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WIGGIN AND DANA

Mary A. Gambardella

SENIOR COUNSEL

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Mary brings decades of experience in helping clients comply with ever-changing labor laws and regulations, as well as in managing employment challenges such as sensitive terminations, sexual harassment, reductions in workforce, discrimination claims, and severance agreements. She is a proactive resource for clients seeking her counsel on a variety of human resource issues before they become a costly crisis, as well as a fierce advocate when crises arise.

Mary is the former Chair of the Labor, Employment and Benefits Department and regularly represents employers in state and federal court litigation, administrative and regulatory proceedings, and mediations and arbitrations. She handles all aspects of labor and employment law, including discrimination claims, sexual harassment, wrongful discharge, wage/hour, and employment contract claims. She has handled complex, multi-plaintiff claims and class actions and has first-chaired dozens of bench and jury trials through to verdict.

Mary regularly assists clients in developing policies and procedures to ensure compliance with fluctuating regulations. She frequently conducts management and human resource personnel training, leads internal investigations, assists with wage audits, and defends clients under investigation by state or federal agencies, including departments of labor, the federal Occupational Safety and Health Administration (OSHA), state human rights commissions, and the Equal Employment Opportunity Commission (EEOC). She has also handled Title IX and Clery Act matters.

Mary is the author of *Employment Litigation* (part of the Employment Law series published by the *Law Journal Press*) and is a frequent lecturer on a wide variety of employment law topics hosted by bar associations, human resource organizations, and Chambers of Commerce. She has an AV® Preeminent™ peer rating from Martindale-Hubbell, and she is recognized in *Chambers* USA and by *Super Lawyers*® in Connecticut for employment litigation.

Diversity is another passion of Mary's. She is the former Co-Chair of the Diversity Committee, for which she participated in drafting the firm's first Diversity Plan, and she is a member of the firm's Women's Committee. Mary has launched and participates in a variety of diversity-related initiatives for the Firm.

Education

- Quinnipiac University School of Law (J.D., 1983)
  - cum laude
- Albertus Magnus College (B.A., 1980)
  - magna cum laude

Bar Admissions

- Connecticut
- New York

Court Admissions

- New York Supreme Courts, Appellate Division, 1st Department
- State of Connecticut
- US Court of Appeals for the Second Circuit
- US District Court (District of Connecticut)
- US District Court (Eastern District of New York)
- US District Court (Southern District of New York)
- US Supreme Court

Memberships and Affiliations

- Connecticut Bar Association
- Defense Research Institute
  - The Voice of the Defense Bar, Trial Tactics Committee

Publications

April 24, 2024
Three Major Initiatives: New York's Paid Prenatal Leave, DOL's Overtime Pay Expansion and FTC's Ban of Non-Compete Agreements

May 17, 2023
The EEOC Updates to Its COVID-19 Technical Assistance

August 17, 2021
Connecticut Prohibits Age-Related Inquiries on Employment Applications

June 16, 2021
Connecticut Wage Law Amended to Require Disclosure of Wage Ranges and Change Pay Equity

March 25, 2021
Connecticut District Court Rejects Medical Marijuana User's ADA Claims

July 17, 2020
"DOL Wage and Hour Division Issues New FMLA Forms and Requests Comment on FMLA Regulations"

Published by The National Law Review
The National Law Review

January 13, 2020
New York State Issues Guidance on Salary History Ban

January 2, 2020
NLRB Rolls Back Key Obama-Era Decisions

September 30, 2019
Labor, Employment and Benefits Attorneys Author Chambers USA 2019 Regional Employment Guide
Chambers USA Regional Employment 2019 Second Edition Guide

September 24, 2019
Update: Labor, Employment and Benefits, "Increased FLSA Exemption Threshold"

June 27, 2019
New York Employers Should Prepare for Big Changes Under Proposed Amendments to Human Rights Law

June 12, 2019
Connecticut Significantly Expands Coverage of Family and Medical Leave Act, Adopts Paid Leave

June 5, 2019
Supreme Court Rules That EEOC Charge Filing Requirement Is Non-Jurisdictional

May 14, 2019
CHRO Issues New Guidance on CT Workplace Accommodations for Pregnancy, Childbirth, and Related Conditions

April 29, 2019
Is it Time to Update Your Retirement Plan's Summary Plan Description?

April 2, 2019
DOL Proposes Updating Regular Rate Regulations

March 11, 2019
DOL Announces New Proposed Overtime Rule

March 6, 2019
2019 Labor, Employment and Benefits Client Briefing Update

November 19, 2018
New York's Minimum Salary for Exemption and Minimum Hourly Wage Increasing in the New Year

November 13, 2018
Legal Issues for High-Growth Technology Companies
The National Law Review

August 28, 2018
Wage and Hour Fundamentals: "A Guide for Early Stage Companies"
The National Law Review

May 10, 2018
Connecticut Bans Employers From Inquiring About Applicants' Pay History

January 18, 2018
DOL Adopts Less Stringent Internship Test Under FLSA

August 29, 2017
Federal Law Does Not Preempt Employee Protections under Connecticut's Medical Marijuana Law

August 21, 2017
Connecticut Expands Protections for Pregnant Employees and Job Applicants

May 12, 2017
New York City's Freelance Law Goes Into Effect

March 31, 2017
Connecticut Supreme Court Confirms That Independent Contractors Are Not "Misclassified" Employees Simply Because They Only Work For One Company

December 20, 2016
Employment Law 2016 – Year In Review

November 23, 2016
Federal Court Issues Nationwide Injunction Putting New Overtime Regulations On Hold

July 25, 2016
How To Reap the Benefits of the New Federal Trade Secret Misappropriation Law
Connecticut Law Tribune

July 14, 2016
Legislative Update: New Laws Affecting Connecticut Employers

May 13, 2016
If Your Business Wants to Reap the Full Benefits of the New Federal Trade Secret Misappropriation Law, You Need to Update Your Confidentiality Agreements. ASAP.

April 18, 2016
Start Spreading the News: Paid Family Leave and $15 Minimum Wage Coming to New York

February 5, 2016
Important Regulatory Changes on the Horizon

January 29, 2016
U.S. Department of Labor Expansively Defines FLSA Joint Employment in New Guidance

January 4, 2016
IRS Extends the Due Dates for 2015 Information Reporting Under Sections 6055 and 6056 In IRS Notice 2016-4

December 28, 2015
Employment Law 2015 – Year In Review

January 26, 2015
An Aggressive Stance on Settlement Agreement Provisions
Connecticut Law Tribune, Employment and Immigration Law Special Section

November 21, 2014
It's Time (Really!) To Prepare For Increased Whistleblowing Activity

January 16, 2013
Projecting the Impact of Medical Marijuana on Connecticut Employers

November 15, 2012
The SEC's Second Annual Report On Its Whistleblower Program Reemphasizes The Need To Be Prepared For Increased Whistleblowing Activity

April 23, 2012
Whistleblowers Gain Enhanced Protection
Connecticut Law Tribune, Vol. 38, No. 17

November 21, 2011
The SEC's Whistleblower Program: Are You Prepared?

January 19, 2011
Update on the EEOC's Targeting of Systemic Discrimination Practices

August 23, 2010
Non-Competition Agreements and Professional Networking Sites

June 1, 2010
The Importance of Proper Employment Agreement Drafting
Inside the Minds: Negotiating and Drafting Employment Agreements, 2010 Edition

April 26, 2010
Free Help Comes With A Price
Connecticut Law Tribune, Vol. 36, No. 17

June 18, 2009
Legal Considerations for Reductions in Workforce
Center for Family Business, February 2009, Volume 17, Number 1

June 18, 2009
EEOC Takes a Look at the Big Picture
Connecticut Law Tribune, April 27, 2009, Vol. 35, No. 17

June 1, 2002
Employment Litigation
Law Journal Press

June 1, 1982
Another Victory for the Consumer: Hinchiffe v. American Motors Corp.
3 Bridgeport L. Rev. 381 (1982)