



## 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

### **Bosses' New Task Is Figuring Out Who's High at Work**

*The Wall Street Journal*

June 21, 2023

### **Little Names Michael Wilder Chair of its 2023 Board of Directors and Welcomes Three New Members**

*Little Press Release*

January 17, 2023

### **Little's Eric B. Mack Appointed Deputy General Counsel of the National Bar Association**

*Little Press Release*

September 27, 2022

### **Employer Drug-Testing Rules Clipped by Rhode Island Marijuana Legalization**

*Little ASAP*

June 7, 2022

### **Marijuana is legal in RI. What does it mean for drug tests, employers and employees?**

*The Providence Journal*

June 3, 2022

### **Little Appoints Eric Mack as New Co-Chair for Bollo Affinity Group**

*Little Press Release*

June 1, 2022

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

*Little 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**

**2024 Rhode Island Employment Update**

Providence, RI

January 25, 2024

**COVID-19 Vaccinations: To Mandate or Not to Mandate and Other Pressing Questions**

Providence, RI

April 8, 2021

**COVID-19 Vaccines: What Employers Need to Know**

Rhode Island SHRM

March 16, 2021

**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 (AHHRARI), Providence, RI

November 21, 2013

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

Rhode Island Bar Association

June 3, 2012