



Robert A. Fisher

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SERVICES

Labor and Employment Law
Litigation
Security and Privacy

HONORS/AWARDS

Listed as a 'Rising Star' in Labor and Employment, SUPER LAWYERS' MASSACHUSETTS RISING STARS: A COMPREHENSIVE LISTING OF THE BEST YOUNG LAWYERS IN MASSACHUSETTS (May 2005, May 2006, and May 2007)

Order of the Coif, Cornell Law School

CORNELL INTERNATIONAL LAW JOURNAL, Lead Note Editor

EDUCATION

Georgetown University, B.S.F.S., cum laude, 1995

Cornell Law School, J.D., magna cum laude, L.L.M., magna cum laude, 1999

Robert Fisher advises and represents employers in all aspects of labor and employment law, including union disputes, discrimination/harassment claims, benefits issues, and contractual disputes. He has extensive experience in ERISA litigation, including claims under the Multiemployer Pension Plan Amendments Act. He also frequently represents employers in wage and hour lawsuits, including those brought as putative class actions. In addition, he regularly represents both plaintiffs and defendants in non-compete litigation, including cases involving requests for injunctive relief. He advises employers regarding labor and employment issues associated with corporate transactions.

Robert regularly practices before state and federal courts and before administrative agencies, such as the Massachusetts Commission Against Discrimination (MCAD) and the National Labor Relations Board (NLRB). He has served as trial co-counsel in NLRB unfair labor practice cases, in federal court and in a MCAD public hearing. He also has tried numerous arbitrations before the American Arbitration Association and other ADR organizations.

Robert has successfully prepared and argued motions to dismiss and for summary judgment. He has also drafted appellate briefs to the United States Court of Appeals for the First, Third, Fourth, and District of Columbia Circuits, the Massachusetts Appeals Court, and the Supreme Judicial Court of Massachusetts.

BAR AND COURT ADMISSIONS

- ÿ Massachusetts
- ÿ U.S. District Court for the District of Massachusetts
- ÿ U.S. Court of Appeals, First Circuit
- ÿ U.S. Court of Appeals, Third Circuit
- ÿ U.S. Court of Appeals, Fourth Circuit
- ÿ U.S. Court of Appeals, District of Columbia Circuit

PROFESSIONAL / CIVIC INVOLVEMENT

- ÿ Massachusetts Bar Association, Labor and Employment Section, Member
- ÿ American Bar Association, Labor and Employment Section, Member
- ÿ Boston Bar Association, Member

SPEECHES AND CONFERENCES

- ÿ Panelist, "Employment and Immigration Seminar: Enforcement Priorities of the Obama Administration" (September 2009)
- ÿ Speaker, "Information Security Plan - Explanation and Implementation" Webinar, Massachusetts Association of Insurance Agents (June 2009)
- ÿ Panelist, "Navigating the New MA Data Security Regulations," MassTLC's Legal Series (June 2009)
- ÿ Panelist, "Using Non-Compete Laws to Spur Economic Development in Massachusetts," Rappaport Institute for Greater Boston, Kennedy School of Government, Harvard University (April 2009)
- ÿ Panelist, "Get Smart: Issues Surrounding Surveillance," American Arbitration Association (April 2009)
- ÿ Panelist, "Recognizing and Defusing Time-Bombs in Today's M&A Environment," Northeast Chapter of the Association of Corporate Counsel (March 2009)
- ÿ Panelist, "Understanding The New FMLA Regulations" (January 2009)

- Ÿ Panelist, "Understanding The New Data Security Law" (December 2008)
- Ÿ Panelist, "Impact of the 2008 Election on Labor and Employment Laws" (November 2008)
- Ÿ Panelist, "Evidentiary Issues in the Labor Arbitration Context," MBA 29th Annual Labor and Employment Law Spring Seminar (May 2008)
- Ÿ Panelist, "An Overview of the Employer Obligations Under the Massachusetts Health Care Reform Law," Massachusetts Hospital Association (June 2007)
- Ÿ "An Update on the Massachusetts Health Care Reform Law" (May 2007)
- Ÿ Panelist, "Massachusetts Health Care Reform Law: Are You In Compliance," Massachusetts Restaurant Association (March and April 2007)
- Ÿ Panelist, "Massachusetts Health Care Reform Law: What Every Employer Needs to Know" (October and November 2006)
- Ÿ "Union Organizing & Corporate Campaigns" (May 2006)
- Ÿ Panelist, "Labor Law Basics," Boston Bar Association Continuing Legal Education Seminar (November 2005)
- Ÿ "Minimizing Organizational and Personal Liability Risks Arising from Employment Terminations," Personnel Law Update 2004, Council on Education in Management (November 2004)
- Ÿ "ERISA Alert: Why 401(k) Plan Fiduciaries Need To Care About Market Timing" (May 2004)
- Ÿ "The Decision-Making Process: Retain or Layoff," and "How to Avoid the Legal Pitfalls of Layoffs", Labor and Employment Seminar (March 2001)
- Ÿ "Understanding and Applying the Board's Extension of Weingarten Rights to Non-Unionized Employees" (October 2000)

PUBLICATIONS

- Ÿ Rewrite Author and Contributing Author, 2009 Cumulative Supplement to EMPLOYEE BENEFITS LAW (2nd edition)
- Ÿ Co-author, Tips for Responding to A Fair Share Contribution Audit by the Commonwealth of Massachusetts, MASSACHUSETTS RESTAURANT ASSOCIATION eNEWSLETTER (June 2009)
- Ÿ Legal Implications of Mental Health Issues, HUMAN RESOURCE EXECUTIVE ONLINE (May 2009)
- Ÿ National Labor Relations Board Preserves Employees' Right of Free Choice Under Neutrality and Card Check Agreements, MASSACHUSETTS BAR INSTITUTE, SECTION REVIEW (2008)
- Ÿ Contributing Author, 2008 Cumulative Supplement to EMPLOYEE BENEFITS LAW
- Ÿ All employers need to think about health care reform," BOSTON BUSINESS JOURNAL (December 8-14, 2006)
- Ÿ Much ado about nothing: the labor board's new definitions regarding who is a supervisor, MASSACHUSETTS BAR INSTITUTE, SECTION REVIEW (2007)
- Ÿ Co-author, Employing in California? Beware of risks in employment agreements, MASS HIGH TECH (August 2, 2004)
- Ÿ Co-author, Chapter Three, CLASS ACTIONS IN THE LABOR AND EMPLOYMENT AREA: AN OVERVIEW- MASSACHUSETTS BAR CONTINUING LEGAL EDUCATION PUBLICATION (June 2003)
- Ÿ Employee Handbook Claims In Massachusetts After Fergusen v. Host International, Inc., MASSACHUSETTS BAR ASSOCIATION, SECTION REVIEW (Winter 2002)
- Ÿ Contributing Editor, THE DEVELOPING LABOR LAW (4th edition)
- Ÿ Co-author, Epilepsy Foundation Raises Questions About Scope of Federal Labor Law, MASSACHUSETTS BAR ASSOCIATION, SECTION REVIEW (Winter 2000)
- Ÿ Co-author, PURSUING AND RESPONDING TO CLAIMS OF RETALIATION (December 1999)
- Ÿ Note, The Erosion of Japanese Pacifism: The Constitutionality of the 1997 U.S.-Japan Defense Guidelines, CORNELL INTERNATIONAL LAW JOURNAL, Vol. 32 (Fall 1999)