



Partner

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856-354-3012

**Haddonfield, NJ**

**Wilmington, DE**

### **Practice Areas**

Employee Benefit Plans / Executive

Compensation / ERISA

Labor & Employment Law

Workplace Training Resources

### **Admitted**

Delaware

New Jersey

Pennsylvania

United States Court of Appeals for the Third Circuit

United States District Court - E.D. P.A.

United States District Court of Delaware

United States District Court of New Jersey

United States Supreme Court

### **Education**

Widener University School of Law, *magna cum laude*, Juris Doctor, 1990

Drexel University, B.S., Chemical Engineering,

Phi Beta Kappa, 1986

Peter L. Frattarelli is the Chair of Archer's Labor & Employment Practice Group. He regularly represents management and employers in labor and employment litigation and proceedings. Peter has extensive experience defending employers and individuals against harassment and discrimination lawsuits, as well as before state and federal administrative agencies. These include claims for race, gender, sex, disability, national origin and age discrimination. His management defense experience has been in a wide variety of contexts, ranging from unlawful discipline through wrongful termination. Peter's litigation experience also includes an emphasis on defending against retaliation and "whistleblower" claims. He has handled numerous cases defending employers against claims of failure to accommodate the needs of disabled persons, including several cases that sought to extend the disability protection laws against employers and places of public accommodation.

Peter also has an extensive labor law background, representing and providing advice to employers, in a number of different contexts, ranging from day-to-day wage and salary issues up to actions and proceedings involving labor organizations. This includes the defense and prosecution of unfair labor practice charges before the National Labor Relations Board as well as representing employers involved in union election campaigns. He has also successfully represented employers in proceedings in state and federal court seeking to enjoin union picketing. In addition, Peter's labor law experience includes the defense of numerous individual employee grievances filed before neutral arbitration panels. He also has negotiated for, and counseled, management during union collective bargaining agreements for private and public sector employers. Pete has conducted harassment and discrimination training for numerous clients across the country.

### **Representative Experience**

- Received defense verdict for employer and owner in disability harassment and discrimination case against medical practice.
- Received defense verdict in federal court for District of New Jersey in whistleblowing case brought by employee of energy subsidiary of Fortune 500 electrical and energy utility company.
- Received defense jury verdict in three-week whistleblower case filed against Fortune 500 laboratory testing company.
- Received defense jury verdict in race discrimination case against Fortune 500 utility company.

- Currently Solicitor for fire district in New Jersey, a local governmental body.
- Received favorable decision dismissing claims of improper wage classification by printing company employee trucking and service industries.
- Received favorable and novel reported decision from New Jersey Federal District Court interpreting provisions of a Federal law offering long term care insurance to employees and retirees, which rejected a retiree's claim that the Federal law violated disability discrimination laws. Currently Labor Counsel for electrical contracting organization of union contractors for Southern New Jersey.
- Received favorable and novel reported decision from New Jersey Federal District Court upholding protections of attorney-client privilege in employer in-house investigation of discrimination complaints. Received favorable decision from New Jersey Federal District Court dismissing age and disability discrimination claims of former employees involving comments not previously addressed by the Federal Courts in the applicable Circuit.
- Received favorable decision from New Jersey Federal District Court dismissing reverse race discrimination and family leave claims asserted against Fortune 500 company.
- Represented citizens group in election redistricting case in Pennsylvania, by stepping in as appellate counsel obtaining reversal of unfavorable lower court judgment, on appeal to Pennsylvania Commonwealth Court. As part of this case, assisted local school district with unprecedented re-districting trials, a special general election and the redrawing of thirty-plus year old election boundaries.
- Represented a multi-state chemical company in binding commercial arbitration arising out of the sale of chemical plants and the alleged breach for the failure to provide several promised chemical supply contracts. Assisted client in receiving arbitration award in excess of \$10,000,000 following weeks of hearings.
- Negotiated numerous collective bargaining agreements for industrial clients, including glass manufacturer, electrical generating stations, metal manufacturer, trucking companies and service organizations. Negotiated numerous collective bargaining agreements for local New Jersey public entities.

## **Professional and Community Involvement**

- New Jersey State Bar Association (including Executive Committee position with Labor and Employment Law Section)
- Delaware Bar Association
- American Bar Association
- Camden County (NJ) Bar Association
- Barrister and Treasurer, Sidney Reitman Labor and Employment Law Inns of Court
- Justinian Society (Italian-American attorneys organization)
- Board Member, Societa da Vinci (Wilmington, DE)

- Board Member, Holy Family Regional Catholic School
- Coordinator for Camden County High School Mock Trial Competition
- President of the Board of Directors, Habitat for Humanity, Greater Burlington and Mercer County (NJ) Chapter
- Adjunct Professor, Rowan University, Legal Aspects of Human Resources (2017-present)

### **Awards and Recognition**

- Named to New Jersey Super Lawyers list for Employment & Labor (2021)
- Named "Top Attorney" by SJ Magazine for Labor and Employment (2009 - 2011, 2014-2016, 2018, 2019) and Employment (2021)
- Named "Awesome Attorney" by South Jersey Magazine for Labor and Employment Law (2008 and 2011, 2014, 2017 and 2019)
- St. James Alumni Association Wall of Fame Inductee

### **Articles and Presentations**

- Speaker on Employment Law at New Jersey State Bar Association Mid-Year Meetings in Rome, Italy (2013 and 2018), Madrid, Spain, (2017), Amsterdam, Netherland (2016), (New Orleans, LA (2015), Rome, Italy (2013) and Las Vegas, NV (2012)
- Speaker, Recent Developments in New Jersey Law: 2015, 2016, 2017 and 2018 Update (Provided by NJICLE)
- Author, "New Jersey Passes Law To Eventually Increase Minimum Wage to \$15 Per Hour" (Chamber of Commerce of SNJ, 2019)
- Quoted in "Spotlight Unions: How to Play Defense" (NJBIZ Newspaper, 2019)
- Quoted in "Sexual Harassment in the Workplace – Panel Discussion" (NJBIZ Newspaper, 2018)
- Quoted in "Pressure Grows For Statewide Paid Sick Leave In NJ" (Law360, Aug. 2014)
- Quoted in "Student Athlete's Claim Against NCAA for Minimum Wage 'Weak'" (Society for Human Resource Management, Oct. 2014)
- Speaker, Labor and Employment Laws in Italy, National Electrical Contractors Association Eastern Regional Meeting (Rome, Italy - March 2009)
- Author, "Individual Liability Under CEPA: A Crack in the Foundation" (New Jersey Labor and Employment Law Quarterly, 2005)
- Author, "Commentary: Finally, a Supreme Court Decision Management Lawyers Can Love" (New Jersey Law Journal, October, 2002)
- Author, "Federal Discovery Rules Dramatically Change" (Corporate Counselor, December, 1993)
- Moderator/Speaker, Mid-Year Meeting of the New Jersey State Bar Association (2012-2013; annually, 2014-present)
- Speaker, Pre-Employment Background Screening: FCRA, EEOC, Ban-the-Box, State and Local Law Compliance (February 2018)
- Speaker, American Arbitration Association and the National Academy of Arbitrators Mid-Atlantic Region, Meet the Advocates ( February

2018)

- [Speaker, NJBIZ for Sexual Harassment in the Workplace: Panel Discussion \(January 2018\)](#)
- Speaker, Recent Developments in New Jersey Labor & Employment Law (2013, 2014, 2015, 2016, 2017 and 2018)
- Speaker, National Business Institute, National Broadcast "Workplace Drama & Conflict: Legal Solutions for Trick Situations" (March 2019)
- Speaker, New Jersey Employment Law Update, South Jersey Chamber of Commerce HR Council (May 2019; June 2018)
- Speaker and Panelist, HR Bootcamp Presentation, South Jersey Chamber of Commerce (Annually, 2011-2018)
- Speaker, Crystal Ball on Wage and Hour Laws, NJ Business and Industry Association (April 2019)
- Speaker, National Webinar, Strafford Seminars, Pre-Employment Screening (Feb. 2018)
- Speaker, Employment Law Roundtable, NJICLE, Using Employment Torts Tactically (Dec. 2017)
- Speaker, Disciplining Employee, Garden State Human Resource Management Annual Meeting (October 2015)
- Speaker, New Jersey's "Ban the Box" law, New Jersey Bankers Association (April 2015)
- Speaker, Creative Strategies for ADA Compliance, New Jersey State Chamber of Commerce (September 2014)
- Speaker, Challenges of an Aging Workforce, Chemistry Council of New Jersey (December 2013)
- Speaker, Archer & Greiner Affordable Care Act Seminars (October 2016; November 2014)
- Speaker, Mid-Year Meeting of the New Jersey State Bar Association (October 2012)
- Panelist, Hispanic Leadership Summit of New Jersey (September 2012)
- Speaker, Various Employment Law Topics, Sterling Education Services (April 2017; July 2016; April 2016; July 2015; June 2015; July 2014; March 2014; April 2013; March 2013; December, 2011; July, 2011; April, 2011; October, 2010; September, 2009; June, 2009; May, 2009)
- Speaker, Facebook and Social Media Issues for Employers, Rowan University Entrepreneurs Forum (November, 2011)
- Speaker, Recent Developments in Employment Law, Sterling Education Services (July, 2011)
- Panelist, Employment Law Update, Camden County Bar Association (May, 2011)
- Speaker, Damages and Attorneys Fees in Employment Cases, New Jersey Institute for Continuing Legal Education (April, 2011) Speaker, Archer & Greiner Employment Law Update (2009-2016)
- Speaker, Various Employment Law Topics, Lorman Education Services (November 2014; November 2013; September 2013; February, 2011; July, 2010; June, 2010; March, 2009)

- Speaker, Various Employment Law Topics, National Business Institute (April 2019; March 2019; Feb. 2019; Oct. 2018; June 2018; April 2018; Dec. 2017; Sept. 2017; December 2016; April 2016; February 2016; December 2014; April 2014; March 2014) Panelist, Disability and Family Leave Laws, Burlington County Bar Association (October, 2010)
- Speaker, Employment Law for Non-Employment Attorneys, New Jersey Institute for Continuing Legal Education (March 2010)
- Speaker, Workers Adjustment and Retraining Act and COBRA, Delaware Commission for Legal Education (June, 2009)
- Speaker, New Jersey Paid Family Leave Law, New Jersey Institute for Continuing Legal Education (May, 2009)
- Speaker, Employee Free Choice Act, Archer Legal Update (March 2009)
- Speaker, Labor and Employment Laws in Italy, National Electrical Contractors Association Eastern Regional Meeting (Rome, Italy – March, 2009)