

# Employment & Labor Law

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## Related Services

Employment & Labor Law

Civil Service Disputes

Discrimination and Retaliation

Severance and

Employment Agreements

Sexual Harassment

Unemployment Appeals

Unemployment

Overpayment Waiver

Requests

Union and Collective Bargaining Agreements and Disputes

Wage and Hour / Overtime Claims

Wrongful Termination

## Overview

Massachusetts is an at-will employment state. Employers rely on that phrase to justify nearly any termination, demotion, or adverse action. But at-will employment has never meant employers can act without consequence. Federal and state anti-discrimination statutes, whistleblower protections, public policy exceptions, and the Massachusetts Wage Act all create enforceable limits on employer conduct. The gap between what employees believe they can challenge and what the law actually protects is often the biggest obstacle to pursuing a valid claim. Most employees also sign arbitration agreements and non-competes without reading them, assuming they are unenforceable. Some are. Many are not, and the enforceable ones can significantly limit your options when a workplace discrimination dispute arises.

Cohen Cleary represents employees exclusively in workplace disputes throughout Massachusetts and Rhode Island. We handle wrongful termination, discrimination, sexual harassment, retaliation, wage theft, and civil service matters. If you believe you were fired illegally or your employee rights were violated, the question is not whether you have options. The question is how quickly you act on them.

## What Our Employment Practice Covers

Our employment and labor law practice covers the full range of claims and disputes that employees face in the modern workplace. Each area involves distinct legal frameworks, procedural requirements, and strategic considerations.

### Civil Service Disputes

Discipline appeals, termination hearings, and bypass appeals before the Massachusetts [Civil Service](#) Commission.

### Discrimination and Retaliation

[Discrimination claims](#) involving race, age, disability, gender, pregnancy, religion, national origin, and other protected characteristics under Massachusetts and federal law.

### Severance and Employment Agreements

Review, negotiation, and enforcement of severance packages, non-compete agreements, and [employment contracts](#).

### Sexual Harassment

Quid pro quo and hostile work environment claims, including retaliation for reporting [harassment](#).

### Unemployment Appeals

Representation before the Department of Unemployment Assistance for [benefit denials and disqualification disputes](#).

## Unemployment Overpayment Waiver Requests

[Defense against DUA overpayment recovery](#) when repayment would be inequitable.

## Union and Collective Bargaining Disputes

Grievance arbitration, duty of fair representation claims, and individual [member advocacy](#).

## Wage and Hour / Overtime Claims

Unpaid wages, overtime violations, misclassification, tip theft, and final [pay disputes](#) under the Massachusetts Wage Act.

## Wrongful Termination

[Terminations](#) that violate anti-discrimination law, public policy, implied contracts, or statutory protections.

# How We Help by Providing Strategic Advocacy for Employees

Employment disputes rarely follow a single path. A wrongful termination claim may also involve discrimination, unpaid wages, and retaliation. A severance negotiation may require evaluating the enforceability of a non-compete clause before any terms can be discussed. We approach every matter by identifying the full scope of potential claims and building a strategy that accounts for all of them.

Our attorneys evaluate each case by examining the underlying facts, applicable statutes, and procedural options before recommending a course of action. For claims that require administrative filing, such as complaints before the Massachusetts Commission Against Discrimination (MCAD) or the Equal Employment Opportunity Commission (EEOC), we guide clients through every stage of the process. When litigation is necessary, we prepare cases with the same discipline and thoroughness we would bring to trial, because credible trial preparation is what drives meaningful settlement outcomes.

We also recognize that timing is critical in employment cases. Statutes of limitations vary by claim type, and some administrative filing deadlines are measured in days, not months. We tell our clients that evidence preservation starts the moment they suspect something is wrong. Waiting for certainty is often the most expensive decision an employee can make.

## Why Employees Choose Cohen Cleary

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

### Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

### Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

### Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

### Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

### Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our Employment and Labor Law work, this approach helps clients navigate workplace disputes with clarity, efficiency, and confidence.

## Our Approach to Navigating MCAD, EEOC, and Massachusetts Employment Statutes

Most employment discrimination and retaliation claims in Massachusetts begin with an administrative complaint before the MCAD or the EEOC. These agencies have their own procedural timelines, investigation protocols, and hearing processes. Filing with the wrong agency, missing the 300-day EEOC deadline or the three-year MCAD window, or failing to preserve the right to remove a case to court can all compromise an otherwise strong claim. Our attorneys have handled matters through both the MCAD investigative process and direct-filed litigation under M.G.L. c. 151B, and we advise clients on which path best serves their specific facts and objectives.

## Representing Employees Across New England

Cohen Cleary represents employees from offices in [Taunton](#) and [Plymouth](#), serving clients throughout southeastern Massachusetts, Greater Boston, and Rhode Island. Our attorneys regularly handle matters in Bristol County, Plymouth County, and Norfolk County courts, as well as proceedings before the MCAD, the Department of Unemployment Assistance, and the Massachusetts Civil Service Commission. We also represent employees in Rhode Island employment disputes, including claims before the Rhode Island Commission for Human Rights. Whether your case involves a state agency proceeding or direct-filed litigation, our familiarity with local courts and administrative bodies informs every step of the process. The firm has the capacity to serve clients across New England.

## Speak with a Massachusetts Employment Lawyer Today

If you believe your employer has violated your rights, time matters. Filing deadlines are strict, evidence can disappear, and delay can weaken your position. [Contact](#) Cohen Cleary to schedule

a consultation. We will evaluate your situation, explain your options, and help you decide on a clear path forward.

## Frequently Asked Questions About Employment Law in Massachusetts

### Can my employer fire me for any reason in Massachusetts?

Massachusetts is an at-will employment state, which means employers can generally terminate employees without cause. However, at-will employment has significant exceptions. Employers cannot fire you for discriminatory reasons (based on race, gender, age, disability, or other protected characteristics), in retaliation for reporting illegal activity or filing a complaint, in violation of public policy, or for conduct protected under whistleblower statutes. Workplace discrimination, hostile work environment conditions, and retaliatory terminations are all grounds for legal action. If you believe you were fired illegally, you may have a viable wrongful termination claim.

### What is the MCAD, and do I need to file there before suing my employer?

The Massachusetts Commission Against Discrimination (MCAD) is the state agency that investigates employment discrimination complaints under M.G.L. c. 151B. You are not required to file with the MCAD before bringing a lawsuit. Massachusetts allows employees to file directly in court after meeting certain procedural requirements. However, the MCAD process can be strategically advantageous in some cases, and an attorney can advise you on which path best serves your claim.

### How long do I have to file an employment discrimination claim?

Filing deadlines depend on the forum and the type of claim. MCAD complaints must generally be filed within 300 days of the discriminatory act. EEOC charges also carry a 300-day deadline in Massachusetts. If you choose to file directly in court under M.G.L. c. 151B, you have three years from the date of the violation. Wage claims under the Massachusetts Wage Act also carry a three-year statute of limitations. Because these deadlines vary, consulting an attorney promptly is essential to preserving your options.

### Does Cohen Cleary offer contingency fee arrangements for employment cases?

Yes. For certain types of employment claims, including discrimination, wrongful termination, and wage and hour violations, we offer contingency fee arrangements. This means you pay no attorney fees unless we recover compensation on your behalf. The availability and terms of contingency arrangements depend on the nature and strength of the claim, and we discuss fee structures during the initial consultation.

### What should I do if I think my employer is retaliating against me?

Document everything. Preserve emails, text messages, performance reviews, and any communications that reflect a change in treatment after you made a complaint or reported a concern. Do not rely on your employer's internal systems to retain this information. Massachusetts anti-retaliation protections are robust, and retaliation claims are often stronger than the underlying complaint that triggered them. Consult an employment attorney before

taking further action so you understand your rights and the deadlines that apply.