

Eric B. Mack

Shareholder

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Focus Areas

Discrimination and Harassment
Wage and Hour

Overview

Eric B. Mack defends private employers, especially financial institutions and hospitals, in a variety of employment disputes, including:

- Claims of wrongful termination
- Misappropriation of trade secrets
- Violations of non-compete agreements
- Tortious interference
- Wage and hour disputes

Some of Eric's notable experience includes the following:

- Rhode Island Superior Court: successfully obtained summary judgment on all counts against plaintiff who alleged unsafe working environment and intentional infliction of emotional distress due to unsafe working conditions.
- U.S. District Court for the District of Connecticut: successfully obtained summary judgment on all counts for Fortune 500 Company in which plaintiff alleged claims under Title VII, the Age Discrimination in Employment Act (ADEA), and the Connecticut Fair Employment Practices Act.
- U.S. District Court for the District of Rhode Island: successfully obtained motion for judgment on the pleadings against airline in which plaintiff alleged claims under the ADEA, the California Disabled Persons Act and the Air Carrier Access Act of 1986. The district court's decision was affirmed by the Court of Appeals for the First Circuit.
- U.S. District Court for the District of Rhode Island: successfully opposed plaintiff's motion for a temporary restraining order (TRO) where plaintiff alleged misappropriation of trade secrets, tortious interference with

contractual and advantageous business relationships, breach of fiduciary duties and fraud. After plaintiff's motion for a TRO was denied, plaintiff voluntarily dismissed all claims against client.

- U.S. District Court for the District of Massachusetts: represent financial institution in case against former employee and his current employer where it was alleged that defendant stole trade secrets, violated the Computer Fraud and Abuse Act, breached his fiduciary duties and tortiously interfered with advantageous business relationships of plaintiff's clients. Successfully obtained a multi-million dollar settlement on behalf of client and a multi-year injunction against former employee and his new employer which prohibited employee or his current employer from contacting a number of the financial institution's clients.
- U.S. District Court for the District of Rhode Island: successfully represented major hospital in obtaining former employee's home computer for forensic analysis to support claim for spoliation of evidence. The decision was one of the first in the jurisdiction involving an employee alleging discrimination.

Additionally, Eric regularly counsels employers on day-to-day personnel matters, practices and compliance. He routinely conducts in-house training on employment-related topics. He has spoken extensively on various issues, including transgender employees in the workplace, FMLA/ADA issues, and wage and hour issues in the digital age.

At his prior firm, Eric authored a monthly wage and hour blog which highlighted significant issues related to wage and hour issues across the United States.

As an undergraduate, Eric played on the men's varsity basketball team and was the team captain during the 2003-2004 season.

Professional and Community Affiliations

- Member, 2016 Conference Planning Committee, U.S. District Court, District of Rhode Island
- Chair, Local Rules Committee, Civil Rules Subcommittee, U.S. District Court, District of Rhode Island
- Member, Mandatory Continuing Legal Education Commission, Rhode Island Supreme Court
- Member, Board of Trustees, St. Andrew's School
- Member, Board of Trustees, Highlander Charter School
- Member, Board of Directors, Urban League of Rhode Island, 2011-2014
- Member, Board of Directors, Star Kids Scholarship Program

Recognition

- Named, Rising Star, Rhode Island, *Super Lawyers*, 2012-2015
- Recipient, Distinguished Young Alumni Award, *St. Andrew's School*, 2009

Education

J.D., Tulane University Law School, 2007

B.A., Tufts University, 2004

Bar Admissions

Rhode Island
Massachusetts
Illinois

Courts

U.S. Court of Appeals, 1st Circuit
U.S. District Court, District of Rhode Island
U.S. District Court, District of Massachusetts

Publications & Press

Rhode Island Supreme Court Upholds Dismissal of Driver Who Refused Reasonable Grounds Drug Test

Littler Insight

June 26, 2020

New York City Commission on Human Rights Proposes Rules Addressing Exceptions to Prohibition on Pre-Employment Marijuana Screening

Littler ASAP

March 27, 2020

A COVID-19 Guide for Rhode Island Employers

Littler Insight

March 17, 2020

Littler Elevates 28 Attorneys to Shareholder

Littler Press Release

January 6, 2020

Rhode Island Superior Court Rules on Job Applicant's Medical Marijuana Use

Littler Insight

June 15, 2017

Executive Suite 12/7/2014: Sons of Liberty Whiskey; RI Employment Law

FOXProvidence.com

December 7, 2014

How Employers Should Prepare for Increased Minimum Wages

Law360.com

April 10, 2013

How to Protect Against Whistleblower Claims

New Jersey Lawyer Magazine

December 10, 2012

How Employees Must Provide Return Dates under FMLA Leave

InsideCounsel

August 20, 2012

Speaking Engagements

The Rhode to Recovery

April 22, 2020

2019 Rhode Island Employment Update

Providence, RI

May 21, 2019

Panelist, Legalized Marijuana Under the Trump Administration

National Bar Association Labor & Employment Section Annual Conference, Atlanta, GA

October 27, 2017

How Companies Should Handle Overlapping Demands of Family Leave, Disability Accommodation and Temporary Caregiver Leave

Rhode Island Bar Association 2017 Annual Meeting, Providence, RI

June 15, 2017

Rhode Island Employment Law Update

Providence, RI

May 2, 2017

Goldman Sachs 10,000 Small Businesses Program

Providence, RI

December 14, 2016

The New FLSA: Critical Legal Essentials

NBI, Inc., Webinar

July 26, 2016

Working Off-The-Clock: W&H Exposure from Digital Devices

Center for Competitive Management (C4CM), Webinar

December 18, 2015

Employment Law: 2015 Comprehensive Guide

National Business Institute, Providence, RI

October 21, 2015

DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now??

Providence, RI

September 15, 2015

Workplace Injuries: HR Strategies to Avoid the Top Mistake

National Business Institute (NBI) Webinar

June 4, 2014

Rhode Island Employment Law Update

Providence, RI

May 22, 2014

Legislative Update

Association for Healthcare Human Resources Administration of RI (AHRARI), Providence, RI

November 21, 2013

Friending, Tweeting & Blogging – Protecting Your Practice in the Age of Social Media

Rhode Island Bar Association

June 3, 2012