

People



Melissa S. Zinkil

Partner, Labor and Employment

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Melissa Zinkil is a trusted adviser and litigator. She focuses her practice on counseling employers regarding compliance with applicable federal, state, and local employment laws and advocating for employers before federal, state, and local agencies and in litigating labor and employment and complex commercial disputes in federal and state court. She has experience defending employers with regard to claims brought under the Fair Labor Standards Act, Title VII, the Family and Medical Leave Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Florida Civil Rights Act and the Florida Private Whistleblower Act, as well as claims to enforce restrictive covenants in employment contracts.

Notable Work

Compliance Advice: Represents clients in providing daily advice on compliance with applicable laws and regulations including, but not limited to, compliance with the Fair Labor Standards Act, Family and Medical Leave Act, and the Americans with Disabilities Act. Additionally, provides assistance with policy drafting, including comprehensive handbooks.

Administrative Proceedings: Represents employers in connection with charges filed with the EEOC, the Florida Commission on Human Relations and other entities.

Jury Verdict FCRA: Represented client in obtaining a defense verdict on behalf of employer in connection with claims of age discrimination brought under the Florida Civil Rights Act.

Bench Verdict FCRA: Represented client in obtaining a defense verdict on behalf of employer in connection with claims of pregnancy discrimination brought under the Florida Civil Rights Act and local ordinance. Verdict affirmed on appeal.

Areas of Experience

Labor and Employment
Employment Administrative Claims Defense
Employment Litigation
Wage and Hour
Trade Secrets, Restrictive Covenants, and Unfair Competition

Education

J.D., University of Florida Levin College of Law, 2003, magna cum laude, Order of the Coif; *Florida Law Review*, General Board Member, 2000-2003; Title Standards Editor, 2002-2003
B.A., University of Florida, 1999, with honors

Admissions

Bars

Florida

Courts

U.S. District Court, Southern District of Florida
U.S. District Court, Middle District of Florida
U.S. District Court, Northern District of Florida
U.S. Court of Appeals, Eleventh Circuit

Related Content

Jingle All the Way to the SEC: Employers (Even Privately Held) Under Scrutiny for Language in Separation Agreements Impeding SEC Whistleblower Rule 21F-17
December 06, 2023

Record Number of Akerman Lawyers Named to *The Best Lawyers in America* 2024 Guide
August 22, 2023

Akerman Sponsors Unity on the Bay's Love & Light Gala
November 05, 2022

Summary Judgment Victory - FWA: Represented client in obtaining summary judgment on behalf of employer in connection with claim brought under the Florida Whistleblower Act.

Summary Judgment Victory - ADA: Represented client in obtaining summary judgment on behalf of employer in connection with claim under the Americans With Disabilities Act.

Summary Judgment Victory – Title VII: Represented client in obtaining summary judgment on behalf of employer in connection with claims brought under, *inter alia*, Title VII and the Equal Pay Act. Summary judgment affirmed on appeal.

Related Professional Experience

- Office of Senator Bob Graham, Intern, 1999

Published Work and Lectures

- [HR Defense Blog](#), Contributor
- Wolters Kluwer, *INSIGHTS*, Co-Author, Volume 38, Number 2, “Employers (Even Privately Held) Under Scrutiny for Language in Separation Agreements Impeding SEC Whistleblower Rule 21F-17,” February 2024
- Akerman Twentieth Annual Labor & Employment Law Seminar, Presenter, “Employment Law Trends: What Employers Need to Know,” September 2015
- Akerman Nineteenth Annual Labor & Employment Law Seminar, Presenter, “Employment Records Retention Requirements,” April 2014
- South Palm Beach County Bar Association Labor & Employment Law Committee Seminar, Moderator, “Top 13 for 2013,” May 2013
- Akerman Eighteenth Annual Labor & Employment Law Seminar, Presenter, “Pre-Employment Background Checks: How Far Can Employers Go?,” April 2013
- South Palm Beach County Bar Association Labor & Employment Law and ERISA Retirement Planning Committees Seminar, Co-Moderator, “The Affordable Care Act: The Supreme Court Spoke, The Election is Over, Now What?,” December 2012
- South Palm Beach County Bar Association Labor & Employment Law Committee Seminar, Co-Speaker, “The ABCs of the Americans with Disabilities Act (ADA),” November 2011

Affiliations

- American Bar Association, Member
- Palm Beach County Bar Association, Member
- South Palm Beach County Bar Association, Labor and Employment Committee, Member and Co-Chair, 2012-2016
- Chamber of Commerce of the Palm Beaches, Board of Directors, 2013-2015

Honors and Distinctions

- *Benchmark Litigation*, 2021-2022, Listed in Florida as a “Labor & Employment Star”
- *Florida Trend’s* Legal Elite, 2019, Listed for Labor and Employment
- *Florida Trend’s* Legal Elite, 2013-2015, 2017, Listed as an “Up & Comer” for Labor and Employment

- *Super Lawyers* Magazine, 2009-2013, Listed in Florida as a “Rising Star” for Employment & Labor and General Litigation
- *Best Lawyers in America*, 2024, Listed in Florida for Commercial Litigation