March 1, 2018 – Annual Legal Update – Speaker Bios

**Our Speakers**: Kathryn M. Murphy, Sarah Spatafore, Michael J. Maccaro, Brian P. Fox, .

Michelle De Oliveira, Kier Wachterhauser of Murphy, Hesse, Toomey & Lehane, LLP and Debra Najjar or Najjar Employment Law Group, PC.

**Kathryn M. Murphy** - Ms. Murphy practices in the employment and labor law areas. She has many years of experience representing employers in matters involving employment discrimination, wage and hour, contracts, whistleblowing, and other employment-related concerns. Ms. Murphy’s practice also focuses upon working proactively with employers to address matters before legal disputes arise. She conducts internal investigations on behalf of employers, provides training, day-to-day counseling in employment areas, development of policies and procedures, and other advisory services.

Prior to joining the firm, Ms. Murphy worked for several years with the Office of the Attorney General of the Commonwealth of Massachusetts, initially as a financial investigator in the Public Protection area, and later as an Assistant Attorney General in the Fair Labor Division where she handled criminal and administrative enforcement of labor laws including wage and hour matters.

Ms. Murphy has been and continues to remain actively involved in professional groups where she shares her knowledge of employment laws, and similarly is able to learn from others. Ms. Murphy speaks regularly for trade associations and groups. For instance, in the public sector context, during the past few years she has been a guest speaker for the Massachusetts Municipal Personnel Association, the Massachusetts Association of School Personnel Administrators, and has provided trainings for a number of cities and towns.

Ms. Murphy obtained a Senior Professional Human Resource (SPHR) certification in 2011. Prior to practicing law, Ms. Murphy practiced as a Certified Public Accountant. Ms. Murphy graduated *cum laude* from Suffolk University Law School.

**Sarah Spatafore** – Mrs. Spatafore is an associate attorney with the firm. She practices primarily in the labor and employment area, representing both public and private clients. Mrs. Spatafore regularly advises a variety of clients on day-to-day issues that arise in a number of areas, she regularly reviews and revises client handbooks and policies, and advises clients with regard to employee relations. Mrs. Spatafore also maintains an active litigation practice, representing clients at all levels of state and federal court, as well as before various administrative agencies. She regularly conducts seminars and training programs on unlawful harassment, preventing discrimination, and a variety of other labor and employment issues.  Mrs. Spatafore has completed all the Massachusetts Commission Against Discrimination-certified “Train-the-Trainer” courses.

Mrs. Spatafore graduated from Bates College in 2007. Prior to attending law school, Mrs. Spatafore spent a year working on a presidential campaign and then served as a presidential appointee at the National Aeronautics and Space Administration in Washington, D.C.  She received her Juris Doctor, with Honors, from Boston College Law School in 2012. In law school, Mrs. Spatafore interned at the Massachusetts Superior Court. As a law student, Mrs. Spatafore was a member of the Jessup International Moot Court team.  The team won the Northeast Super Regional Competition and, in the Jessup Cup International Rounds, Mrs. Spatafore individually placed 3rd among several hundred oralists. She was a co-recipient of the third year best oralist award at Boston College Law School.  Prior to matriculating with the firm, Mrs. Spatafore worked for a presidential campaign as a law clerk and was sent to a targeted swing state to serve as the Election Day Operations Director for the general election.

**Michael J. Maccaro** - Mr. Maccaro represents employers in both the public and private sector, acting as both labor counsel and general counsel to governmental bodies, including numerous school districts. Mr. Maccaro’s labor law practice includes representing employers in contract negotiation, collective bargaining matters, grievance administration and arbitration, and in proceedings before the Massachusetts Department of Labor Relations and the National Labor Relations Board. Mr. Maccaro’s employment law practice includes defending employers in a wide range of workplace claims, including claims of employment discrimination, retaliation, and wrongful discharge before the Massachusetts Commission Against Discrimination, and other enforcement agencies. Mr. Maccaro has successfully represented clients before the Division of

Unemployment Assistance, the Civil Service Commission, the Massachusetts Superior Court, and the Massachusetts Appeals Court.

Prior to joining MHTL, Mr. Maccaro served as an Associate General Counsel for a large public sector labor union, where he litigated over one hundred arbitration cases. Following law school, Mr. Maccaro served as a Law Clerk to the Justices of the Superior Court. Mr. Maccaro has served as an Adjunct Professor at Massachusetts School of Law where he taught legal writing. Mr. Maccaro regularly speaks to employers on matters such as collective bargaining obligations, employment practices, and drafting of workplace policies. Mr. Maccaro currently serves on the Executive Board of the Labor Employment Relations Association.

Mr. Maccaro is a member of the bar of Massachusetts and is admitted before the Federal District Court in Massachusetts. Mr. Maccaro graduated from Bates College with a Bachelor of Science degree in Biological Chemistry. He received his law degree from Northeastern University.

**Brian P. Fox** - Brian Fox devotes much of his practice to counseling public retirement boards with regard to Chapter 32 of the Massachusetts General Laws and related laws and regulations. He also deals regularly with investment issues for public retirement boards and negotiating documentation and dealing with PERAC regarding same. Mr. Fox works with health and welfare trust funds in both the public and private sectors, and employers with employee benefit plans, dealing with matters arising out of Massachusetts public pension law, as well as federal statutes affecting employee benefits, such as ERISA, HIPAA and COBRA.  He is a frequent speaker on public pension, health care reform and other benefits issues. In the course of his practice, Mr. Fox has successfully represented clients in court, arbitration and state adjudicative settings.

Mr. Fox graduated from Boston College with a Bachelor of Arts Degree in History and as a member of the Honors Program.  He received his law degree, graduating *magna cum laude* from The Catholic University of America’s Columbus School of Law.  While in law school, Mr. Fox was Production Editor and an Executive Board Member for the *Catholic University Law Review*. He was also awarded the John Fanning Labor Law Scholarship.

Mr. Fox currently serves as President of the Massachusetts Association of Public Pension Attorneys and is a member of the National Association of Public Pension Attorneys and the Massachusetts Bar Association.

Prior to joining the firm, Mr. Fox was an associate with a small labor and employee benefits firm in Boston, MA. Before attending law school, Mr. Fox served as Legislative Director for a Massachusetts State Senator at the State House in Boston

.

**Michelle De Oliveira**

Mrs. De Oliveira is an associate attorney with the firm, maintaining a general practice. Mrs. De Oliveira devotes much of her practice providing regular guidance and counseling to public retirement boards, and to counseling employers regarding an array of issues, including employee benefit plans. She represents employers in arbitration and litigation of employment related disputes, including discrimination, sexual harassment and wrongful termination, before state court and administrative agencies, such as the Massachusetts Commission Against Discrimination.

Prior to joining the firm, Mrs. De Oliveira worked at a Boston law firm, focusing her practice on a wide range of employment and executive representation matters, including discrimination, wrongful termination, the negotiation of severance terms, and equity-related restrictive covenant and shareholder contract disputes.   Mrs. De Oliveira has also practiced in the field of immigration law.

Mrs. De Oliveira earned her B.S., summa cum laude, from Northeastern University and her J.D. from Northeastern University School of Law. While in law school, Mrs. De Oliveira participated in internships with the Honorable George A. O'Toole, Jr. at the U.S. District Court for the District of Massachusetts, at the Public Corruption Division of the U.S. Attorney's Office for the District of Massachusetts, at the Civil Trial Division of the Attorney General's Office in Boston, Massachusetts, and at Shilepsky Hartley Robb Casey Michon, LLP.

Mrs. De Oliveira is fluent in Portuguese and proficient in Spanish.

Mrs. De Oliveira is admitted to the bar in Massachusetts. She is a member of the Women's Bar Association, the Boston Bar Association, the Massachusetts Bar Association, and the Massachusetts Association of Hispanic Attorneys.

**Kier Wachterhauser** -Mr. Wachterhauser represents public and private sector clients. Mr. Wachterhauser provides regular guidance and counseling to clients, for non-profit, in governance, regulatory, and employment and labor matters. Mr. Wachterhauser also maintains a general litigation practice, with a focus on labor and employment law. Mr. Wachterhauser has extensive experience advising a variety of clients, counseling clients in employment matters, conducting internal investigations, drafting policies and contracts, and representing public and private sector clients in litigation, including litigation related to discrimination, wrongful termination, housing, and wage and hour disputes before courts and administrative bodies.

Mr. Wachterhauser received his Juris Doctor from Boston University School of Law, where he served as the Editor-in-Chief of the *Boston University Law Review*. In law school, Mr. Wachterhauser was awarded the Faculty Award for Academic Accomplishment. Prior to attending law school, Mr. Wachterhauser spent several years working in the consulting field, providing guidance to administrators of hospitals and universities on a variety of business-related matters. Mr. Wachterhauser received a Masters of Arts degree from Northwestern University and graduated from Swarthmore College with honors.

**Debra Dyleski-Najjar, Esq**., is president and founder of the Najjar Employment Law Group, P.C. and has practiced employment law for over thirty-three (33) years. In 2008, she founded NELGPC as a labor, employment and benefits boutique law firm to provide strategic legal advice, backed by litigation expertise, for employers. Ms. Najjar is AV Preeminent rated by Martindale-Hubbell, a significant rating and testament to the fact that her peers rank her at the highest level of professional excellence. Before establishing NELGPC, she was an equity partner in the Boston office of a 250-attorney regional law firm, with offices in Boston, Providence and Concord. In addition to defending employers in litigation before

state, federal and agencies, she is a recognized thought leader, frequent author and lecturer, trusted counselor, and trainer on workplace issues. Over the years, her practice has run the gamut of labor and employment, as well as ERISA, matters, and she is known to have both wide and deep experience as a labor, employment and benefits attorney. Due to Ms. Najjar’s significant professional accomplishments, in 2007, she was nominated by her peers and inducted as a Fellow of the College of Labor and Employment Lawyers, and now serves as Chair of the First Circuit Credentialing Committee. For over ten consecutive years, she has been recognized as a New England Super Lawyer, a recognition bestowed

on the top 5% of attorneys, and recognized in Marquis’ Who’s Who Among US Executives and

Professionals, Who’s Who in the World, Who’s Who in America, Who's Who in American Law and Who's Who of American Women.

She serves as the Government Affairs Director for the Massachusetts SHRM State Council and Legislative Director of the Greater Merrimack Valley Human Resource Association, and is Captain of the Society of Human Resources (SHRM) A-Team. As an active member of her community, she is a founding member of advisory board for the Lawrence Partnership where she servers as co-chair of the Pathways Committee, a member YMCA Corporate Board of Directors, and member of the Boys & Girls Club of Lawrence advisory board. She also served on the Governance Committee of the Board of Directors of the Greater Lawrence Family Health Center (2015-2017), the Board of Directors for VNA Hospice Care Inc. (2005-2013), and, at the request of the mayor, the zoning board of appeals for the City of Lawrence (199-2000).

Professionally, she is an active member of the New Hampshire Bar Association moderating the annual Labor and Employment Update for the past fifteen years, serving on the CLE committee, and past chair of the Labor and Employment Section, as well as a member of the ABA Labor and Employment Section and the Massachusetts Bar Association. She is a frequent speaker at both state and national conferences, including for NECOEM, AOHN, NBI, the NH Insurance Adjusters, and the Knowledge Group.

She is a Phi Beta Kappa graduate of Wellesley College, *magna cum laude* Durant Scholar, and Boston University School of Law, *summa cum laude*, third in her class and an Editor of the Law Review. She is admitted to practice before the state and federal courts of Massachusetts, New Hampshire and Maine, as well as the United States Supreme Court, and is a credentialed member of the American Society of Pension Professionals and Actuaries (ASPPA).

Ms. Najjar is a former Miss Massachusetts Teen-Ager (1975), Miss Essex County (1976), and finalist in Miss Teen USA (1976). She also judged the Little Miss pageants for many years, and judged the Miss New Hampshire qualifying pageants in 2017.

Ms. Najjar has two adult children both of whom have pursued legal careers, and enjoys spending leisure time with her children, husband, dog and show horse.