



## Mark Mathison

### Partner

Minneapolis

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Mark Mathison advises and represents a wide range of employers, including corporations, nonprofits, and educational organizations, on labor and employment law issues in the workplace. Mark's practice has a significant focus on traditional labor law; he has been a contributing editor to *The Developing Labor Law*, the premier legal resource on private sector labor law. He is a partner in the firm's broader Labor, Employment and Higher Education practice and an MSBA-certified labor and employment law specialist. Mark was a founding and long-time board member of the International Spanish Language Academy (ISLA), a Minnesota K-6 Charter School, and serves on ISLA's Governance and Human Resources Committees.

Mark is highly experienced in litigation and advising for unionized and nonunionized employers that include private corporations, public entities, colleges and universities, nonprofit organizations, charter schools, health care providers, manufacturers, construction contractors, and professional employer organizations (PEO's). In particular, he has a great deal of experience working with employers on traditional labor law matters such as union-related strategies, union election and decertification campaigns, collective bargaining and labor negotiations, unfair labor practice charges and trials, regulatory matters and administrative hearings, grievance arbitrations, strike litigation, and Taft Hartley multiemployer fund suits. Mark is a creative negotiator in a variety of labor and employment litigation settings, as well as with various methods of alternative dispute resolution like mediation and arbitration.

A significant part of Mark's practice involves proactively advising employers on prevention and compliance. He represents employers in relation to the full spectrum of workplace law, including federal and state labor laws, immigration enforcement, discrimination, independent contractor classification issues, disability and leave laws,

## Areas of Focus

### Services

[Labor & Employment](#)

[Litigation](#)

[Class, Collective & PAGA  
Representative Actions](#)

[Immigration](#)

[Labor Management](#)

[Training & Tools for Clients](#)

[Employment Litigation](#)

[General Business & Complex  
Commercial Litigation](#)

[Employment Counseling &  
Personnel Management](#)

[Advising](#)

[Discrimination, Harassment  
& Abusive Conduct](#)

[Investigations](#)

[Non-Compete, Non-Solicit,](#)

[Trade Secrets & Other](#)

[Restrictive Covenants](#)

[Occupational Safety](#)

### Sectors

[Education](#)

[Health Care](#)

[Industrial & Manufacturing](#)

[Higher Education](#)

and wage and hour matters. Clients often seek Mark's assistance with drafting, negotiating, and enforcing union contracts, workplace policies, employment and noncompete agreements, and handbooks. He regularly advises businesses on union-related issues in mergers and acquisitions.

Before becoming an attorney, Mark had a career in corporate management relating to labor and employment in food service, retail, and sales. Clients appreciate his practical insights into their goals and concerns developed from this management experience.

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## Credentials

### Education

- Mitchell Hamline School of Law, J.D., 1998, magna cum laude
- University of Minnesota, B.A., 1995, summa cum laude

### Bar Admissions

- Minnesota

### Court Admissions

- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. District Court for the District of Minnesota
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Western District of Wisconsin

### Recognition

- Selected among *The Best Lawyers in America*®, 2022-2025
- Minnesota State Bar Association, "North Star Lawyers," 2018-2020, 2023
- *Minnesota Monthly*, "Minnesota's Top Lawyers," 2022
- Labor and Employment Law Specialist, certified by the Minnesota State Bar Association
- Excellence in Labor Law citation, MSBA Section of Labor & Employment Law

## Presentations

- Presenter, "Labor Law Update," and "Keeping up with the Board: Labor Law Changes that Impact Union and Non-Union Employers," Lathrop GPM 2024 Employment & Labor Law Seminar, October 23, 2024 (Minneapolis)
- Co-presenter, "Keeping up with the Board: Labor Law Changes that Impact Union and Non-Union Employers," Lathrop GPM 2024 Employment & Labor Law Seminar, October 1, 2024 (Kansas City)
- Co-presenter, "Current, and Future, Wage and Hour Challenges," and "National Labor Relations Board Puts All Employers Under the Microscope," Lathrop GPM 2023 Employment & Labor Law Seminar, October 24, 2023 (Minneapolis)
- Presenter, "Labor Law Update," Lathrop GPM 2023 Employment & Labor Law Seminar, October 24, 2023 (Minneapolis)
- Presenter, "Sympathy Strike? Dealing with Protected Activity by Employees in Union & Non-Union Settings," Lathrop GPM Health Law Seminar, September 22, 2022
- Presenter, "Labor Law Update," Lathrop GPM 2022 Employment & Labor Law Seminar, May 4, 2022 (Minneapolis)
- Presenter, "NLRB General Counsel Opines That College Athletes Are Employees," ELA Webinar, October 26, 2021
- Presenter, "Today's Unemployment Claims: An Employer's Guide," LeadingAge Minnesota, November 11, 2020
- Presenter, "New Anti-Retaliation Law for NH's and HWS," LeadingAge Minnesota, August 15, 2019
- Panelist, "Wage Theft Law and the Minneapolis Leave Ordinance," Associated General Contractors of Minnesota, July 24, 2019
- Co-presenter, "I-9 Compliance and Audits: Immigration Enforcement Risk Management for Employers," GPM Employment and Labor Law Seminar, April 9, 2019
- Co-presenter, "Labor Law Update: How the NLRB is Changing Under the Trump Administration," Minnesota College and University Professional Association for Human Resources, February 22, 2018
- Presenter, "DOL Final Rule on White Collar Exemptions: What Higher Education Institutions Need to Know," MN College and University Professional Association for Human Resources, November 1, 2016
- Presenter, "What the NLRB Ruling on Student Assistants Means for Private Colleges and Universities," Employment Law Alliance, September 13, 2016
- Co-panelist, "Franchise Joint Employer and Vicarious Liability Threats: Practical Steps to Minimize Risk," GPM Franchise & Distribution Practice Group, Webinar, March 18, 2015
- Co-panelist, "Franchising Under Attack! Challenges to the Franchise Business Model," International Franchise Association luncheon, November 18, 2014
- Co-presenter, "Labor Law Update," GPM Employment and Labor Law Seminar, October 29, 2014

- Co-presenter, "Non-Union Employers, Unions, and the Labor Law: Preparing for and Responding to Collective Activity," GPM Employment and Labor Law Seminar, October 29, 2014
- "Inability to Pay v. Competitive Disadvantage: Magic Words at the Bargaining Table," Presentation to the American Bar Association Committee on Development of the Law Under the National Labor Relations Act, Midwinter Meeting, February 26, 2014
- Presenter, "Independent Contractor Compliance," Human Resources Compliance Breakfast Briefing & Webinar Series, November 5, 2013
- Co-presenter, "Employee Benefits: New Same-Sex Marriage Law," Minnesota Chamber of Commerce, September 10, 2013
- Co-presenter, "The NLRB Said What? Important Labor Law Developments for Union and Nonunion Employers," GPM Employment Law Seminar, April 1, 2013
- Presenter, "Labor Law Update," GPM Employment Law Seminar, April 1, 2013
- Co-presenter, "Social Media Compliance: Tips for Hiring and Managing Employees in a Rapidly Changing High Tech Age," GPM Employment Law Seminar, April 1, 2013
- Panelist, "The Implications of Noel Canning and Challenges to The Board's Recent Rules," Presentation to the American Bar Association Committee on Practice and Procedure Under the National Labor Relations Act Midwinter Meeting, March 2, 2013
- Presenter, "NLRB Update: New Procedures in Representation Cases (and More)," MSBA Labor & Employment CLE, May 1, 2012
- Co-presenter, "Managing Critical Wage and Hour Compliance Issues in Residential Workplace," 2011 ARRM Conference, May 18, 2011
- Presenter, "Recent Employment and Labor Law Developments," College and University Professional Association—Minnesota Chapter for Human Resources, November 18, 2010
- Presenter, "Recent Employment and Labor Law Developments," Society for Human Resource Management—Central Minnesota, October 21, 2010
- Co-presenter, "State of the Unions and Other Recent Developments in Labor and Employment Law," Gray Plant Mooty 14th Annual Health Law Conference, July 15, 2010
- Presenter, "Labor Law Update," GPM 2010 Employment Law Seminar, April 21, 2010
- Presenter, "Employee Free Choice Act and Employer Choices: Labor Relations in 2009 and Beyond," Franchise Business Network International Franchise Association, April 1, 2009
- Presenter, "Employer Choices and the EFCA: What You Can Do Now to Promote a Better Working Relationship with Your Employees," Aging Services of Minnesota (Labor Law School), January 1, 2009
- Presenter, "Employer Choices and the Employee Free Choice Act: Should You Act Now to Preserve a Union-Free Future?," 2009 Business Law Institute, January 1, 2009

- Presenter, “Recent Developments in Labor Law,” The Hennepin County Bar Association Labor & Employment Law Section, January 1, 2008
  - Presenter, “Getting Along with Norma Rae: Labor Law Issues for Non-Unionized Employers,” Care Providers of Minnesota Convention, January 1, 2004
  - Presenter, “In English with Subtitles: Speak English Only and Language Proficiency Rules in Employment,” Care Providers of Minnesota Convention, January 1, 2004
  - Presenter, “Understanding the New FLSA Regulations: Who Gets Overtime Now?,” Minnesota Hospital Association, September 2004; Minnesota Home Care Association, January 1, 2004
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## Professional Activities

- American Bar Association
- Federal Bar Association
- Minnesota State Bar Association
- Governing Council, MSBA Section of Labor & Employment
- Hennepin County Bar Association
- Minnesota Management Attorneys Association
- Employment Law Alliance, Higher Education Council

## Community Involvement

- Governing Council, MSBA Section of Labor & Employment
- International Spanish Language Academy, Founding Board Member & Governance Committee Chair