



## Brendan P. Kelleher | Partner | Team Co-Leader K-12 Education

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Mr. Kelleher's practice focuses on the representation of employers in all areas of [labor and employment law](#), including the negotiation of employment and separation agreements, counseling employers regarding their obligations under federal and New York State labor and employment laws, and representing employers before federal and state courts, the Equal Employment Opportunity Commission, the New York State Division of Human Rights, the United States and New York State Department of Labor, and other federal and state agencies.

Mr. Kelleher also regularly conducts workplace investigations for employers, including investigations of allegations of discrimination, harassment, retaliation, and other alleged employee misconduct.

Mr. Kelleher concentrates his practice in labor and employment law. His practice includes a focus on representing management in all areas of labor relations, including in collective bargaining, grievances, arbitrations, and before the National Labor Relations Board.

Drawing on his experiences as the General Counsel to the City of Buffalo School District and his representation of school districts for over two decades, Mr. Kelleher also devotes a significant portion of his practice to representing and counseling school districts in all areas of their operations and the unique challenges they face.

Prior to practicing law, Mr. Kelleher served on the foreign policy staff in the Washington, D.C. office of United States Senator Edward M. Kennedy.

### IN THE NEWS

- "[Brendan P. Kelleher | People on the Move](#)," *Buffalo Business First*, November 2022
- "[Probe faults Martzloff, Williamsville's 'questionable decisions'](#) for

### CAPABILITIES

#### Employment

- Audits and Litigation
- Corporate & Compliance Investigations
- Employment Agreements
- HR Training and Counseling
- Non-Compete and Non-Solicitation Litigation
- Occupational Safety and Health Administration Compliance
- Restrictive Covenants
- Trade Secrets
- Wage and Hour
- Worker Classification
- Workplace Policies

#### Employment Litigation

#### Education

- Higher Education
- K-12 Education

#### Municipal Law

#### General Counsel Services

school reopening missteps," *The Buffalo News* , March 2021

- "Judge now rules student names, admissions test scores won't be released," *The Buffalo News* , January 2019
- "Will cannabis legalization prompt changes to workplace policies ?," *Buffalo Business First* , January 2021
- "Need child care? Here are some options – and how to pay ," *The Buffalo News* , August 2020
- "As employers field legal questions, attorneys say communication and flexibility are key," *Buffalo Business First* , March 2020
- "Distancing by Design: 4 Buffalo executives weigh in on Covid-19 pandemic," *Buffalo Business First* , September 2020
- "Crisis management is critical for companies ousting CEOs ," *Buffalo Business First* , October 2018
- "Dennis Black avoids prison after paying full restitution ," *Buffalo Business First* , January 2018
- "Kelleher reflects on life in the public eye ," *Buffalo Business First* , December 2011
- "Recreational activities in the workplace face increasing scrutiny by employers," *Buffalo Business First* , October 2016

## **EDUCATION**

- University at Buffalo School of Law, J.D., 2001
- The American University, B.A., 1998

## **COMMUNITY INVOLVEMENT**

- St. Joseph's Collegiate Institute, Board of Trustees, 2012-2019
  - Served as the Board's Secretary and then Vice Chair
- St. Mary's School for the Deaf, Board of Trustees, 2011-2014

## **HONORS & AWARDS**

- *The Best Lawyers in America*©, 2016- 2026
- *Upstate New York Super Lawyers*®, 2013-2025
- *Buffalo Business First and Buffalo Law Journal* , Legal Elite of Western New York, 2014-2015
- *Irish Legal 100*, 2021-2025

## **SPEAKING ENGAGEMENTS**

- "Just What Does 'Transparency' Mean Under FERPA, FOIL, and the Open Meetings Law," Co-presenter, WNY Education Service Council's Education Law Seminar, Buffalo, August 2024
- Labor & Employment Seminar, Co-host/Speaker, Jacksonville, March 7, 2024

## **ADMITTED TO PRACTICE**

New York: Albany, Buffalo, Clarence, Long Island, New York City, Rochester, Saratoga Springs, Syracuse // Florida: Jacksonville, Tampa Bay, West Palm Beach  
Illinois: Chicago // Ohio: Cleveland // Oklahoma: Oklahoma City // Ontario: Greater Toronto Area // Texas: San Antonio // Washington, D.C.

Attorney advertising: Prior results do not guarantee a similar outcome.

- New York
- U.S. District Court, Western District of New York