



LINDSAY M. MASSILLON

PARTNER

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Lindsay M. Massillon is an experienced litigator, representing her clients in state and federal courts. She regularly represents management against all employment-related claims, including discrimination, harassment, FLSA violations, whistleblower suits, wrongful termination, FMLA violations, and enforcing non-compete agreements. She has a passion for counseling employers and helping them avoid litigation by providing advice on termination, pay structures, and human resource matters. Lindsay has experience designing and conducting comprehensive, effective internal investigations of employee complaints as well as conducting internal payroll audits. In conjunction with internal investigations and compliance, Lindsay works with employers to ensure that their policies and procedures are carefully crafted to minimize risk.

Lindsay graduated from Nova Southeastern University - Shepard Broad College of Law, where she was a staff member for the Nova Law Review and had an article published.

PROFESSIONAL & COMMUNITY

PRACTICE AREAS

- [Accessibility and Accommodations](#)
- [Administrative Claims and Hearings](#)
- [Agreements and Handbooks](#)
- [Collective Bargaining](#)
- [Counseling and Risk Management Services](#)
- [Drug Testing](#)
- [Employee Training](#)
- [Litigation](#)
- [Occupational Safety and Health](#)
- [Restrictive Covenants](#)
- [Unemployment Claims](#)

INVOLVEMENT

- Human Resource Association of Broward County, Legislative Affairs Director, 2022-present
- Broward County Bar Association, Young Lawyers Section, President, 2019-2020
- Broward County Bar Association, Young Lawyers Section, President-Elect, 2018-2019
- Broward County Bar Association, Young Lawyers Section, Treasurer, 2017-2018
- Broward County Bar Association, Young Lawyers Section, Secretary, 2016-2017
- Broward County Bar Association, Young Lawyers Section, Board of Directors, 2013-2016
- ALFA Labor and Employment Practice Group, Member, 2018-2021

- [Wage and Hour Claims and Audits](#)
- [Workplace Investigation](#)
- [Civil Rights and Torts](#)
- [Complex Commercial](#)
- [Labor and Employment Litigation](#)

AWARDS & RECOGNITION

- Best Lawyers in America® - Ones to Watch: Commercial Litigation, Labor and Employment Law - Management, 2022 - present
- South Florida Legal Guide, Top Up & Comer, 2020-present

PRESS MENTIONS

- [Lawyers: 'False Sense of Liberation' at Home Fuels Spike in Workplace Sexual Harassment](#), Law.com, March 10, 2021
- [How GCs Can Prepare For The COVID-19 Vaccine Rollout](#), Law360, December 22, 2020
- [App Wars: Could 2021 be the Year of Mobile-App Accessibility Lawsuits?](#), Daily Business Review, November 12, 2020

PRESENTATIONS

- *Sight Unseen: Effectively Accommodating Employees with Mental Health Illness*, 45th Annual HR Florida Conference & Expo, August 27-30, 2023
- *Inside the Plaintiff's Employment Attorney's Mind – How to Avoid Sending a Plaintiff's Employment Attorney's Children to Harvard -- The Hits Just Keep on Coming!!!!*, Florida Public Human Resources Association, Inc. (FPHRA), August 3, 2022
- [Publications](#)

Publications

- *DOL Issues Anticipated Final Rule Defining Independent Contractors*, Author, February 5, 2024
- *The Wait Is Over - OSHA Issues Emergency Temporary Standard Effective December 4, 2021*, Fowler White Labor & Employment Client Alert, Author, November 11, 2021

EDUCATION

Nova Southeastern University
Shepard Broad Law School, J.D.,
2011

Rutgers University, B.A., 2008

ADMISSIONS

Florida, 2011

U.S. District Court

Southern District of Florida,
2012

Middle District of Florida, 2014

- *What Employers Need to Know About President Biden's Vaccine Mandate*, Fowler White Labor & Employment Client Alert, Author, September 16, 2021
- *What Employers Need to Know About the EEOCs Updated Vaccine Guidance*, Daily Business Review, Author, June 21, 2021
- *New Bill Immunizes Certain Businesses and Health Care Providers from Unfounded Lawsuits Based on COVID-19-Related Claims*, Fowler White Labor & Employment Client Alert, Co-Author, April 2, 2021
- *OSHA's New, Stronger COVID-19 Guidance—Are You Compliant?* Daily Business Review, Author, February 5, 2021
- *A Happy Start to the New Year: DOL Issues Final Rule on Independent Contractors*, Daily Business Review, Author, January 21, 2021
- *An Employer's Guide to COVID-19 Vaccines*, Daily Business Review, Author, November 24, 2020
- *New Rule Significantly Changing Who Is—And Is Not—an Employee Under the FLSA*, Daily Business Review, Author, October 8, 2020
- *DOL Responds: New Temporary Rule Addresses Decision Striking Down Prior Regulations*, Daily Business Review, Co-Author, September 17, 2020
- *NLRB Decision Corrects 'Injustice' Employers Face When Disciplining Employees For Abusive Conduct*, Daily Business Review, Co-Author, July 27, 2020
- *DOL Issues Final Rule on Fluctuating Workweek Method of Calculating Overtime*, Daily Business Review, Co-Author, June 4, 2020
- *The Post-Pandemic Employer -- Five Tips for Management to Avoid Liability*, Daily Business Review, Co-Author, May 22, 2020
- *Practical Guidance for Employers on Managing the COVID-19 Pandemic*, Fowler White Labor & Employment Client Alert, Co-Author, April 2, 2020
- *Final DOL Rule on Joint Employers Goes Into Effect March 16*, Daily Business Review, Co-Author, January 14, 2020
- *Employer Alert: DOL Issues Final Rule Extending Overtime to Over 1 Million Employees*, Daily Business Review, Co-Author, September 26, 2019
- *NLRB: Arbitration Agreements Barring Employees From Opting In to Collective Actions Permissible*, Daily Business Review, Co-Author, September 17, 2019
- *What You Need to Know About the Department of Labor's New PAID Pilot Program*, Daily Business Review, Co-Author, November 21, 2018
- *Changing Florida's Dazed and Confused Past: How Recent Legislation Provides More Options for Sentencing Drug Addicted Offenders*, 34 Nova. L. Rev., 321, Author, 2009