FORDHARRISON

STEVEN BALKEN

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Steven Balken represents employers in workplace conflicts, combining results-driven litigation advocacy with strategic counseling to manage risk while moving business forward.

In today's fast-changing and increasingly litigious workplace environment, Steven partners with employers to prevail in legal disputes and protect their business interests. He represents clients across industries including healthcare, hospitality, petroleum, food and beverage, transportation, and retail in matters involving discrimination, retaliation, and harassment claims, as well as disputes concerning disability and religious accommodations, wage and hour laws (including class and collective actions), and employment contracts. Steven brings strategic insight and a clear understanding of both the legal and business considerations at stake, helping employers manage conflict while reducing operational disruption.

Steven also advises employers on everyday workplace issues, helping them minimize legal risk while advancing business objectives. He provides practical guidance on employee onboarding, discipline, terminations, accommodations, leave management, and wage practices, and regularly drafts and updates employee handbooks, policies, and procedures. His approach is grounded in a practical understanding of how legal compliance intersects with real-world business operations.

Before joining FordHarrison, Steven practiced employment litigation at a New York-based general practice firm. He also served as a judicial intern for the Honorable Justice Leon Ruchelsman in the New York State Supreme Court, Kings County.

Representative Experience

- Obtained summary judgment in New York Supreme Court (Suffolk County) dismissing government employee's unlawful termination claim based on alleged violation of due process deprivation under 42 U.S.C. § 1983.
- Obtained summary judgment in the U.S. District Court for the Eastern District of New York dismissing union worker's

EDUCATION

- Benjamin N. Cardozo School of Law (J.D., 2022)
- Touro College (B.A., *summa cum laude*, 2018)

BAR ADMISSIONS

- New York
- New Jersey

COURT ADMISSIONS

- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the District of New Jersey
- New York State Courts
- New Jersey State Courts

race discrimination claims under Title VII of the Civil Rights Act of 1964 and New York City Human Rights Law.

- Prevailed on pre-answer motion to dismiss complaint in the New York Supreme Court (Dutchess County) defeating human services employee's disability discrimination, hostile work environment, retaliation, and wage and hour claims under New York State Human Rights law and New York Labor Law.
- Prevailed on pre-answer motion to dismiss complaint in the U.S. District Court for the Eastern District of New York defeating international catering company employee's race discrimination claims under Title VII of the Civil Rights Act of 1964.
- Prevailed on pre-answer motion to dismiss putative collective and class action complaint in New York Supreme Court (New York County) defeating healthcare employee's wage and hour claims under New York Labor Law and Fair Labor Standards Act.
- Successfully appealed to New York Appellate Division (Second Department), obtaining reversal of New York Supreme Court (Suffolk County) decision that had denied pre-answer motion to dismiss government employee's whistleblower retaliation and defamation claims under 42 U.S.C. § 1983 New York State Human Rights Law, New York Labor Law, and New York common law.
- Defeated article 78 petition in New York Supreme Court (Suffolk County) that had challenged government employee's denied promotion.
- Obtained a finding of no probable cause in New York State Division of Human Rights investigation of national auto-repair client, defeating age discrimination, hostile work environment, and retaliation claims under New York State Human Rights.
- Prevailed on pre-answer motion to dismiss complaint in the New Jersey Superior Court
- (Bergen County) defeating oil company employee's hostile work environment claim under New Jersey common law.
- Obtained preliminary injunction award in the New York Supreme Court (Kings County) preventing former employee from competing with homecare agency client.
- Appealed in the U.S. Court of Appeals for the Second Circuit on behalf of a homecare agency from a decision by the U.S. District Court for the Eastern District of New York in a class- action lawsuit involving wage and hour violation

claims under the Fair Labor Standards Act and New York Labor Law.

- Negotiated favorable settlements for countless New York, New Jersey and national employers for employment claims at various stages of state and federal litigation, including pre-lawsuit.
- Successfully compelled arbitration of multiple individual and putative class and collective action employee lawsuits.

Honors & Awards

- The *Best Lawyers in America: Ones to Watch,* Litigation - Labor and Employment and Labor and Employment Law - Management (2026 - 2027)
- "New York Rising Stars" *Super Lawyers Magazine* (2025)

News & Insights

- October 30, 2026 - One New York-Based FordHarrison Attorney Listed as 2026 New York Super Lawyer and One Listed as Rising Star
- June 01, 2026 - Supreme Court Expands FAA Transportation Worker Exemption
- February 16, 2026 - New York "Trapped at Work Act" Amended to Change Effective Date and Resolve Ambiguities
- January 30, 2026 - Are You Up to Date in 2026? Key Developments in New York Employment Law
- January 15, 2026 - New York Employers Beware: Credit Checks Are Being Banned Statewide

Events

- February 06, 2026 - New York's "Trapped at Work Act": What Employers Need to Know About Training Repayment Agreements

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