

ATTORNEY BIOGRAPHY



Brian M. Casaceli

Partner

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Westborough Office:

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Practice Group(s) and Specialty Area(s)

Labor, Employment and Employee Benefits
Employment Litigation
Human Resource-Related Advice and Training

Education

JD, *summa cum laude*, Suffolk University Law School (2014), Lindsay R. Breed Bankruptcy Book Award (2014), Distinguished Oral Advocate (2012), Distinguished Brief (2012)

BA, *magna cum laude*, Stonehill College (2011)

Bar and Court Admissions

Massachusetts

U.S. District Court for Massachusetts

U.S. Bankruptcy Court, District of Massachusetts

Professional/Community Affiliations

Worcester County Bar Association, Labor and Employment Section, Former Co-Chair (2019-2021)

MetroWest Chamber of Commerce, Board of Directors, chair

Brian is a partner in the Labor, Employment and Employee Benefits Group. Brian focuses his practice on representing employers in federal and state courts in Massachusetts, as well as before the Massachusetts Commission Against Discrimination and the Equal Employment Opportunity Commission in defense of claims of discrimination, sexual harassment, wrongful termination, breach of contract, and wage payment violations. Brian also represents employers in wage and hour investigations by the U.S. Department of Labor and the Massachusetts Attorney General, and in unfair labor practice proceedings before the National Labor Relations Board. Brian further counsels employers on day-to-day employee issues and has experience drafting employee handbooks and other employee policies.

Brian was included in the 2024 edition of the *Best Lawyers: Ones to Watch in America*[™] for his work in Employee Benefits (ERISA) Law, Labor and Employment Law – Management and Litigation – Labor and Employment. Brian has been named a Massachusetts “Rising Star” by *Boston* magazine and *Law & Politics* every year since 2021. In 2020, Brian was selected by the *Worcester Business Journal* as one of “40 under Forty” professionals honored for their professional excellence and community service.

Representative Matters

- Obtained summary judgment on behalf of employer and two of its executives in an action brought by a former employee alleging claims of wrongful termination, defamation, and intentional interference with advantageous relations.
- Obtained complete dismissal of several claims including violation of G.L. c. 93A, breach of contract, and wrongful termination asserted by a former employee against two of the company’s managerial employees.
- Obtained a default judgment on behalf of company and its president against former employee on claims of defamation and violation of federal trademark law.
- Successfully litigated against a former employee’s appeal of his denial of unemployment benefits to the Massachusetts Appeals Court on behalf of the individual’s former employer.
- Obtained summary judgment on behalf of employer and several of its employees in action brought by a former employee who had signed a waiver and release of claims following his termination of employment.
- Obtained partial summary judgment on behalf of employer and its president involving two claims under the Massachusetts Wage Act and a breach of contract claim.
- Obtained dismissal of a number of claims brought against different employer clients at the Massachusetts Commission Against Discrimination (MCAD) and Equal Employment Opportunity Commission (EEOC).

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Publications/Presentations

- “The National Labor Relations Board Strikes Back: Examining the Latest Developments & Trends Under the Biden Administration,” Mirick O’Connell Labor, Employment and Employee Benefits Annual Seminar (May 4, 2023)
- [“Navigating Pay Transparency Laws: What Employers Need to Know,”](#) Mirick O’Connell Client Alert, April 19, 2023
- [“Private Employers Take Note: Overbroad Non-Disparagement & Confidentiality Restrictions in Severance Agreements Run Afoul of the National Labor Relations Act,”](#) Mirick O’Connell Client Alert, March 29, 2023
- “Balancing the Multiple Roles of In-House Counsel,” Massachusetts Bar Association In-House Counsel Conference, January 26, 2023 (panelist)
- [“COVID-19 and Masks: Updated Guidance from OSHA and Massachusetts,”](#) Mirick O’Connell Client Alert, May 19, 2021
- Quoted in “Vaccinations, Masks, and Small Business Rights,” *LegalZoom*, April 28, 2021
- [“What Employers Need to Know About the American Rescue Plan Act of 2021 and the anticipated Massachusetts COVID-19 Emergency Paid Sick Leave,”](#) Mirick O’Connell Employment Law Webinar (April 16, 2021)
- “The New (Not So) Normal,” Massachusetts Bar Association In-House Counsel Conference (January 28, 2021) (panelist)
- [“Minimum Wage Increases to \\$13.50 Per Hour While Holiday and Sunday Premium Pay for Retail Employees Continues Down The Path To Abolishment”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, January 22, 2021
- [“EEOC Releases Guidance on Mandatory Vaccinations”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, December 18, 2020
- [“Federal Court in New York Strikes Down Parts of the Department of Labor's Regulations Interpreting the Families First Coronavirus Response Act,”](#) Mirick O’Connell Client Alert, August 5, 2020
- “Do You Have Questions about Reopening Your Business?” MetroWest Chamber of Commerce Virtual Meeting (July 15, 2020) (panelist)
- [“Reopening your Business/Building while Minimizing the Risk of becoming a COVID-19 Hot Spot,”](#) *On Air with Mirick O’Connell* legal podcast (June 9, 2020)
- [“Returning to Work: Considerations for Employers Resuming On-Site Operations During the COVID-19 Pandemic?,”](#) Mirick O’Connell Client Alert, May 14, 2020
- “Key Issues to Consider When Bringing Employees Back to Work,” Milford Area Chamber of Commerce Q&A Session (May 13, 2020)
- “COVID-19’s Impact on the Workplace: Emergency Paid Sick Leave and Emergency Family Medical Leave,” *Mass Brewers Guild Blog*, April 2020
- [“COVID-19’s Impact on the Workplace: What’s the Difference between a Layoff and a Furlough?,”](#) Mirick O’Connell Client Alert, April 22, 2020
- “COVID-19’s Impact on the Workplace: What’s the Difference between a Layoff and a Furlough?,” *Mass Brewers Guild Blog*, April 2020
- [“COVID-19 Emergency FMLA and Families First Coronavirus Response Act,”](#) *On Air with Mirick O’Connell* legal podcast (March 31, 2020)
- “Families First Coronavirus Response Act,” ePay Webinar (March 27, 2020)
- [“Congress Passes Families First Coronavirus Response Act”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, March 20, 2020
- “National Labor Relations Board Ends 2019 by Overturning Multiple Obama-Era Labor Decisions,” *GGI Insider*, March 2020
- [“Department of Homeland Security Relaxes Standards for Verifying Work Authorization,”](#) Mirick O’Connell Client Alert, March 24, 2020
- [“Congress Passes Families First Coronavirus Response Act,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, March 20, 2020
- [“The Coronavirus and Its Impact on the Workplace: Part II,”](#) Mirick O’Connell Client Alert, March 18, 2020
- [“The Coronavirus and Its Impact on the Workplace,”](#) Mirick O’Connell Client Alert, March 11, 2020
- “Massachusetts Against Discrimination’s New Procedural Regulations,” Worcester County Bar Association (March 9, 2020) (moderator)
- “The Massachusetts Noncompetition Act-15 Months Later,” Worcester County Bar Association (January 6, 2020) (moderator)

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Publications/Presentations (continued)

- [“Massachusetts Delays Family and Medical Leave Act Payroll Contribution Three Months,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, June 2019
- “Selected Case Investigation Techniques,” *Massachusetts Discovery Practice*, MCLE, April 2019 (co-author)
- [“Department of Labor Releases Proposed Rule to Increase Minimum Salary Threshold for Overtime Exemption”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, March 2019
- [“Coming to a Workplace Near You: New Fair Labor Standards Act Overtime Regulations Appear Imminent,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, January 2019
- [“Governor Baker Signs Noncompetition Bill Into Law,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, August 2018
- [“Governor Baker Signs ‘Grand Bargain’ Bill Creating Paid Family and Medical Leave and Raising Minimum Wage,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, July 2018
- [“NLRB General Counsel Releases Updated Guidance on Employee Handbook Rules,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, June 2018
- [“Massachusetts Ban-The-Box Law Undergoes an Update,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, May 2018
- [“Attorney General’s Office Releases Guidance Interpreting an Act to Establish Pay Equity,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, March 2018
- [“EEOC Releases 2017 Enforcement & Litigation Statistics,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, January 2018
- [“Weingarten Rights Do Not Apply to Non-Union Employees,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, May 2017
- [“EEOC Publishes Proposed Guidance on Unlawful Employee Harassment,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, April 2017
- [“EEOC Releases 2016 Enforcement & Litigation Statistics,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, January 2017
- [“Is Your Company’s Social Media Policy Compliant with NLRA?,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, September 2016
- [“NLRB Rules Student Teaching Assistants and Research Assistants May Unionize,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, August 2016
- [“The Trade Secrets Act: A Federal Remedy for the Misappropriation of Trade Secrets,”](#) Mirick O’Connell Labor, Employment and Employee Benefits Law Blog, May 2016