

Mark Bakker

MEMBER

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Suite 900
104 South Main Street
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Practices

Farm Credit Services
Privacy & Data Security
Employment & Labor Law
Employee Benefits Litigation
Employee Compensation and Benefits
Employees and Technology
Litigation
Product Liability
Alternative Dispute Resolution

Industries

Manufacturing
Insurance

Education

University of North Carolina School of Law, J.D., 1995, *with high honors*

→ *North Carolina Law Review*,
Articles Editor (1994–95) Member
(1993–94)

Mark Bakker is a recognized employment law litigator and trusted legal advisor in employment and other business-related matters. He represents clients in federal and state courts throughout North and South Carolina, arbitration panels, before the Equal Employment Opportunity Commission, the South Carolina Human Affairs Commission and other state and federal agencies. He provides daily proactive advice and counseling to employers on many human resources issues. In addition to advising a wide variety of established corporations, Mark advises HR consulting firms, management teams, entrepreneurs, start-up companies, and staffing companies.

Mark strives to be an efficient and creative conflict resolver, not only for his clients but for other litigants. He has a robust mediation and dispute resolution practice and has been certified to mediate by the South Carolina state and federal courts.

Typical engagements include:

- Discrimination and wage-and-hour lawsuits
- Charges and claims with the Equal Employment Opportunity Commission and other agencies
- Restrictive covenant disputes
- Employee raiding and recruitment
- ERISA and employee benefit claims

→ Order of the Coif
Furman University, B.A., 1991, *summa cum laude*

Admissions

- South Carolina
- North Carolina
- United States Court of Appeals for the Fourth Circuit
- United States District Court of South Carolina
- United States District Court, Eastern, Middle, and Western Districts of North Carolina

- Counseling re: terminations, discipline, the Worker Adjustment and Retraining Notification Act and layoffs
- Employment and executive contracts
- Employee handbooks, policies and dispute resolution systems
- In-house seminars and employment-related CLEs

He clerked for the Honorable Eugene E. Siler, Jr. on the U.S. Court of Appeals for the Sixth Circuit Court in 1995-96 and the Honorable William B. Traxler, Jr. for the U.S. District Court of South Carolina in 1997.

Experience

- Represented major Upstate manufacturer in a lawsuit involving a workplace death based on workers' compensation exclusivity doctrine
- Litigated employment handbook cases which were upheld on appeal before the South Carolina Court of Appeals
- Successfully defended ERISA class action claim, which got dismissed without damages
- Litigated numerous employment-related cases, including breach of contract, restrictive covenant, FMLA lawsuits, WARN Act, and discrimination claims
- Mediated more than 500 cases with a settlement rate greater than 90%

Recognitions

- "Top 25 Lawyers in SC" by South Carolina Super Lawyers (2015 - 2016)
- Included in the South Carolina *Super Lawyers* list since 2013 in the area of Employment & Labor, Alternative Dispute Resolution, General Litigation
- Recognized as "Legal Elite" by the *Greenville Business Magazine* (2012-present)
- Recognized by *Chambers USA*, Labor & Employment, South Carolina 2011-2020
- Listed in *Best Lawyers In America* in Employment Law- Management, Litigation- Labor and Employment and Mediation, Since 2007
- Greenville Chamber of Commerce Young Professional (2006 Finalist)
- *Greenville Business Magazine's* "Best and Brightest" Under 35 (2004)

→ Certified Legal Lean Sigma® and Project Management Yellow Belt

Community & Professional

- Greenville County Workforce Investment Board (2011–2016)
- South Carolina Procurement Review Panel (2003-2012)
- Certified Mediator for SC federal and state courts, 1996-present
- Greenville Little League Coach, 2011-present
- South Carolina Bar Association
- American Bar Association: Employment and Labor Law Section; Alternate Dispute Resolution Section
- Federalist Society
- Defense Research Institute: Employment Law Committee; Life, Health & Disability Committee
- Leadership Greenville, Class 26
- Downtown Presbyterian Church, Elder, 2007-present
- East Park Historic Preservation Area, former president

Representative Presentations

- "Marijuana in the Workplace," Nexsen Pruet's Employment Law Briefing - Greenville, October 31, 2019
- "Legal Opportunities and Challenges in Hiring in the Current Economy," Nexsen Pruet's Employment Law Certificate Series Webinar - April 10, 2019
- "Hot Topics in Employment Law", presentation to Greenville Society for Human Resource Management, August 18, 2016
- "Coexisting: Religion in the Workplace", presentation to Greenville Society for Human Resource Management, July 12, 2016
- "Back to the Future: Emerging Employment Law Trends", Seminar, October 27, 2015
- "Compensation Law Mythbusters (And Other Trends in Wage and Hour Law)", Seminar, October 28, 2014
- "Beyond the Water Cooler: The Impact of 'Socializing' and Managing Social Media in the Workplace", Greenville SHRM HR Management Conference, August 26, 2014
- Consistently provides written content for online and hard copy resources on South Carolina employment law

News

09.15.2021 | Media Mention

Mark Bakker Discusses Legal Challenges with the Federal Vaccine Mandate

08.17.2021 | News from Nexsen Pruet

39 Nexsen Pruet Attorneys Listed in 2021 Legal Elite of South Carolina

Speaking Engagements

04.23.2021

Webinar Series: Food & Beverage Friday - Session 2 | Workforce Issues in the Food and Beverage Manufacturing Industry

04.16.2021

Webinar Series: Food & Beverage Friday - Session 1 | Innovation in the Food and Beverage Industry

01.22.2020

Employment Law Breakfast Briefing: Top HR Issues for 2020

Insights

11.22.2021 | Article

Navigating the Uncertainties of the ETS: What Employers Should Do Now

08.17.2021 | Article

South Carolina Supreme Court Alters "Statutory Employee Doctrine," Increasing Tort Liability for Workplace Accidents

04.27.2021 | Article

Pre-Litigation Investigations and Liquidated Damages

03.31.2021 | Article

EEOC Announces New Deadlines for EEO-1 Reporting

07.24.2020 | Video

Farm Credit Tips (Video Training Series)

05.19.2020

Mark Bakker Discusses Returning to Business Operations and Three Steps for a Healthy Restart

05.01.2020

Returning to Healthy Business Operations in the Age of COVID-19 Advance Planning Checklist and Considerations

03.25.2020

Think Twice About Claiming Essential Critical Industry Status