

Thomas Stratton Gill

Thomas S. Gill, P.C.

Frederick, MD
Sole Practitioner

July 1, 2003 to present

Draft commercial and construction contracts and litigate disputes. Represent and counsel employers on employment and business issues including:

- Preparation of Employee Handbooks, employment agreements, covenants not to compete, copyright for hire agreements, and other employment documents.
- Settlement, mediation, or trial of contract cases, construction cases, employment discrimination cases, public and private sector civil rights cases, employee benefit cases including fiduciary liability, tax cases, and administrative cases before federal and state human rights agencies, safety agencies, and labor departments.
- Analysis of employee benefit issues such as plan termination or modification, fiduciary responsibility, and compliance with reporting and disclosure requirements under federal and Maryland law.

Regularly speak and write on employment issues including presentation of the following half day seminars:

- *Juror's Eye View of Employment Discrimination*, Frederick County Society for Human Resource Management, July 2004
- *Firing the Boss's Niece, A Perfectly Ordinary Day*, Frederick County Society for Human Resource Management, August, 2005
- *Making Good Termination Decisions*, Washington County Business Resource Group, January, 2006

Hiscock & Barclay, L.L.P.

Buffalo, NY
Partner

September 1984 to June 30, 2003

Counseled and represented employers and businesses on employment law, contract issues, and regulatory compliance. Spoke on employment law issues at regional and national seminars. Wrote for legal publications. Significant accomplishments included:

- Handled over 250 employment discrimination complaints to the EEOC and state agencies for employers including Sears, Continental Air Lines, Angelica, and insurance companies including AIG, Shand Morahan, and Universal. By using years of experience to focus the initial investigation, I have resolved almost all of these cases without litigation.
- Obtained summary judgment for employers in 42 cases. Successfully defended summary judgment in 23 appeals. Tried 14 employment discrimination cases to verdict.

- Drafted employee benefit plans, handbooks, and other employment documents. Tried complex employee benefit cases including fiduciary liability in or out of bankruptcy, health benefits, and employee stock options.
- Settled, mediated, arbitrated or tried complex commercial cases. Cases handled include letter of intent to buy a business, UCC sales cases, construction cases including failure to perform, and business torts such as tortious interference with contract.

Published cases

- *Muszak v Sears, Roebuck and Co.*, 63 F. Supp. 2d 292 (W.D.N.Y. 1999); *Quinn v. Sherwin-Williams Company*, 982 F. Supp. 190 (W.D.N.Y. 1997); *Spence v. Maryland Casualty Co.*, 995 F.2d 718 (2d Cir. 1993); *Tyler v Bethlehem Steel Corp.*, 958 F.2d 1176 (2d Cir. 1992); *Laborers Local 210 v Shevlin Manning, Inc.* 537 N.Y.S.2d 718 (4th Dept. 1989); *Patterson Stevens, Inc.* 316 NLRB No. 194 (1995).

National Labor Relations Board

November, 1982 to September, 1984

Washington, D.C.

Staff Counsel to Member Hunter

Learned to be a classic labor attorney by writing appellate decisions for the Board.

Revere Copper and Brass Co.

November 1980 to July 1982

Rome, NY

Director, Employee Relations

Negotiated labor agreements for the seventeen copper plants. Presented labor arbitration cases. Supervised employment discrimination litigation, and taught compliance with discrimination laws. Supervised salary administration.

NL Industries, Inc.

December 1971 to November 1980

Toledo, Ohio

Director, Employee Relations

Negotiated labor agreements for seven plants. Negotiated and drafted pension and benefit agreements. Planned ERISA compliance when ERISA was passed. Managed salary administration and the other employee relations disciplines.

Education

University of Toledo, JD

1979

Toledo, Ohio Top 10 % of class

University of Toledo, MBA

1975

Toledo, Ohio

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