



## OVERVIEW

Angelo M. Filippi is a Partner and Business Unit Leader, focusing his practice on labor and employment law and Occupational Safety and Health Act (OSHA) defense. Angelo represents employers on a broad range of matters applicable to the workplace. The group defends employers who are audited or investigated by local, state, and federal enforcement agencies and has extensive experience litigating both individual and class action claims. Angelo has defended employers in litigation initiated under state and federal discrimination laws; overtime and other wage disputes under the Fair Labor Standards Act; leave issues relating to the interaction between the disabilities laws, the FMLA, and workers' compensation; retaliation and whistleblower claims; non-compete issues, employment contract claims, and OSHA compliance.

Angelo's practice also includes counseling clients in regulatory compliance with the standards and regulations enforced by the Department of Labor, OSHA, and Homeland Security. As part of his OSHA practice, Angelo assists clients in establishing compliant safety programs; guides employers during OSHA inspections; and defends employers in OSHA enforcement actions. He also assists clients with internal regulatory compliance audits of compensation practices; I-9s and employment and safety practices reviews.

Angelo is a frequent speaker on regulatory safety and health compliance issues for various professional organizations and has developed and delivered numerous seminars and training programs on OSHA and Employment Law related matters and policies. He frequently advises and consults with employers on how to avoid employment discrimination and/or wrongful termination litigation, as well as the best practices regarding crisis management on disciplinary issues and investigative activities when employees allege unlawful activities. Additionally, he prepares and assists in drafting employee manuals, drug-free workplace programs, return-to-work programs, safety programs, leave policies, and other human resource forms to ensure compliance with state and federal matters.

Angelo has extensive experience in a wide array of complex business law and insurance-related matters, including ERISA liability claims and disputes resulting from allegations of violations of fiduciary responsibilities by Plan Administrators and Sponsors.

Prior to entering private practice, Angelo was responsible for the EEOC's litigation program in Florida as Regional Counsel. He is a popular and frequent lecturer at seminars for employers, management groups, and human resource professionals on various topics, including, discrimination laws, OSHA compliance; the administrative process at federal, state, and local agencies, and the overlap of the ADA, FMLA and other employment law issues.

## CONTACT INFORMATION

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## PRACTICE AREAS

- Labor & Employment | Employer Side
- OSHA
- Audits and Litigation
- Compliance
- Fiduciary Liability
- Regulated Substances
- Rapid Response Task Force
- Errors & Omissions

## ADMISSIONS

- Florida
- New York

## EDUCATION

- St. John's School of Law, J.D., 1984
- New York University, B.A., 1981

## ASSOCIATIONS

### Professional Associations

- Broward County Bar Association (BCBA), Member,
  - The Claims and Litigation Management Alliance (CLM), Member
  - Association of General Contractors (AGC), Member
  - Construction Association of South Florida (CASF), Member
  - American Society of Safety Professionals, South Florida Chapter, Member
  - Human Resources Association Broward County, Former Committee Chair
  - Florida Bar, Member
    - Employment Law Section, Former Committee Chair
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## SPEAKING ENGAGEMENTS

- Co-Speaker, *When OSHA Comes Knocking Part 2: Accident Investigations & Protecting Your Bottom Line*, Construction Association of South Florida, May 2022
- Speaker, *What To Do Not If, But When OSHA Comes Knocking*, Construction Association of South Florida, April 2022
- Speaker, *Personnel Issues Related to the Pandemic*, Construction Association of South Florida, March 2022
- Speaker, *Leading and Managing Remote Workers: Steps to Successfully Lead a Team of Remote Workers*, National Lease Sales Meeting, and Dedicated Logistics Summit, November 2021
- Speaker, *COVID Stress: Effectively Managing Conflict within the Workplace Caused by the COVID Crisis*, The Commonwealth Institute – TCI Talk, September 2020
- Speaker, *The Americans with Disability Act, The Family Medical Leave Act Retaliation, and COVID-19*, Emerging Trends Webinar, June 2020
- *Workplace Violence & Active Shooters: Limiting Liability & Maintaining a Safe Work Environment*, October 2018
- *A High Priority-Medical Marijuana in the Workplace*, June 2018
- *When OSHA Comes Knocking*, June 2018
- *How to Manage Marijuana in the Workplace*, May 2018
- *Medical Marijuana in the Workplace*, February 2018
- *When OSHA Comes Knocking*, February 2018
- *Dazed & Confused: Florida's Medical Marijuana Law & Its Impact on the Workplace*, November 2017
- *Dazed and Confused? Florida's Medical Marijuana Law & Its Impact on the Workplace*, July 2017
- *When OSHA Comes Knocking*, April 2017
- *The Implications of Legalized Marijuana for the Construction Industry*, January 2017
- *New Overtime Rules*, October 2016
- *Interplay Among the Americans with Disability Act, the Family Medical Leave Act, and Workers' Compensation*, September 2016
- *When OSHA Comes Knocking*, August 2016
- *Interplay Among the Americans with Disability Act, the Family Medical Leave Act,*

*and Workers' Compensation, June 2016*

- *EEO It's Your Job, June 2016*
  - *EEO It's Your Job, June 2016*
  - *Age Discrimination, April 2016*
  - *When OSHA Comes Knocking, April 2016*
  - *Interplay Among the Americans with Disability Act, the Family Medical Leave Act, and Workers' Compensation, March 2016*
  - *OSHA Record Keeping: What You Don't Know Can Hurt You!, September 2015*
  - *When OSHA Comes Knocking, May 2015*
  - *When OSHA Comes Knocking, April 2015*
  - *EEO Its Your Job, October 2014*
  - *Employment Law Updates, April 2013*
  - *Employment and Labor Law, April 2013*
  - *Hiring Do's and Don'ts Recent Developments, July 2013*
  - *Employment Law Update, August 2012*
  - *Employment Law, August 2012*
  - *Harassment- Zero Tolerance, September 2012*
  - *Interplay Among ADA FMLA and Workers' Compensation, October 2012*
  - *Employment Law 2012 Update, October 2012*
  - *Harassment and EEO, March 2011*
  - *The New ADA: Is Everyone Disabled?, August 2011*
  - *Labor and Employment Law, January 2010*
  - *FMLA: Family Medical Leave Act Law, February 2010*
  - *Employee/Employer Relationship, Reducing Risk in Hiring, The Interplay, Deposition Do's and Don'ts, April 2010*
  - *The Year in Review, April 2010*
  - *The Year in Review, Interplay among ADA, FMLA, May 2010*
  - *"You Need to Know This!" Updates/Changes to Employment & Labor Laws, July 2010*
  - *Workers' Compensation/ADA/FMLA, August 2010*
  - *Employment Law, November 2010*
  - *Unemployment Seminar, December 2010*
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## MEDIA

- Quoted, "Legal experts advise revisiting religious accommodation policies following Supreme Court decision," *Commercial Carrier Journal*, July 2023
- Quoted, "SCOTUS spikes Biden vaccine mandate but issue not fully put to bed", *Overdrive Online*, January 2022
- Quoted, "Biden's vaccine mandate up against 'extremely difficult' challenge,

attorneys say", *Commercial Carrier Journal*, October 2021

- Quoted, "Biden's vaccine mandate up against 'extremely difficult' challenge, attorneys say", *Hard Working Trucks*, October 2021
- Quoted, "US Vaccine Mandate Faces Tough Legal Challenges: Attorneys", *Canadian Trucking Alliance*, October 2021
- Quoted, "Does Your COVID-19 Employee Health-Screening Policy Need an Update?", *HR Magazine*, October 2021
- Quoted, "7 Steps to Improve Light-Duty Programs," *Society for Human Resource Management (SHRM)*, September 2021
- Quoted, "Employer Mask Mandates Encounter Employee Resistance," *Society for Human Resource Management (SHRM)*, August 2021
- Quoted, "Review Business Travel and Vacation Policies as Pandemic Continues", *HR Magazine*, March 2021
- Quoted, "Employers May Be Eligible for a Second PPP Loan," *HR Magazine*, February 2021
- Quoted, "OSHA Issues Worker Safety Guidance for Coronavirus Protection Programs," *SHRM*, February 2021
- Quoted, "Employee Leave Can Be Complicated", *HR Magazine*, November 2020
- Quoted, "How to Resolve Co-Worker Conflicts Over Coping with COVID-19," *HR Magazine*, September 2020
- Quoted, "DOL Provides Guidance on Tracking Telecommuters' Work Hours", *Society for Human Resource Management (SHRM)*, August 2020
- Quoted, "When and How to Pay Quarantined Workers", *Society for Human Resource Management (SHRM)*, July 2020
- Quoted, "Is your employer putting you at risk for coronavirus? Here's what you can do", *Sun Sentinel*, March 2020
- Quoted, "Even With Coronavirus Spreading, Some Employees are Forced to Work in the Office", *Sun Sentinel*, March 2020
- Quoted, "Test positive for marijuana? AutoNation won't throw out your resume", *Sun-Sentinel*, February 2018
- Quoted, "Medical Marijuana Ruling In Massachusetts Could Prompt Employer Policy Changes in Florida", *Sun Sentinel*, July 2017
- Featured, "Kelley Kronenberg Launches New Rapid Response Practice Group," *Attorney at Law Magazine*, September 2016
- Featured, "Kelley Kronenberg Launches New Rapid Response Practice Group," *Legal Learning Series*, September 2016
- Featured, "Kelley Kronenberg Launches New Rapid Response Practice Group," *South Florida CityBizList*, August 2016
- Featured, "Heath Eskalyo & Angelo Filippi presenting on the connection between Workers' Compensation law and Labor & Employment Law", *Legal News, WBZT AM 1230*, August 2015
- Quoted, "What are the Implications of Amendment 2 for Employers", *The Miami Herald*, October 2014
- Quoted, "Medical Marijuana: 3 Things Employers Need to Know", *South Florida Business Journal*, September 2014
- Quoted, "Millennial disconnect: Kids want money but not hard work", *Miami Herald*, June 2014
- Featured, "Kelley Kronenberg Holds Statewide Employment Law Seminars Hosted By Partner Angelo Filippi And Associate Melissa O'Connor", *CityBizList*, April 2012

- Featured, "New Partners", *Daily Business Review*, February 2012
- Quoted, "Diversity: Train to Gain", *South Florida Business Journal*, October 2011
- Quoted, "Employers may now face baby boomers' discrimination claims", *South Florida Business Journal*, September 2011
- Featured, "Business Counselor", *WXEL 90.7 FM*, April 2011
- Featured, "Kelley Kronenberg: A Law Firm that Means Business", *Weston Lifestyle Magazine*, April 2011
- Featured, "Kelley Kronenberg: A Law Firm that Means Business", *Estate Lifestyle Magazine*, April 2011
- Featured, "Florida's Children First Hosts Reception", *Miami Herald Broward Album*, March 2011
- Featured, "Florida's Children First hosts eighth annual 'Broward Awards and Reception'", *Sun-Sentinel*, March 2011
- Quoted, "Cellphones raise workplace issues", *Miami Herald*, February 2011
- Featured, "News and Notes", *Florida Bar News*, December 2010
- Quoted, "Judge sides with prosecutor in 'gringa' case", *Daily Business Review*, November 2010
- Quoted, "The 'Long Tail' of On-the-Job Injuries", *Human Resource Executive Online*, October 2010
- Quoted, "Workers' Comp Screening Has Its Risks as Well as Rewards"

## **Publications**

- Author, "Tips for Employers: Recruitment and Retention in the Wake of the Pandemic", *Florida Restaurant & Lodging Association* (pg 41), April 2022
  - Author, "Are Construction Employers at Risk for an OSHA Citation for COVID-19 Exposure?", *Construction Executive*, May 2020
  - Author, "The Coronavirus Conundrum: How Should Employers React?", *Daily Business Review*, March 2020
  - Author, "Millennial disconnect: Kids want money but not hard work", *Miami Herald*, June 20, 2014
  - Author, "Broward County enacts 'wage theft' ordinance", *The Miami Herald*, January 7, 2013
  - Author, "Expansion of retaliation claims create new issues for employers", *Daily Business Review*, July 17, 2012
  - Author, "My View: Overtime rules confound bosses", *The Miami Herald*, September 11, 2011
  - Author, "Employers should note new FMLA interpretation", *The Miami Herald*, August 23, 2010
  - Author, "Clear policy against harassment, discrimination can minimize liability", *Daily Business Review*, August 18, 2010
  - Author, "Board of Contributors: Overbroad social media policy can invite NLRB scrutiny", *Daily Business Review*, December 1, 2010
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## **BLOG**

- Top 10 OSHA Violations in the Construction Industry – 2021 Fiscal Year, June 2022

- OSHA Launches New Program Focused on Heat Safety, June 2022
  - When Should You Consult an Employment Attorney for Your Business?, March 2022
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## AWARDS

- *The Boca Raton Observer*, "Top Lawyers", 2022-2023
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## REPRESENTATIVE CASES

- **Khan v. State of Florida, Miami Dade County State Attorney's Office.** (Southern District, Florida) Wrongful discharge claim by prosecutor terminated for misconduct. Claims for damages against municipal employees in their individual capacities dismissed at pleading stage based on qualified immunity. Summary Judgment also granted for defendant on Sect. 1983 discharge claim; affirmed on appeal before the 11<sup>th</sup> Circuit Court of Appeals.
- **Adams et al. v. ABN AMRO, INC.; ABN AMRO Mortgage Group, Inc. Lasalle Bank Corp. and Strategic Staffing, Inc..** (Southern District, Florida) Multi-million dollar FLSA claim in which the firm represented a PEO in a class action certified with over 120 mortgage processors. Claimants alleged they worked off the clock and had lunch hours deducted automatically. Settlement of 1.7 million for which clients were released for 6% of the proceeds.
- **Carpenter et al. v. Speedy Concrete Cutting, Inc..** (Middle District, Florida). Class FLSA action in which the issue was whether class of employees who took DOT class trucks home were owed overtime for compensable time beginning when they loaded their vehicles in the morning and performed a pre-trip inspection. After certification, claim settled for less than 5% of the initial demand.
- **Galuppi's v. Department of Labor**, Department of Labor, Wage-Hour Division, Miami District Office. Government audit in 2011 of over 100 tipped employee's. Potential damages over \$275,000. Defended against allegations of improper deductions and sharing of tip pools with non-tipped employees. Result: The tip credit was confirmed by the agency, which issued a summary backpay calculation with under \$200 in backpay owed by client.
- **Grogan v. Greystone Healthcare Management Corporation.** (11th Judicial Circuit). Sexual harassment allegations brought by an office manager at a nursing home facility. Claimant sought over \$1 million grounded on assertions stalking and sexual advances by her supervisor, who ran the facility. Summary judgment issued in favor of Defendant. The 3rd District Court of Appeals affirmed.
- **Gomez v. State of Florida**, Miami Dade County State Attorney's Office, (11th Judicial Circuit), Claimant worked for 18 years in the State Attorney's Office. Issue was whether she was terminated because of her race and national origin. Summary Judgment for Defendant. Case written up as newsworthy based on holding that use of the term "la gringa" by Hispanic supervisor did not raise an issue of fact on the question of national origin discrimination brought by a white American. Appeal to 3<sup>rd</sup> District Court of Appeal affirmed per curiam.
- **The Florida Bar v. Willie Jones**, Florida Supreme Court Served as expert witness for The Florida Bar. Client was the Bar of the State of Florida. The issues on which testimony was offered was a general description of the administrative process in the context of the prosecution of civil rights litigation.
- **Velasquez v. Weiser Security** (Southern District, Florida) Case tried in federal district court for the Southern District, Florida. The issue was whether Mr. Valasquez was paid minimum wages or retaliated against when terminated. Jury returned with a defense verdict. There was no appeal and the claim was dismissed with prejudice.
- **Lemaire v. Weiser Security** (Middle District, Florida) Case tried in federal district for the Middle District, Florida. The issue was whether Mr. Lemaire was paid overtime. Bench trial resulted in a defense verdict. There was no appeal and the claim was dismissed with prejudice.

- **Abui v. Southern King Holdings, Inc.**, (Florida Commission on Human Relations) Represented Burger King franchisee in an administrative hearing on a claim alleging racial harassment, in violation of the Florida Civil Rights Act. Claim against claimant dismissed. No appeal of the Order.
- **Smiley v. Colonial Care NH and Greystone Healthcare Management Com.**, (Middle District of Florida) The client owns and operates nursing homes and assisted living facilities in Florida, Indiana and Ohio. Venue is Tampa, Florida. Plaintiff is pro se. The Complaint alleges violations of Title VII and the Florida Civil Rights Act of 1992, Plaintiff alleged that he was subjected to disparate treatment because of his race and sex and that he was terminated in retaliation for engaging in a protected activity. Summary judgment granted for Defendant.
- **Simmons v. Weiser Security Services, Inc.**, (Middle District of Florida). Client is a security company operating in 13 states. Venue is Middle District of Florida, Tampa Division. Issue is whether Simmons was terminated because of his disability, epilepsy. Summary judgment entered for Defendant. Eleventh Circuit appeal dismissed.
- **Lugo v. The Las Olas (Holding) Company, Inc.**, (Southern District, Florida). Client is landholder and hotel operator. Venue is the Southern District of Florida, Fort Lauderdale Division. Issue is whether Lugo was denied equal access to use and enjoyment of public facilities owned by the client. Case is in the process of being dismissed. Client's lessee has agreed to pay all proceeds of settlement and to make necessary repairs.
- **Grogan v. Greystone Healthcare Management Corporation**, (11th Judicial Circuit). The client owns and operates nursing homes and assisted living facilities in Florida, Indiana and Ohio. Issues were whether Grogan was sexually harassed (stalking allegations) and terminated because of her complaints. Summary judgment issued for Defendant. The 3<sup>rd</sup> DCA affirmed on appeal.
- **Crumity v. Greystone Healthcare Management Corp.** (Middle District of Florida) The client owns and operates nursing homes and assisted living facilities in Florida, Indiana and Ohio. Claimant raised claims of race discrimination under § 1983 and retaliatory discharge. Claim settled on favorable terms, well within retention.
- **Department of Labor v. Latite Roofing**, (Office of the Solicitor, Atlanta, Georgia) Multiple citations and penalties imposed on employer who filed a notice of contest. Case resolved prior to trial on favorable terms to client.