

# Derek Illar

## MEMBER

Derek Illar focuses his practice on labor and employment and business matters. He has significant experience representing clients in court proceedings and before administrative agencies, such as the Equal Employment Opportunity Commission (EEOC), the Pennsylvania Human Relations Commission (PHRC), the Department of Labor (DOL), the Department of Labor and Industry (DLI), and the Unemployment Compensation Board of Review (UCBR).

In addition to litigation, Derek counsels clients to ensure their compliance with federal, state, and local laws, represents them during administrative audits and investigations, assists them with internal audits and investigations, and advises them on the implementation of best practices.

He also complements his practice by representing employers with respect to a variety of employment authorization matters and obtaining various employment-based visas, such as H-1Bs, Ls, Os, and Ps.

Derek also represents and advises businesses and non-profit organizations in connection with their formation, dissolution, and reorganization; governance matters; commercial transactions; and financial transactions.

He also serves as a private mediator and as an Instructor in the Professional Studies Department at California University of Pennsylvania.

## REPRESENTATIVE MATTERS

- Obtained summary judgment in a federal civil rights litigation. *Jones v. Trese et al.*, 2018 WL 4344979 (W.D. Pa. 9/11/18)
- Obtained summary judgment in a FMLA and ADA discrimination, retaliation, and interference case. *Colonna v. UPMC Hamot*, 2017 WL 4235937 (W.D. Pa. 9/25/2017)
- Obtained summary judgment on behalf of the employer in a FMLA retaliation and ADA discrimination and failure to accommodate case. *Lavorgna v. Norfolk Southern Corp.*, 2017 WL 5006430 (W.D. Pa. 10/31/17)
- Obtained summary judgment in a PAHRC age discrimination case. *Martin v. Henry F. Teichmann, Inc.*, 2015-3329 (4/28/2017)
- Defended a regional restaurant and catering company against claims of sexual discrimination and retaliation and obtained dismissal of the case
- Represented a regional pediatric practice in connection with allegations of national origin and religious discrimination and resolved the matter before litigation commenced
- Defended and advised a regional trucking company in connection with a wage and hour audit by the Department of Labor and reduced its liability
- Represented a regional holding company in a stock option and breach of contract case against a publically traded company and three national corporations and secured a favorable resolution

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## PRACTICE AREAS:

[Labor & Employment](#)

[Litigation](#)

[Business Counseling](#)

[Appellate](#)

## STATE ADMISSIONS:

New York

Pennsylvania

Virginia

## COURT ADMISSIONS:

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

## EDUCATION:

L.L.M., commendation, Nottingham  
Trent University, 2018

J.D., cum laude, University of  
Pittsburgh School of Law, 2009;  
Certificate of International &  
Comparative Law

B.A., magna cum laude,  
Washington & Jefferson College,  
2005

## LANGUAGES:

Italian

Spanish

for his client

- Represented two regional coal companies in a breach of contract, promissory estoppel, and quantum meruit case and secured payment for his clients
- Represented a private, charter airline in two separate, but related breach of contract actions and secured judgments on behalf of his client

## PROFESSIONAL AFFILIATIONS

- Pennsylvania Bar Association

## COMMUNITY INVOLVEMENT

- La Scuola d'Italia Galileo Galilei, President of the Board

## AWARDS AND RECOGNITION

- Awarded the 2022 Pro Bono Service Honor Roll Certificate of Appreciation from The Virginia Access to Justice Commission
- CILE Fellowship, University of Pittsburgh
- Nordenberg Fellowship, University of Pittsburgh
- Public Interest Fellowship, K&L Gates

## NEWS AND INSIGHTS

### PUBLICATIONS

- [“New Program Will Permit H and L Visa Holders to Renew Visa Stamps within U.S.”](#) Eckert Seamans’ Labor & Employment Update, March 2023.
- [“H-1B Lottery Information Released for Fiscal Year 2024,”](#) Eckert Seamans’ Immigration Update, February 2023.
- [“Supreme Court of Pennsylvania Recognizes “Enterprise Liability” Theory as Valid Means of Piercing the Corporate Veil,”](#) Eckert Seamans’ Legal Update, October 2021.
- [“Stay at Home Even After COVID-19: Pennsylvania Corporations Can Increase Their Chances of Litigating at Home,”](#) Eckert Seamans’ Legal Update June 18, 2020.
- [“How One State is Enforcing E-Verify & How It Could Affect You,”](#) Construction Business Owner, April 2020.
- [“An Employer’s Response to Coronavirus,”](#) Eckert Seamans’ Labor & Employment Alert March 3, 2020.
- [“Pittsburgh Paid Sick Days Act,”](#) Eckert Seamans’ Labor & Employment Alert, February 28, 2020.
- [“Construction industry employee verification act,”](#) Eckert Seamans’ Construction Law Update, Winter 2019.
- [“The Pennsylvania Construction Workplace Misclassification Act: What You Need to Know,”](#) Construction Business Owners, July 2019.
- [“News on Pennsylvania’s Construction Workplace](#)

[Misclassification Act.](#)” Eckert Seamans’ Construction Law Update, Spring 2019.

- [“Recent Significant NLRB Decisions.”](#) Eckert Seamans’ Labor & Employment Alert January 2018.
- “Cyber Fatwas and Classical Islamic Jurisprudence,” John Marshall Journal of Information Technology and Privacy Law, 2010.
- [“New I-9 Form.”](#) Eckert Seamans’ Labor & Employment Alert January 2017.
- “Unraveling International Jurisdictional Issues on the World Wide Web,” University of Detroit Mercy Law Review, 2010.

## SPEAKING ENGAGEMENTS

- [“Future of Restrictive Covenants: FTC’s Proposed Rule and State Law Developments,”](#) co-presented at Eckert Seamans’ Human Resources Forum, April 26, 2023.
- “Pitt Law Black Alumni Committee Networking Event,” panel discussion moderator, September 25, 2021.
- [“Diversity, Equity, and Inclusion in the Law Firm and the Path to Success,”](#) panel presenter for the Pennsylvania Bar Association, July, 2021.
- “Employment Law Updates for Builders,” co-presented for the Builders Association of Metropolitan Pittsburgh, March 2020.
- [“The Changing Landscape of Employment-Based Immigration,”](#) presenter, Eckert Seamans’ Human Resource Forum, November 2019.
- [“I-9 Audits and ICE Investigations: ICE is conducting I-9 audits at unprecedented rates, which can result in significant liability for employers. How to conduct self-audits and prepare for ICE investigations,”](#) presented at Eckert Seamans’ Human Resources Forum, April 2019.
- “Sexual Harassment,” South Pointe, 2017.
- “From the Classroom to the Courtroom: Trial Tactics for Young Attorneys,” Uniontown, Pennsylvania, 2013.
- “Life after Unemployment: Unemployment Compensation Benefits,” Uniontown, Pennsylvania, 2012.
- “Early Intervention Services in Public Education,” Pittsburgh, Pennsylvania, 2008.