

NICOLE M. FALCEY

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Nicole Falcey represents employers across the country in wage and hour class and collective actions, pay equity disputes, and complex employment litigation. She defends companies against claims under the Fair Labor Standards Act (FLSA), state wage and hour laws, and new pay transparency and equal pay statutes while also helping businesses avoid potential claims through strategic compliance counseling.

Nicole is known for her sharp judgment, practical approach, and ability to see the big picture. She understands that legal compliance doesn't happen in a vacuum — it has to work within the real-world demands of running a business. Clients rely on her to deliver strategies that protect them legally while supporting their broader business objectives.

In her litigation practice, Nicole has successfully protected companies against large-scale exposure and resolved complex multi-plaintiff actions across a range of industries. She also works closely with clients on pay audits, wage and hour risk assessments, and compliance programs to help them navigate the increasingly aggressive enforcement landscape.

While her practice includes a wide variety of clients from a number of industries, she has a connection to the restaurant industry is both professional and deeply personal. Nicole worked as a waitress throughout high school, college, law school, and even while studying for the bar exam, giving her firsthand insight into the fast-paced, high-pressure realities of restaurant operations. That experience informs her passion for helping restaurants navigate the complex employment issues unique to the industry, including wage-and-hour compliance, scheduling practices, and employee relations. With a natural inclination toward advocacy and problem-solving, Nicole ultimately found her calling in the law—but in another life, she often notes, she might have been a restaurant owner, a perspective that shapes her practical, business-minded approach to counseling restaurant clients.

Clients describe Nicole as perceptive, strategic, and relentlessly focused on practical solutions. Whether defending a lawsuit or

EDUCATION

- » University of Denver College of Law (J.D., 2011)
- » Boston College (B.S., 2006)

BAR ADMISSIONS

- » New Jersey
- » New York
- » Connecticut

COURT ADMISSIONS

- » U.S. District Court for the District of New Jersey
- » U.S. District Court for the Southern District of New York
- » U.S. District Court for the Eastern District of New York
- » New York State Courts
- » New Jersey State Courts
- » Connecticut State Courts

building a compliance program, she brings a measured and tactical approach aimed at protecting her clients and positioning them for sustained success.

Nicole was selected as a 2024 Fellow of the Leadership Council on Legal Diversity (LCLD) and is active in attorney recruiting and mentoring within the firm.

Representative Experience

- » Won a directed verdict in New Jersey State Court defending a national grocery chain in a breach of contract and breach of duty of fair representation lawsuit involving the alleged breach of a collective negotiations agreement by an employee.
- » Secured a directed verdict mid-trial in New Jersey State Court defending a national grocery chain against breach of contract and duty of fair representation claims; subsequently prevailed on appeal.
- » Won mid-trial after Plaintiff's case-in-chief by securing a judgment as a matter of law for a leading industrial supplier in a federal jury trial involving complex ERISA pension claims.
- » Secured early dismissal of a whistleblower retaliation claim at the pleading stage on behalf of a Fortune 200 technology company, avoiding protracted litigation.
- » Successfully defended an appeal of a dismissal of Plaintiff's ERISA and contract claims.
- » Negotiated a significant reduction of alleged misclassification penalties with the New Jersey Department of Labor at the appeal stage for a national at-home healthcare provider.
- » Represented numerous clients in a Department of Labor wage investigations, achieving quick and favorable resolutions.
- » Obtained a favorable global settlement on behalf of a leading multi-campus hospital system in multi-plaintiff discrimination claims brought under the New Jersey Law Against Discrimination (NJLAD).
- » Successfully defended and obtained summary judgment on behalf of a national religious organization against breach of contract and defamation claims asserted by a member of the clergy.

Honors & Awards

- » Leadership Council on Legal Diversity (LCLD), 2024 Fellow
- » *Best Lawyers in America: Ones to Watch*
- » “New Jersey Rising Star” listed in *Super Lawyers* magazine
- » *Nicole was selected to the *Rising Star* list issued by Thomson Reuters. The selection methodology is found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

News & Insights

- » SourceBook - Editor, FordHarrison's Labor & Employment Sourcebook, Pay Equity
- » March 06, 2026 - When an "Automatic Gratuity" Is Not a Tip: Wage and Hour Considerations for New Jersey Restaurants
- » May 23, 2025 - Noncompete News: New Jersey Introduces New Bill to Kill Noncompete Agreements
- » May 21, 2025 - Is Your Company Ready to Disclose Salary Information and Promotional Opportunities Under New Jersey's Pay Transparency Act?
- » December 23, 2024 - Nicole Falcey Awarded 2024 Atlas Award by Leadership Council on Legal Diversity

Events

- » March 05, 2026 - New Jersey Employment Restaurant Roadshow (Virtual Program) - Complimentary Webinar
- » December 04, 2025 - New Jersey Employment Law Update: Ensuring Compliance in a Shifting Landscape
- » June 25, 2025 - Navigating Pay Transparency: A National Approach to Compliance - Complimentary Webinar
- » November 25, 2024 - Are U.S. Employers Ready for a Right to Disconnect Law? - What U.S. Employers Need to Know – Complimentary Webinar
- » December 13, 2023 - 2023 New Jersey Employment Law Update

Offices

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