



Mark C. Dean | Of Counsel

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EDUCATION J.D. West Virginia University

Mark focuses his practice in the area of labor and employment law. He regularly represents employers – both public and private sector – in defense of employment-related lawsuits in the state courts of West Virginia and the federal District Court for the Southern District of West Virginia, as well as charges filed before the West Virginia Human Rights Commission, the West Virginia Public Employees Grievance Board, and the federal Equal Employment Opportunity Commission.

REPRESENTATIVE EXPERIENCE

Advised client on EFLMEA issues related to COVID-19 and employee leave

Advised client on employee remote work arrangements related to COVID-19

Advised client on workplace safety issues related to COVID-19

Assisted client in drafting exposure and travel policy related to COVID-19

Appealed an adverse jurisdictional trial court ruling to the West Virginia Supreme Court of Appeals on behalf of a public agency

Defended employers before the West Virginia Human Rights Commission in response to claims of age, disability, sex, race, and national origin discrimination and retaliation

Litigated various employment-related appeals from administrative tribunals to circuit court, and from circuit court to the West Virginia Supreme Court of Appeals

Drafted drug-free workplace and testing policy for a large state government agency

Defended employers in state and federal court on claims of discrimination and retaliation under the West Virginia Human Rights Act, Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, as well as retaliation claims under the common law of WV

Defended employers in state and federal court in wage & hour claims under the Fair Labor Standards Act and West Virginia Wage Payment and Collection Act

Sought summary judgment for a public university regarding allegations of breach of contract, fraud, and discrimination on the basis of disability and national origin

WORK EXPERIENCE

- 2014 Steptoe & Johnson PLLC
- 2012-2014 West Virginia Division of Highways, Legal Division

RECENT PUBLICATIONS / SPEAKING ENGAGEMENTS

AN "EPIC" OPINION: SUPREME COURT GIVES GREEN LIGHT TO CLASS ACTION WAIVERS IN ARBITRATION AGREEMENTS
CONGRESS MAY BAN ARBITRATION OF GENDER HARASSMENT AND DISCRIMINATION CLAIMS
STRANDED IN A WINTER WONDERLAND: COMPENSABILITY OF TIME FOR EMPLOYEES STUCK AT WORK

Presenter, "2018 West Virginia Legislative Update," West Virginia SHRM Annual Conference, October 2018

Co-author, "Reductions in Force: Factors to Consider in Order to Avoid Liability to Laid-Off Employees," Energy & Mineral Law Foundation, 36th Annual Institute, Amelia Island, FL, 36 Energy & Min. L. Inst. 375 (2015)

MEMBERSHIPS AND AWARDS

PROFESSIONAL

- West Virginia State Bar
United States District Court for the Southern District of West Virginia
Associate Editor, West Virginia Law Review, Vol. 113
Senior Research Editor, West Virginia Law Review Vol. 114
CALI Award in Natural Resources

INDUSTRY/CIVIC

- Charleston Chapter, Society for Human Resource Management
West Virginia Alumni Association