

SHEEHAN PHINNEY

Mark J. Ventola

Shareholder | Manchester, NH

Mark serves as Chair of the firm's Corporate Department and Co-Chair of the firm's Labor and Employment Law Practice Group.

Mark provides focused, practical advice about the many aspects of the relationship between employer and employee, with an eye toward risk management and claims avoidance in this increasingly complex area. He also drafts agreements, policies, and protocols concerning hiring, trade secret, termination and separation, wage and hour, family and medical leave, employment discrimination, noncompetition, and other compliance issues. He frequently works with executives, negotiating and drafting agreements and compensation arrangements, both at the initial and terminal points of employment.

Mark serves as outside general counsel to a number of privately owned and family businesses in a variety of industries. Working with business owners and managers, he often plays a key role in business formation, corporate governance, financing, succession planning, acquisitions and divestitures.

Mark's litigation experience includes the defense and prosecution of employment, discrimination, wage and hour, noncompetition and trade secret, shareholder and business disputes, complex product liability, aviation, commercial, real estate, professional malpractice, construction, and insurance coverage/extra-contractual cases. A significant portion of his practice involves handling employment litigation in Superior Court and Federal Court and at the Massachusetts Commission Against Discrimination.

Mark has represented public sector employers in collective bargaining with labor unions and is experienced in handling grievance arbitrations and unfair labor practices matters.

To assist clients in litigation avoidance efforts, Mark has developed training programs for managers and staff concerning sexual harassment, management, and human resource issues. He also supervises and conducts internal investigations for the firm's management clients.

Mark frequently lectures and writes on important employment law and human resources topics and developments.

Key Cases

- Lead counsel in sale of professional service firm and owners to venture-backed ownership group.
- Lead counsel in representation of second-generation family business transition to third generation ownership group.
- Negotiate and draft complex Master Service Agreements.



Contact Information

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- Successful defense of multi-state employer in class/collective action wage and hour litigation.
- Represent business owners in claims brought by minority shareholders.
- Defend wage claims in Superior Court and assist clients in state and federal wage and hour investigations.
- Serve as general counsel for closely-held, multi-state service businesses.
- Obtain and defend against actions seeking injunctive relief based upon non-competition agreements.
- Handle discrimination cases in Superior Court and at the Massachusetts Commission Against Discrimination.
- Advise and advocate for executives faced with voluntary or involuntary career choice transitions.
- Represent business owners in shareholder and employee exodus situations.
- Represent public sector employers in union organizing campaigns and collective bargaining.
- Advise multi-state employers in the creation and implementation of company-wide policy manuals.

Practice Areas

- Business Litigation
- Corporate
- Labor & Employment
- Labor & Employment Litigation
- Private Companies

Admissions

- Commonwealth of Massachusetts
- State of New Hampshire

Education

- J. D., Boston University School of Law
- B.S., Boston College, *magna cum laude*

Civic Involvement

- Justinian Law Society of Massachusetts, President, 2021-2023

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- As an active member of his community, Mark serves on the Finance Council for Saint Patrick Parish in Stoneham; and has served on the: Stoneham School Building Committee; Board of Directors for the Stoneham Chamber of Commerce, where he was named 2005 New Member of the Year; Board of Directors for the Friends of Greater Melrose Charitable Foundation; Vice President of the Malden Catholic Alumni Association; Melrose Youth Task Force, as Chairman; Melrose Historic District Commission; Melrose Administration Reform Committee. He has also served on the Board of Directors and coached for Stoneham Youth Basketball.
- The Order of Sons of Italy
- Appian Club
- National Italian American Foundation
- Massachusetts Defense Lawyers Association
- Defense Research Institute
- Massachusetts Bar Association
- Boston Bar Association

Awards

- Best Lawyers in America®, Employment Law - Management
- Massachusetts Super Lawyer®, Labor & Employment Law
- AV rated, Martindale Hubbell
- *Boston Magazine*, 2021 Top Lawyer, Employment Law
- Boston's top rated lawyers, ALM
- Edward F. Hennessey Scholar, Boston University School of Law
- G. Joseph Tauro Scholar, Boston University School of Law

Publications

- Client Alert: Pay Equity Disclosure Requirements Expanded in Massachusetts
- Updates to Massachusetts Paid Family Medical Leave
- The Reimbursement/Credit Process Under the Families First Coronavirus Response Act
- COVID-19 Preparedness: Basic Employment Law Questions Answered
- Presenter at the North Shore Chamber of Commerce Wage and Hour Law Seminar – October 30, 2019
- Major Non-competition Agreement Reform in Massachusetts
- In “Grand Bargain” Massachusetts Enacts Paid Family Leave, \$15 Minimum Wage
- Supreme Judicial Court Advises Legislature Should Clarify Independent Contractor Test
- Attorney General Issues Gender Identity Guidance for Public Accommodations
- Massachusetts’ Pay Equity Law

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- The Department of Labor Announces Final Rule on White Collar Exemptions
- HR Power Hour – New Mandatory MA Sick Leave Law
- Attorney General Issues Proposed Regulations Under Massachusetts Earned Sick Time Law
- Attorney General Issues Final Regulations under Massachusetts Earned Sick Time Law
- New Parental Leave Law
- SJC ruling on PIP statute provides needed clarity
- Massachusetts' Mandatory Sick Time Law
- Featured In: Overtime Rules Promise Challenges For Some NH Firms