachusetts Law Prohibits Employers from Asking about Criminal Convictions on Job Applications August 2010
- “2009 Stimulus Bill: Expansion of COBRA Coverage” March 2009
- The “New” Americans with Disabilities Act: What the Employee-Friendly Revisions to the ADA Mean for Employers October 2008
- “Protecting Your Company from Negligent Hiring Claims” June 2007

Representative Speaking Engagements

- PS&H Attorney Michael Gamboli to Discuss How to Build an Inclusive Organization November 3, 2021
- PS&H Attorneys Michael Gamboli and Joshua Xavier Discuss The New Pay Equity Law October 14, 2021
- Joshua Xavier and Michael Gamboli Join HR Roundtable April 27, 2021
- Michael Gamboli Served as Panelist For Paid Family Leave Webinar November 10, 2020
- PS&H Partner Michael Gamboli Speaks at ALSB Annual Conference August 4, 2020
- MA Paid Family And Medical Leave (PFML) Law May 15, 2019
- PS&H Partner Michael Gamboli to Speak on Internal Investigations At 20th Annual RI SHRM Conference March 28, 2019
- PS&H Partners Michael Gamboli and Paul Kessimian Speak at Rhode Island Bar Association 2018 Annual Meeting June 6, 2018
- The Law of Sexual Harassment (How to Address Situations) March 21, 2018
- Northern Rhode Island Chamber of Commerce Golf Tournament September 19, 2017
- Credit Union of Rhode Island Charity Golf Tournament July 17, 2017
- Employment Law & HR Update: The Power of Best Practices November 3, 2016

Recognitions

- PSH Attorneys Recognized in 30th Edition of Best Lawyers in America August 17, 2023
- Rhode Island Monthly Recognizes 23 PSH Attorneys in 2023 Professional Excellence in Law Issue June 14, 2023
- Chambers USA 2023 Recognizes Partridge Snow & Hahn June 5, 2023
- PSH Attorneys Recognized in 2023 Edition of Best Lawyers in America August 18, 2022
- Chambers USA 2022 Recognizes Partridge Snow & Hahn June 9, 2022
- Partridge Snow & Hahn Named in Benchmark Litigation's 2022 Rankings and Stars October 2021
- Chambers USA 2021 Recognizes Partridge Snow & Hahn May 20, 2021
- Partridge Snow & Hahn Named in Benchmark Litigation's 2021 Rankings and Stars November 2020
- Partridge Snow & Hahn Attorneys Named 2020 Super Lawyers and Rising Stars October 2020
- Partridge Snow & Hahn Attorneys Recognized in the 2021 Edition of Best Lawyers in America August 20, 2020
- Partridge Snow & Hahn Attorneys Recognized in Professional Excellence Law Issue In Rhode Island Monthly June 2020
- Chambers USA 2020 Recognizes Partridge Snow & Hahn May 2020
- PS&H Attorneys Named 2019 Super Lawyers and Rising Stars October 2019
- Benchmark Litigation Recognizes Michael Gamboli and Alicia Samolis As 2019 Labor & Employment Stars September 25, 2019
- Chambers USA 2019 Recognizes Partridge Snow & Hahn in Massachusetts and Rhode Island May 1, 2019
- Partridge Snow & Hahn Attorneys Have Been Named to the 2019 Edition of Best Lawyers in America November 5, 2018
- PS&H Attorneys Named 2018 Super Lawyers and Rising Stars *American Lawyer Media*, October 22, 2018
- Partridge Snow & Hahn Recognized in Chambers USA 2018 In Rhode Island and Massachusetts May 7, 2018
- PS&H Attorneys Named 2017 Super Lawyers and Rising Stars October 2017
- Best Lawyers in America 2018 Names PS&H Providence Attorneys Bernardo, Gamboli, Gildea, Merten and McCarthy "Lawyers of the Year" 11 Attorneys in Providence and Boston Named "Best Lawyers", August 16, 2017

Representative Cases

- Won a precedent setting R.I. Supreme Court case for national jewelry and fine goods corporation establishing that employee manuals including discretionary amendment provisions do not create contractual rights.
- Obtained federal court summary judgment for worldwide crystal manufacturer against retailer on antitrust, breach of contract and fraud claims.
- Won federal court trial for state's dominant workers' compensation insurance carrier against national competitor on claims of trademark infringement, establishing new precedent on issue of harm in intellectual property infringement actions.
- Won R.I. Supreme Court decision dismissing disability discrimination claims against national retail chain by former employee.