

CONVERSATION WITH **THERESA MONGIOVI** partner, Brubaker Connaughton Goss & Lucarelli LLC

Q: What are a few of the creative approaches you've used to solve legal issues for your clients?

A: I think one of the issues that people have with their attorneys is there's a perception that attorneys always say no. I really focus as an attorney on being a counselor, looking at the client's goal, helping them to determine their risk tolerance and really fashioning a solution based on that instead of a black-and-white, yes-no situation. I've been litigating for 20 years, and what I have learned is that while I like to litigate, most clients don't like to. So I've really started shifting my emphasis to providing more baseline, compliance information for clients, training at all levels of the organization and sharing some of the experiences I've had in the courtroom to impact companies and to keep them out of lawsuits. Shifting the emphasis from being responsive to being proactive with companies and helping them create their

Theresa Mongiovi, 45, is a partner at Lancaster-based Brubaker Connaughton Goss & Lucarelli LLC and chair of the firm's employment and labor law department.

Mongiovi earned a bachelor's degree from Dickinson College and a law degree from Dickinson School of Law. She served clerkships in the Lancaster and Cumberland County courts of common pleas.

She is married to a fellow lawyer. They and their daughter and son live in East Hempfield Township.



cultures and do everything they can to stay out of lawsuits, I think that's a little bit of a different twist on a labor/employment law attorney.

What is the most difficult aspect of the employer-employee relationship to litigate?

Probably the most difficult cases are discrimination and harassment claims. They are highly personal experiences on both sides, so there often are a lot of emotions driving these types of issues. A lot of the situations occur based on perceptions that people have; everyone has a different lens

they look through. Often there's communication issues that help to create an environment where a claim is filed. Certainly once it is in the courtroom, they can be very contentious, highly emotional and personal cases for both sides.

What is the source of your passion for educating clients about the legal requirements applicable to their businesses?

I really love being a lawyer. I wouldn't be in this profession anymore if I didn't love it; it's not the easiest profession. I love the law; I think we have the best legal system in the

world. I think there are reasons we have laws, and I try to help people understand. Even if they don't agree with it, at least they can understand what the thought process was. I honestly just enjoy connecting with people and helping them. I think a lot of people feel like, 'I can't understand this, it's too difficult' – and really it's not. It's our job as counselors to explain things in ways that are very clear and direct. I enjoy explaining things to people and having them feel that, 'Oh yeah, I can understand this,' and be able to use that information as they lead their businesses and do what they have to do in their daily work.

What is your favorite autumn beverage or snack?

One of the best things about Central Pennsylvania is apples, and all the different orchards you can visit, all the different recipes you can make. That would be my favorite fall food.

- Jennifer Deinlein, contributing writer

Calendar

Greater Carlisle Area chamber Conversation Cafe: 7:30-9 a.m., Nov. 17; Carlisle; "How to work with different generations," speaker Sarah Barr, business development manager of Konhaus Marketing; free; details: www.carlisle-chamber.org.

Lancaster chamber Professional Development Friday: 8:30-10:30 a.m., Nov. 17; Lancaster; "Disaster recovery: a complete look at technology and business planning," speakers from One2One Inc.; free; details: Paige Schober, pschober@lancasterchamber.com or 717-397-3531 x249.

Harrisburg Young Professionals, mixer: 5-7 p.m., Nov. 22; Silver Spring Township; free; details: Jaime Perry, info@mechanicsburgchamber.org.

West Shore Young Professionals, Coffee Connection: 7:30-9 a.m., Nov. 29; Upper Allen Township; casually connect with other West Shore

Professionalism, lunch & learn: 11:30 a.m.-1 p.m., Dec. 1; Lancaster; speaker Mike Roth, president of Go-Lean Six Consulting; cost: \$20; details: Paige Schober, pschober@lancasterchamber.com or 717-397-3531 x249.

Lebanon Valley chamber community benefits roundtable: 8-9:30 a.m., Nov. 21; Lebanon; information on grant writing for nonprofits; free; details: www.lvchamber.org.

Lebanon Valley chamber open forum: 7:30-9 a.m., Dec. 1; Lebanon; moderated forum and discussion with the area's state representatives; cost: members free, nonmembers \$5; details: www.lvchamber.org.

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young professionals; free; details: Chelsea Wurster, 717-979-6950 or cwurster@qualitydot.com.


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SUBMITTING ITEMS
Email calendar items four weeks in advance to calendar@cpbj.com.

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From the Legal Corner




Q: What is the latest with DOL's OT Rule?

A: In August 2017, the Federal District Court of the Eastern District of Texas held that the United States Department of Labor's ("DOL") overtime rule was invalid. The Obama-era rule would have raised the "white collar" exemption from \$23,660.00 to \$47,476.00 and made 4 million previously exempt workers eligible for overtime pay. While the DOL under the Obama Administration appealed the District Court's ruling, the DOL under the Trump Administration has simultaneously continued the rulemaking process.

On July 17, 2017, DOL issued a Request for Information seeking public comment on overtime rules and received 140,000 comments. On October 30, 2017, DOL issued a statement that it intends to "undertake new rulemaking with regard to overtime." It is anticipated that DOL will set a new salary threshold for the white collar exemption in the low \$30,000 range, more consistent with the thinking of the Trump administration. The rulemaking process will continue when DOL issues a new proposed rule and, following public comment, a final rule.

Daniel P. McGannon, Esquire
Stock and Leader, Attorneys At Law
221 West Philadelphia Street, Suite 600
York, PA 17401-2994
Phone: (717) 846-9800
Fax: (717) 843-6134
StockandLeader.com
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