



Buster Melvin

He | Him | His

Partner

Syracuse

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Education

- Syracuse University College of Law, *Syracuse Law Review*, Executive Editor, JD
- College of the Holy Cross, AB

Practices & Industries

- Labor & Employment
- Higher Education

Admitted to Practice

- New York
- Connecticut

Court Admissions

- US Court of Appeals for the Second Circuit
- US District Court for the District of Connecticut
- US District Court for the Eastern District of New York
- US District Court for the Northern District of New York
- US District Court for the Southern District of New York
- US District Court for the Western District of New York

Biography

Buster is a *Chambers USA*-ranked labor and employment attorney with extensive experience representing clients in labor and employment matters in state and federal court at the trial and appellate levels. He also represents clients before the NYS Division of Human Rights, the Equal Employment Opportunity Commission, the Public Employment Relations Board, the National Labor Relations Board, and in labor-arbitration hearings.

Buster routinely lectures and provides training sessions for clients on a wide array of labor and employment issues.

Buster also serves as co-chair of Barclay Damon's Higher Education Practice Area. In addition to day-to-day counseling and litigation, Buster conducts investigations for institutions of higher education regarding student, staff, and faculty misconduct matters as well as under Title IX.

Bar Associations

- Federal Court Bar Association for the Northern District of New York
- New York State Bar Association
- Onondaga County Bar Association

Selected Memberships & Affiliations

- National Association of College and University Attorneys

Representative Experience

- Obtained summary judgment and dismissal of a Title IX claim brought by a former student against a university in federal court.

- Obtained summary judgment on behalf of a manufacturer in a racial discrimination and retaliation action in federal court.
- Obtained injunctive relief on behalf of a large regional bank in a noncompetition and nonsolicitation action against two former bank employees in state court, resulting in a favorable resolution.
- Obtained dismissal of a Rehabilitation Act claim brought against a university in federal court.
- Obtained summary judgment and dismissal of a breach of contract action brought by a former partner-physician of a cardiology practice.
- Counseled solar and hydro companies regarding prevailing wage and apprentice requirements under the Inflation Reduction Act.
- Successfully defended a client in a preliminary-injunction hearing involving nondisclosure and nonsolicitation issues in an action brought by a national professional-recruiting company in federal court.
- Defended a large hospital in a wage-and-hour meal-break class and collective action in federal court that resulted in a class-wide resolution.
- Represented municipalities in binding-arbitration proceedings involving local police unions.
- Obtained dismissal of an overtime wage and hour class action involving meal breaks in state court.

Prior Experience

- Hiscock & Barclay, LLP, Partner
- Costello, Cooney & Fearon, Partner

Judicial Clerkships

- US District Court for the Northern District of New York, Judge Frederick Scullin Jr.

Selected Community Activities

- L'Arche Syracuse, Board Member
- Vera House and Vera House Foundation, Former Board Member and Trustee
- St. Lucy's Church, Former Parish Council President
- Catholic Lawyers Guild, Former President
- McMahon/Ryan Child Advocacy Site, Former Board Member

Selected Honors

- *The Best Lawyers in America*®: Litigation – Labor and Employment, 2021–2026
- *Chambers USA*, Upstate New York: Labor & Employment, 2023–2025
- Selected to *Super Lawyers* Upstate New York: Employment & Labor, 2008, 2010–2025
- Martindale-Hubbell AV Preeminent Peer Review Rated for Very High to Preeminent Ethical Standards and Legal Ability

Selected Speaking Engagements

- Barclay Damon LLP, Inaugural New York Labor & Employment Law Conference, "The Devil's in the Payroll Details: Hidden Traps in Wage & Hour Laws"
- AIG, "Northeast Zone: Syracuse Employment Practices Liability & Excess Casualty"
- Barclay Damon LLP, Higher Ed Seminar, "Fair Labor Standards Act, Higher Education, Employee Classification, and Pay Issues"
- Barclay Damon LLP, Higher Ed Seminar, "Putting the Pieces Together: What Every Employer Needs to Know About FMLA and the ADA"

Selected Media

- *Syracuse Law Review*, Featured Alumni, "Buster Melvin L'96"

Selected Alerts & Blog Posts

- US Department of Education Drops Appeal Against Federal Court Case Blocking Enforcement of Anti-DEI Directives
- Federal Judge Halts DOE's Crackdown on Diversity Programs
- United States Department of Justice Issues Antidiscrimination Guidance to Federal Funding Recipients
- OCR Begins Investigating Higher Education Institutions Following Dear Colleague Letter
- OCR Issues FAQs Regarding Dear Colleague Letter Addressing Race Discrimination