ECKERT SEAMANS



Mark A. Fontana

MEMBER

Mark Fontana has more than 30 years of experience exclusively representing management and employers in all types of labor and employment matters and related state and federal litigation. He routinely represents clients in public and private sector collective bargaining negotiations, unfair labor practice proceedings, and interest and grievance arbitrations. Mark also represents clients in employment discrimination litigation and other employment-related matters, including wrongful discharge; family/medical leave and disability issues; overtime and wage payment issues; and OSHA, FLSA, and ADA compliance. Mark serves clients across a range of businesses, industries, and educational institutions, including financial services, manufacturing, retail, emerging growth/high technology, warehousing and distribution services, transportation, health care, colleges and universities, and nonprofit institutions.

REPRESENTATIVE MATTERS

- Routinely defends management and employers regarding all types of employment discrimination claims in federal and state court litigation as well as wage and hour, FMLA, and wrongful discharge actions.
- Represents clients in public and private sector collective bargaining negotiations, unfair labor practice proceedings at the federal and state level, grievance processing, and labor arbitrations; successfully negotiated collective bargaining agreements with nearly every major industrial, transportation, and service sector union on behalf of clients.
- Extensive experience in representing clients in administrative proceedings (e.g. EEOC, PHRC, OFCCP, OSHA, DOL) at the federal, state, and local levels, including assisting clients with governmental investigations and compliance audits.
- Designs and conducts employment law and human resources-related training programs for supervisors and managers.
- Regularly provides advice and counseling to clients on human resources, labor relations, and employment law issues, as well as on employment contracts and executive compensation issues.

PROFESSIONAL AFFILIATIONS

- Widener University School of Law, Adjunct Faculty Member

HARRISBURG, PENNSYLVANIA

213 Market St.
8th Floor
Harrisburg, PA 17101

P: 717.237.7183

F: 717.237.6019

mfontana@eckertseamans.com

PRACTICE AREAS:

Labor & Employment

Litigation

Education

STATE ADMISSIONS:

Pennsylvania

COURT ADMISSIONS:

U.S. District Court for the Middle District of Pennsylvania

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Western District of Pennsylvania

U.S. Court of Appeals for the Third Circuit

EDUCATION:

J.D., magna cum laude, University of Pittsburgh School of Law, 1982

B.A., magna cum laude, Indiana University of Pennsylvania, 1979

- LaRoche College, Former Graduate School Faculty Member
- Certified Employee Benefit Specialist Program at Millersville University, Former Instructor

AWARDS AND RECOGNITION

- Selected for inclusion as The Best Lawyers in America 2027 for Employment Law – Management; Labor Law – Management; and Litigation – Labor and Employment
- Selected for inclusion in *Pennsylvania Super Lawyers*
- Selected for inclusion in Harrisburg Magazine's Local Legal Leaders in 2016

NEWS AND INSIGHTS

SPEAKING ENGAGEMENTS

- "Pregnancy Discrimination in the Workplace," Pennsylvania Bar Institute (PBI), July 2015.
- "2012 Labor and Employment Law Update," Association of Corporate Counsel, Central PA Chapter, October 2012.
- "Administering the Family and Medical Leave Act, Managing the Problem Employee," Lorman Education Services, August 2012.
- "Retaliation Claims After Burlington Northern and Crawford: Bad News for Public and Private Employers. Is There Any Hope?" co-presented with Michael McAuliffe Miller, Eckert Seamans' Continuing Legal Education Seminar, April 2010.
- "Ricci v. DeStefano – Where Do We Go From Here?" Widener University School of Law Diversity Forum, March 2010.
- "The Family and Medical Leave Act One Year After the Regs: The Employee's Duty to Cooperate," PBI, December 2009.
- "Minimizing Your Legal Risks: Latest Developments and Hot Topics," Association of Corporate Counsel, Central PA Chapter seminar, February 2008.