



Office Managing Principal, Berkeley Heights

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Jason C. Gavejian is the office managing principal of the Berkeley Heights, New Jersey, office of Jackson Lewis P.C. and a member of the firm's Board of Directors. He is also a Certified Information Privacy Professional (CIPP/US) with the International Association of Privacy Professionals.

Practices

- National Compliance and Multi-State Solutions
- Biometrics
- California Consumer Privacy Act
- Class Actions and Complex Litigation
- Construction
- COVID-19
- Distribution and Warehousing
- Financial Services
- Leisure
- Healthcare
- Hospitality
- Hotels
- Employment Litigation
- Entertainment and Media
- Privacy, Data and Cybersecurity
- Real Estate
- Restaurants
- Retail
- Artificial Intelligence & Automation
- Privacy Litigation
- Life Sciences
- Technology

Education

- Rutgers Law School, Newark, J.D. 2004
- The College of New Jersey, B.S. 2001

Admitted to Practice

- New Jersey - D. N.J. 2004
- New Jersey 2004
- New York 2005

As a Certified Information Privacy Professional (CIPP/US), Jason focuses on the matrix of laws governing privacy, security, and management of data. Jason is co-editor of, and a regular contributor to, the firm's Workplace Privacy, Data Management & Security Report blog.

Jason's work in the area of privacy and data security includes counseling international, national, and regional companies on the vast array of privacy and security mandates, preventive measures, policies, procedures, and best practices. This includes, but is not limited to, the privacy and security requirements under state, federal, and international law (e.g., HIPAA/HITECH, GDPR, California Consumer Privacy Act (CCPA), FTC Act, ECPA, SCA, GLBA etc.). Jason helps companies in all industries to assess information risk and security as part of the development and implementation of comprehensive data security safeguards including written information security programs (WISP). Additionally, Jason assists companies in analyzing issues related to: electronic communications, social media, electronic signatures (ESIGN/UETA), monitoring and recording (GPS, video, audio, etc.), biometrics, and bring your own device (BYOD) and company owned personally enabled device (COPE) programs, including policies and procedures to address same. He regularly advises clients on compliance issues under the Telephone Consumer Protection Act (TCPA) and has represented clients in suits, including class actions, brought in various jurisdictions throughout the country under the TCPA.

Jason represents companies with respect to inquiries from the HHS/OCR, state attorneys general, and other agencies alleging wrongful disclosure of personal/protected information. He negotiates vendor agreements and other data privacy and security agreements, including business associate agreements. His work in the area of privacy and data security includes counseling and coaching clients through the process of investigating and responding to breaches of the personally identifiable information (PII) or protected health information (PHI) they maintain about consumers, customers, employees, patients, and others, while also assisting clients in implementing policies, practices, and procedures to prevent future data incidents.

Jason represents management exclusively in all aspects of employment litigation, including restrictive covenants, class-actions, harassment, retaliation, discrimination, and wage and hour claims in both federal and state courts. He regularly appears before administrative agencies, including the Equal Employment Opportunity Commission (EEOC), the Office for Civil Rights (OCR), the New Jersey Division of Civil Rights, and the New Jersey Department of Labor. Jason's practice also focuses on advising/counseling employers regarding daily

workplace issues.

Jason's litigation experience, coupled with his privacy practice, provides him with a unique view of many workplace issues and the impact privacy, data security, and social media may play in actual or threatened lawsuits.

Jason regularly provides training to both executives and employees and regularly speaks on current privacy, data security, monitoring, recording, BYOD/COPE, biometrics (BIPA), social media, TCPA, and information management issues. His views on these topics have been discussed in multiple publications, including the *Washington Post*, *Chicago Tribune*, *San Francisco Chronicle (SFGATE)*, *National Law Review*, *Bloomberg BNA, Inc.com*, *@Law Magazine*, *Risk and Insurance Magazine*, *LXBN TV*, *Business Insurance Magazine*, and *HR.BLR.com*.

Jason previously served on the National Leadership Committee of the Hispanic National Bar Association (HNBA) and regularly volunteers his time for pro bono matters.

Prior to joining Jackson Lewis, Jason served as a judicial law clerk for the Honorable Richard J. Donohue on the Superior Court of New Jersey, Bergen County.

Honors and Recognitions

- *New Jersey Legal Awards*, "Office Managing Partner of the Year Finalist" (2024)
- *The Best Lawyers in America*®, "Privacy Data and Security Law" (2020-present)
- *Hispanic National Bar Association*, *Top Lawyers Under 40*
- *Latino Leaders*, Top Latino Lawyers
- *New Jersey Super Lawyers*®, "Rising Stars" (2009 - 2018)

Pro Bono and Community Involvement

- Pro Bono Partnership, Program Co-coordinator, HR Bootcamp for NJ Nonprofits (2011, 2013, 2015, 2017)
- Pro Bono Partnership, Volunteer

Published Works

- "2015 review - 2016 forecast: High court rulings and beyond," Wolters Kluwer (Spring 2016) [Author]
- "FDA Issues Draft Cybersecurity Guidance for Device Manufacturers," *GxP Lifeline* (May 2016) [Author]
- "Social Media Use by Applicants and Employees: The Conundrum," *Copyright & New Media Law*, Spring 2016 [Author]

Speeches

- "Why it's Critical to Proactively Safeguard Your Firm or Organization's Data," New York State Bar Association Webinar (September 2018) (presenter)
- "How to Comply with GDPR Requirements: What Every U.S. Company Needs to Know," EVERFI Webinar (May 2018)
- "Data Privacy and the new frontier of potential causes of action and class actions," JSAHR (April 2018) (presenter)
- "How to Conduct a Cyber Investigation," Hispanic National Bar Association (September 2017) (panelist) "HR Boot Camp for New Jersey Nonprofits," Pro Bono Partnership (September 18, 2017 and October 31, 2017) (panelist and presenter)
- "Privacy & Data Security in 2017," ACC - NJ (May 2017) (presenter/panelist)

- "Data Privacy and Protection: What Litigators Need to Know when Gathering, Handling and Producing Sensitive Data," ABA (April 2017) (panelist)
- "Legal Update - Privacy and Data Security," JSAHR (April 2017) (presenter)
- "Make America What Again?," ACC-NJ (February 2017) (presenter)
- "Cyber Security & Privacy Law Conference," New Jersey State Bar Association – NJICLE (September 2016) (presenter/panelist)
- "Don't Say That! Defending High Profile Cases and Managing the Media," Hispanic National Bar Association (September 2016) (moderator/panelist)
- "Data Privacy/Security & Social Media in the Workplace," New Jersey Association of Corporate Counsel (NJACC) (May 2016) (presenter)
- "Employee Use of Technology – The Good, The Bad, and The Ugly," Hispanic National Bar Association (March 2016) (moderator/panelist)
- "Privacy and Data Security Today," HoRenso HR Steering Committee (June 17, 2015) (presenter)
- "Handling A Data Breach," PeDS Group Nationwide Webinar Series (March 26, 2015) (panelist and presenter)
- "Top 15 Data Privacy and Security Issues for 2015," New Jersey Association of Corporate Counsel (March 24, 2015) (panelist and presenter)
- "HR Boot Camp for New Jersey Nonprofits," Pro Bono Partnership (October 21, 2015, September 16, 2015, May 14, 2013, April 16, 2013) (panelist and presenter)
- "Employees Left to Their Own Devices: New Devices, New Technologies, and What Lies Ahead," Connecticut Business and Industry Association (August 4, 2014) (presenter)
- "Data Breach," Jersey Shore Association of Human Resources (May 8, 2014) (presenter)
- "Bring Your Own Device to Work (BYOD) Risky Business???", Commerce and Industry Association of New Jersey (March 18, 2014) (panelist and presenter)
- "Data Privacy Training," Society of Human Resource Management (February 19, 2014) (presenter)
- "Data Breach Response," Association of Corporate Counsel – Legal Quick Hit Webinar (February 4, 2014) (presenter)