

Joseph G. Santoro

Shareholder

West Palm Beach
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Practice & Industry Areas

- Labor & Employment Law
- Business Litigation

Education

- Nova Southeastern University, J.D., magna cum laude, 1998
- University of Central Florida, B.A., 1994

Bar & Court Admissions

- Florida Bar, 1998
- United States District Courts, Southern and Middle Districts of Florida

Overview

Joseph Santoro is a shareholder who joined the firm in 2002. Joe is the chair of Gunster's Labor & Employment practice group and serves in the firm's Office of General Counsel for employment. He is an experienced trial lawyer and trusted advisor who represents clients in every phase of the employment relationship, from day-to-day counseling, to administrative proceedings, to employment litigation. Joe also represents business clients in other commercial disputes and litigation matters.

Although Joe has diverse litigation experience, his practice focuses primarily on defending business clients and executives in employment related disputes including executive contract disputes, non-compete litigation, discrimination and harassment cases, wage and hour litigation, whistleblower claims, wrongful termination cases, employee leave claims, and employee theft and trade secret litigation.

Joe's courtroom experience makes him a trusted counselor and advisor to clients, who understand that knowing what it takes to successfully defend cases in court is crucial to making correct employment decisions so that costly litigation can be avoided. Joe's experience allows him to provide valuable advice, counseling and training to business

clients regarding a full array of labor and employment issues including wage and hour compliance, Department of Labor audits, reductions in force and plant closings, workplace diversity and non-discrimination, sexual harassment prevention and compliance, employee leave requests under the FMLA, and disability accommodations. In addition, Joe works with clients on preparing employment agreements, non-competition agreements, employee handbooks and policies, and other documents that are essential to maintaining corporate best practices in the area of labor and employment law. Joe also represents management in administrative proceedings before the Equal Employment Opportunity Commission (EEOC), Florida Commission on Human Relations (FCHR) and the National Labor Relations Board (NLRB).

Representative Matters

- *Carla Smart v. Palm Beach County Clerk of Court*: Circuit Court for the 15th Judicial Circuit, CASE NO.: 50 2014CA014726XXXXMB AN, obtained a Defense Directed Verdict after the close of Plaintiff's case in a jury trial where the Plaintiff alleged Race and National Origin discrimination and retaliation. In addition to the Defense verdict, obtained an award of sanctions against the complaining Plaintiff in excess of \$170,000 (2019)
- *European Wax Center v. Lohman* (related matter: EWC Franchise, LLC v. Doc, development, LLC, United States District Court, Southern District of Florida, Case Number: 0:20-cv-60035-RS), obtained a Defense Final Award after a three week arbitration relating to breach of a franchise agreement where the termination related to allegations of sexual harassment and discrimination. In addition to the Defense ruling, obtained an attorneys fee award on behalf of the of the client in excess of \$600,000 (2019)
- *Jose A. Cespedes Plaintiff vs. MWI Corp.* Seventeenth Judicial Circuit in and for Broward County, Florida Case No: 062009CA024498AXXXCE, obtained a Defense jury verdict following a three week jury trial in a case where the Plaintiff was alleging Age Discrimination and Retaliation (2018)
- *[Parties Confidential]*, obtained a \$28.5 million Arbitration award following a three week arbitration in California arising from Employee Theft and breach of Fiduciary Duty claims (2016)
- *Tel Choice v. BellSouth*, 17th Judicial Circuit, Palm Beach County, FL, obtained \$12 million jury verdict in complex commercial dispute (2005)
- *Phillips v. Corporate Express Office Products, Inc.*, 800 So. 2d 618 (Fla. 5th DCA 2001), including Supreme Court briefs in *Phillips v. Corporate Express Office Products Inc.*, 847 So. 2d 406 (Fla. 2003), establishing a new standard for the assignment of non-compete agreements in Florida

Honors

- *The Best Lawyers in America*®, Labor & Employment Litigation "Lawyer of the Year" in West Palm Beach, 2018
- *Florida Super Lawyers*, 2014-20
- *The Best Lawyers in America*®, Commercial Litigation, Labor & Employment Litigation, 2014-21
- AV Rated as independently determined by Martindale-Hubbell
- *Florida Trend*, "Legal Elite," 2008

Publications & Presentations

- "Outsourcing and employee lay-offs in Latin America: What employees need to know," Employment Law Alliance webinar, February 2015
- "Change: The Obama Administration's Plans for Employment Law," Gunster Employment Seminar, The Breakers, February 2009
- "Immigration Legislation," North Palm Beach Chamber of Commerce, Palm Beach Gardens, FL, 2007
- "Non-Competes and Trade Secrets," Lorman Education Services, West Palm Beach, FL, 2006
- "Immigration Reform," Economic Forum of Palm Beach County, West Palm Beach, FL, 2006
- "Establishing and Refuting Damage Claims in Employment Cases," Palm Beach County Bar Association, West Palm Beach, FL, 2004
- "Preventing Harassment and Discrimination in the Workplace," Miami, Fort Lauderdale and West Palm Beach, FL, 2003-04
- "Employment Law Issues for the Diverse Workplace," Stuart, FL, 2003
- "What to Expect from the New Administration," Boca Raton, FL, 2001
- "Time Off to Reflect on the Family and Medical Leave Act," *Briefly... Perspectives on Legislation, Regulation and Litigation*, Vol. 5, No. 5, May 2001

Professional Associations & Memberships

- Palm Beach County Bar Association, Labor and Employment Division, co-chair, 2007-08

Civic & Community Service

- Chamber of Commerce of the Palm Beaches, board member, 2008-10
- City of North Palm Beach Fire Rescue, former volunteer