



## **Stephen C. Mitchell**

### ***Regional Managing Partner***

Columbia

t: 803.255.0000

f: 803.255.0202

Email



### ***Service Focus***

- Counseling and Advice
- Employment Discrimination and Harassment
- International
- Labor Relations
- Litigation and Trials
- Mergers and Acquisitions

### ***Industry Focus***

- Manufacturing
- Retail

### ***Overview***

Stephen Mitchell serves as the managing partner of the firm's Columbia office, concentrating in traditional labor law, complex labor and employment due diligence in private equity/venture capital, and complex class action litigation. With substantial experience in the manufacturing sector, he holds the position of co-chair of the firm's industry team. Alongside Michael Marra, the managing partner of the New York office, Steve leads the firm's Mergers and Acquisitions (M&A) Practice Group.

In his role as co-chair of the Committee on Development of the Law Under the NLRA, one of the ABA Labor and Employment Law Section's oldest and largest committees, Steve collaborates with committee members to stay abreast of evolving case law under the National Labor Relations Act. His focus is on fostering the orderly and equitable development of these laws. Additionally, he oversees the publication of *The Developing Labor Law: The Board, the Courts, and the National Labor Relations Act*, a comprehensive treatise for labor law practitioners. Steve holds certification from the South Carolina Supreme Court as a Specialist in Employment and Labor Law.

With a career spanning over 30 years, Steve's practice encompasses advising clients on collective bargaining, responding to unfair labor practices, navigating acquisitions involving unionized facilities, managing union organizing efforts, corporate campaigns, labor arbitrations, and addressing work stoppages. His client base is diverse, including private equity, banks, multinational manufacturing companies with extensive distribution facilities, and healthcare providers. While Steve does spend a majority of his time in the traditional labor law arena, he maintains an active employment litigation and restrictive covenant practice.

Beginning his career as a prosecutor, Steve gained valuable trial experience. He has successfully handled administrative charges and lawsuits in state and federal courts involving various employment-related claims such as wrongful discharge, Title VII, Americans with Disabilities Act (ADA), Age Discrimination in Employment Act (ADEA), Employee Retirement Income Security Act (ERISA), Family and Medical Leave Act (FMLA), Fair Labor Standards Act (FLSA), employment testing, and non-compete matters.

Acknowledging his contributions, Steve was honored as the 2022 "Lawyer of the Year" in South Carolina for Employment Law – Management by *Best Lawyers in America*. He holds an "AV" Peer Review Rating from Martindale-Hubbell and has consistently earned recognition, including listings in *Chambers USA*, *America's Leading Lawyers for Business* since 2007, *South Carolina Super Lawyers* since 2009, and *The Best Lawyers in America* since 2010. Furthermore, he was named to *Columbia Business Monthly's* Legal Elite of the Midlands in 2015 and is a respected member of the John Belton O'Neill Inn of Court.

## ***Recent Experience***

### **Experience**

- Led labor and employment diligence reviews for several private equity firms.
- Lead negotiator in a first collective bargaining agreement for a large healthcare organization in the Northeast U.S.
- Handled litigation for leading manufacturer in case alleging reverse discrimination.
- Won NLRB order that overturned an administrative law judge's finding and dismissed employee's complaint alleging that a multinational manufacturer unlawfully discharged her for engaging in union-related activities.
- Handled complex bargaining, COVID-19 and supply chain issues to help a major manufacturing company close a large facility in the Southeast U.S.
- Assisting multinational manufacturer with labor and employment matters surrounding automation.

## ***Credentials***

### **Education**

- J.D., 1991, University of South Carolina School of Law
- B.A., 1987, University of North Carolina at Chapel Hill

### **Bar Admissions**

- South Carolina

### **Court Admissions**

- Supreme Court of the United States
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of South Carolina

### ***Recognitions***

- *Benchmark Litigation 2023* – Labor & Employment Star
- Recognized in *The Best Lawyers in America* (2011 – 2024)
- Recognized in *The Best Lawyers in America*, South Carolina Lawyer of the Year - Employment Law - Management (2022)
- *Chambers USA*, Labor & Employment (2007 – 2023)
- Named to *Columbia Business Monthly's* Legal Elite of the Midlands in 2015
- *South Carolina Super Lawyers* since 2009
- "AV" Peer Review Rated by Martindale-Hubbell

### ***Affiliations***

#### **Professional Activities**

- Employment Program Chair of the ABA Committee on Development of the Law Under the National Labor Relations Act, 2022
- Contributing and Chapter Editor, "The Developing Labor Law, 5th ed. and Supplements"
- Chapter Author, *ABA/BNATreatise* "Employment At Will: A State by State Survey," 2012
- Member of the IADC (International Association of Defense Counsel)
- Member, John Belton O'Neill Inn of Court
- Past member, Board of Directors, South Carolina Chamber of Commerce
- Past member, Executive Committee for the South Carolina Defense Trial Attorneys

## Community Activities

- Fellow, The Riley Institute – South Carolina Diversity Leaders Initiative, Class of 2017
- Board for the Cooperative Ministry (Past Chair and serve on Executive Committee)

## Insights

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INSIGHTS

10/18/23

### FP Manufacturing Snapshot: Survey Reveals Industry Benefits From Mexican Expansion – But Needs Help Doing So

Colin P. Calvert, Héctor Cuevas, Stephen C. Mitchell

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EVENT

08/16/23

### Are You Ready for a Union Organizing Drive at Your Workplace?

Alex G. Desrosiers, Stephen C. Mitchell

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NEWS

06/06/23

### Fisher Phillips Once Again Recognized as a Top Labor and Employment Law Firm by Chambers USA

Edwin G. Foulke Jr., Andrew J. Sommer, Travis Vance, Kristin R.B. White, Danielle Hultenius Moore, Jocelyn Campanaro, Micah Dawson, Todd A. Fredrickson, Angelica M. Ochoa, Steven M. Bernstein, Suzanne K. Bogdan, Charles S. Caulkins, Christine E. Howard, Jeffrey E. Mandel, Cathy M. Stutin, Shanon R. Stevenson, Laurel K. Cornell, Raymond C. Haley III, Emily N. Litzinger, Todd B. Logsdon, Craig P. Siegenthaler, Megan Reese U'Sellis, Michelle I. Anderson, Edward F. Harold, Timothy H. Scott, David W. Erb, Daniel E. Farrington, Joseph W. Ambash, William E. Altman, Gregory V. Murray, Steven R. Cupp, Gregory D. Ballew, J. Randall Coffey, James R. Holland II, Brian J. Finucane, David B. Dornak, Scott M. Mahoney, Mark J. Ricciardi, Kathleen McLeod Caminiti, Rosemary S. Gousman, Michael R. Marra, Richard A. Millisor, Clarence M. Belnavis, Todd A. Lyon, Nan Sato, Christopher P. Stief, William D. Wright, Michael D. Carrouth, C. F. W. Manning II, Stephen C. Mitchell, J. Hagood Tighe, David S. Jones, Jeff Weintraub, Arthur V. Lambert, Stephen J. Roppolo, Teresa Valderrama, Theresa M. Connolly, Davis C. Bae, Ralph Hua, Radhika Mehta, Suzanne Kelly Michael, Barbara Jean D'Aquila

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PODCASTS

02/20/23

### Manufacturing Success, Episode #3, Part 2: Resurrecting Dead Doctrines and More - The 2023 NLRB Edition

Michael D. Carrouth, Stephen C. Mitchell

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## Manufacturing Success, Episode #3, Part 1: Resurrecting Dead Doctrines and More - The 2023 NLRB Edition

Michael D. Carrouth, Stephen C. Mitchell

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## INSIGHTS

10/31/22

### FP's Workplace Law Forecast 2023

Davis C. Bae, Phillip C. Bauknight, Cheryl L. Behymer, Steven M. Bernstein, Sheldon J. Blumling, Risa B. Boerner, Suzanne K. Bogdan, Kathleen McLeod Caminiti, Laurel K. Cornell, Myra K. Creighton, Jennifer B. Carroll, Michael P. Elkon, David W. Erb, Ilanit Fischler, Jason A. Geller, Rosemary S. Gousman, Susan M. Guerette, Usama Kahf, David R. Kresser, Emily N. Litzinger, Todd B. Logsdon, Todd A. Lyon, Jennifer Mendez, Richard R. Meneghello, Richard A. Millisor, Stephen C. Mitchell, Joshua D. Nadreau, Raymond W. Perez, Cheryl Pinarchick, John M. Polson, Todd B. Scherwin, Evan Shenkman, Adam F. Sloustcher, Kristin L. Smith, Shanon R. Stevenson, J. Hagood Tighe, A. Kevin Troutman, Travis Vance, Sheila M. Abron, Megan C. Winter, Colette F. Wolf, Robert Yonowitz

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## NEWS

10/03/22

### Fisher Phillips Recognized by Benchmark Litigation 2023

Barbara Jean D'Aquila, Joseph W. Ambash, Steven M. Bernstein, Todd A. Fredrickson, Lonnie D. Giamela, Rosemary S. Gousman, Karl R. Lindegren, Kathleen McLeod Caminiti, Stephen C. Mitchell, Sarah Moffett, Kristen J. Nesbit, Regina A. Petty, Timothy H. Scott, Christopher P. Stief, James Sullivan, J. Hagood Tighe, Teresa Valderrama

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## NEWS

08/24/22

### Stephen Mitchell Appointed Co-Chair of ABA Labor and Employment Law Committee

Stephen C. Mitchell

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## NEWS

06/01/22

### Fisher Phillips Recognized Again as a Top Labor and Employment Law Firm by Chambers USA

Kristin R.B. White, Danielle Hultenius Moore, Jocelyn Campanaro, Micah Dawson, Todd A. Fredrickson, Angelica M. Ochoa, Steven M. Bernstein, Suzanne K. Bogdan, Charles S. Caulkins, Christine E. Howard, Jeffrey E. Mandel, Cathy M. Stutin, Shanon R. Stevenson, Laurel K. Cornell, Raymond C. Haley III, Todd B. Logsdon, Craig P. Siegenthaler, Megan Reese U'Sellis, Michelle I. Anderson, Edward F. Harold, Keith M. Pyburn Jr., Timothy H. Scott, David W. Erb, Daniel E. Farrington, Joseph W. Ambash, William E. Altman, Gregory V. Murray, Steven R. Cupp, J. Randall Coffey, Brian J. Finucane, David B. Dornak, Scott M. Mahoney, Mark J. Ricciardi, Rosemary S. Gousman, Michael R. Marra, Richard A. Millisor, Clarence M. Belnavis, Nan Sato, Christopher P. Stief, William D. Wright, Michael D. Carrouth, C. F. W. Manning II, Stephen C. Mitchell, J. Hagood Tighe, David S. Jones, Jeff

Weintraub, Arthur V. Lambert, Stephen J. Roppolo, Teresa Valderrama, Theresa M. Connolly, Davis C. Bae, Ralph Hua, Radhika Mehta, Suzanne Kelly Michael

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INSIGHTS

02/15/22

## **FP Forecast: February 2022 Edition**

Cheryl L. Behymer, Kathleen McLeod Caminiti, David R. Kresser, Stephen C. Mitchell, Raymond W. Perez, J. Hagood Tighe, Sheila M. Abron

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