



## News & Updates

### WOMEN IN CONSTRUCTION

Gender disparity in the legal field has been on the decline in recent decades with more women practicing law and in positions of leadership within their firms than ever before. This is a fact celebrated in publications covering the legal world and covered in legal industry presentations and panel discussions — but similar changes are underway in other, less obvious industries. One of those, as Goldberg Segalla’s attorneys know, is construction. According to data from the National Association of Women in Construction (NAWIC), the number of women working in the industry is again on the rise, following a dip during the recession.

Women attorneys at Goldberg Segalla hold key leadership positions throughout the firm, from critical internal committees to practice groups like Employment and Labor, Global Insurance Services, Workers’ Compensation, and more. One of these is the firm’s Construction Practice Group, chaired by Christopher J. Belter, which includes an innovative, interdisciplinary “Women in Construction” subgroup. Comprising women attorneys with a crucial cross-section of skills covering virtually all legal needs that could arise in the business of construction, this group is dedicated to serving the ever-expanding sector of professional women in construction and women-owned construction businesses.

#### GS Women in Construction: Meet the Team

Construction law was historically even more male-dominated than the legal industry generally. Today, as exemplified by Goldberg Segalla’s team, women practice all aspects of construction law, from negotiating contracts to navigating workers’ compensation claims and complex construction defect lawsuits. Each attorney brings her own background and skillset, allowing the group to approach challenges strategically and holistically, and help clients achieve their long-term objectives.

“We use the Construction Practice Group to come together and share our collective knowledge about the construction industry,” said Maura F. Krause, a partner in the firm’s West Palm Beach office and co-chair of the Women in Construction group. “We help each other where our practices overlap.”

Maura’s practice involves construction law litigation and defending clients in matters alleging construction defect. She first began practicing construction law in 2004 when she left her career as a prosecutor to work for a boutique construction firm. “I fell in love with it, and have been doing it ever since,” she said.

Kelly A. McGee, fellow co-chair of the group and a partner in the New York City office, began her career in general defense litigation and went on to second chair nearly 20 trials involving Labor Law cases. She brings that background to her construction practice, which focuses on construction site accidents representing building owners, general contractors, and varied subcontractors from demolition to steel and welding companies.

“This is New York City,” Kelly said. “There are tons of construction projects, and unfortunately, many worksite injury accidents happening every day.” And since the passage of New York City’s Local Law 129 in 2005, establishing mechanisms for boosting contracts and subcontracts awarded to women and minority-owned businesses, the world’s most expensive construction market is getting increasingly diverse.

Enter Debra L. Doby, a partner in the firm’s New York and White Plains offices, and the group’s third co-chair. Deb’s construction practice covers not only workers’ compensation and Occupational Safety and Health Administration (OSHA) matters, but also extends to niche areas of state and federal law such as the Jones and Longshore Acts, as well as emerging trends including the impact of opiates and cannabis on the workers’ compensation claims-handling process.

“We recognize the increasing risks and costs associated with workplace injuries at construction sites,” Deb said. “We take a holistic approach to reducing and controlling risk, including preventive safety measures, strategic denial or acceptance of claims, high medical exposure in older claims, and litigation.”

In addition to construction and personal injury litigation and workers’ compensation matters, the group also leverages the insights and capabilities of Caroline J. Berdzik, chair of the firm’s Employment and Labor Practice Group, and Laura A. Colca, a leader of the firm’s Corporate and Transactional team. Caroline’s employment practice foregrounds risk management and is a great asset to the Women in Construction group, which prioritizes risk prevention as key to its practice philosophy. “Companies are investing more legal dollars in risk management than ever before, which has been a development overall in the practice of law over the last few years,” she said.

Caroline, based in the firm's Princeton, Philadelphia, and New York City offices, often works closely with Laura, based in Buffalo. A skilled transactional and corporate attorney, Laura has a solid background in commercial law, which is easily transferable to the construction industry as it is based initially on contracts, agreements, and negotiating deals.

"This group of women attorneys is able to make a difference for our clients because our background is so varied," Laura said. "It includes corporate and business transactions, employment and labor, workers' compensation, and general commercial litigation, which lends itself to providing clients with a comprehensive team that can address any aspect of a construction-related matter, case when it arises, or negotiation of a deal."

### **Insight and Innovation: Evolving With Our Clients**

The story of Goldberg Segalla's Women in Construction group has been one of continual evolution to keep up with changes in a rapidly evolving industry — changes that our clients, women professionals and business owners in construction, are driving. Separately and together, the attorneys that make up our Women in Construction group have worked to provide legal services — and legal service models — that keep exceeding those clients' expectations.

When Deb first joined the firm and began practicing workers' compensation in White Plains, she recognized an opportunity to tailor her practice to suit the needs of clients in the construction industry.

"We discovered that complex construction cases were being handled like routine workers' compensation cases," she said. "Construction is such a niche area. You not only have to understand the local political climate, unions, contractors and sub-contractors, and OCIPs and CCIPs — you also have to be able to communicate with the construction workers, which requires a whole other set of terminology."

Deb grew up learning the tricks of the trade. "My entire family is in construction — my father, my husband," she said. "I understand how construction job sites operate." That kind of insight also helped Deb to create the firm's pioneering Opioid Impact Program (OIP), which has had great success in reducing claimants' use of prescription medications and to identify and mitigate claims that have the potential to spiral out of control in terms of cost and exposure.

OIP demonstrates how our insight into clients' businesses is crucial not just for handling individual matters, but for developing strategies to reduce our clients' long-term risk. Caroline also understands firsthand the value of insider and hands-on knowledge. Prior to joining the firm, she worked as in-house counsel for a New Jersey long-term care company, where she handled everything from litigation arising under nursing home malpractice to contract disputes, HR investigations, and routine employment issues.

"When you're immersed in it, you see firsthand what goes into business decisions," Caroline said. "You understand the impact of legal advice on those business decisions."

### **Equality on Both Sides**

Women attorneys and industry professionals have seen the construction arena change drastically in the last couple of decades. Maura, for instance, was the first female attorney hired by her previous firm. The picture looks very different now, as the construction industry has made substantive strides toward inclusivity. "It used to be that you'd walk into the room and it'd be all men, but today there's a fair number of women at the table," she said. "It has become much more inclusive."

Today, women in the business of construction are taking more seats on both sides of the table — as professionals and owners and as the lawyers who represent them. Goldberg Segalla's Women in Construction group demonstrates the synergies and successes possible as these numbers continue to rise.

"Women are out there, and they're stepping up in a big way," Kelly said. "Generally speaking, some women like seeing women representing them. It helps to show that there's equality on both sides — the clients and the lawyers — and that speaks to how we're stepping up with them."

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