



**Zachary D. Bombatch** | Associate

**PHONE** (724) 749-3133  
**EMAIL** zachary.bombatch@steptoe-johnson.com  
**LICENSURE** PA  
**EDUCATION** J.D. Duquesne University School of Law

Zack Bombatch is a reassuring presence to his clients, always taking the time to explain difficult and complex legal issues in a comprehensive, yet easy to digest manner. Labor and employment law is the primary focus for Zack's practice, and he helps clients in a variety of industries navigate the regulatory and statutory framework. While Zack is comfortable in the courtroom, he enjoys helping clients avoid potentially costly and disruptive litigation. Zack counsels clients on the potential domino effects that employment actions and policies can have on both business operations and employee morale, making him a trusted advisor.

Zack is actively assisting employers with guidance on how to navigate the medical marijuana/cannabis laws in Pennsylvania and the impact on not only employment law, but also compliance with industry specific safety regulations.

Zack is active in the higher education practice as well, counseling public and private colleges and universities on best practices related to Title IX and the portion of the Pennsylvania criminal code related to hazing.

## REPRESENTATIVE EXPERIENCE

Defended employer in action brought by an applicant under the Pennsylvania Medical Marijuana Act

Advised higher education institution on EFLMEA issues related to COVID-19 and employee leave

Counseled regional health system on zero tolerance drug testing policies under Pennsylvania medical marijuana/cannabis laws

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

Advised energy producer on the ramifications of positive drug tests as they relate to the Federal Department of Transportation and Pipeline Safety Administration guidelines

Advised faith based higher education institution on the newly enacted portion of the Pennsylvania criminal code dealing with hazing on campus

Counseled Pennsylvania higher education institution on possible Title IX policy violation regarding classroom discussion of #MeToo

Drafted and contributed to position statements before the Equal Employment Opportunity Commission and Pennsylvania Human Relations Commission

Counseled clients on leave policies, including issues stemming from pregnancy leave, parental leave, paid sick leave, and leave as an accommodation

Assisted in the defense and settlement of class action/collective action under the Fair Labor Standards Act and Pennsylvania Minimum Wage Act

Provided counsel and advocacy regarding discrimination claims made pursuant to purported religious discrimination, racial discrimination, and age discrimination

Assisted in the defense and settlement of class action/collective action under the Fair Labor Standards Act and Pennsylvania Minimum Wage Act

Advised higher education institution on union related issues in conjunction with COVID-19

Successfully settled dispute between general contractor and subcontractor on high rise hotel construction project

Provided counsel regarding withdrawal liability issues under the Multiemployer Pension Plan Act

Revised employee handbooks and policies to ensure compliance with Federal and state law

Drafted and contributed to appellate briefs to the Unemployment Compensation Board of Review and Pennsylvania Commonwealth Court

Counseled health system on mandatory flu vaccine program during COVID-19 pandemic, including health and religious exemptions

Counseled health system on mandatory COVID-19 vaccine program pursuant to current guidance from public agencies

Drafted mandatory flu vaccine program for health system

Counseled health system on categorizing positions as safety-sensitive pursuant to the Pennsylvania Medical Marijuana Act

## **WORK EXPERIENCE**

2015                      Steptoe & Johnson PLLC

## **RECENT PUBLICATIONS / SPEAKING ENGAGEMENTS**

Failed Drug Test Not Enough to Dismiss Claim of Disability Discrimination in New Jersey

1.3 Million Additional Employees May Become Eligible for Overtime in 2020

ANTI-DISCRIMINATION LAWS STILL NOT CONSIDERED CODES OF "GENERAL CIVILITY"

CASES ADDRESSING EMPLOYEE PROTECTIONS UNDER MARIJUANA LAWS REMAIN

INCONSISTENT

EEOC LITIGATION PERSISTS AGAINST HOSPITALS WITH MANDATORY FLU VACCINE PROGRAMS

MARIJUANA LEGALIZATION GAINS TRACTION IN CONGRESS

NLRB OVERTURNS NEUTRAL WORKPLACE RULES STANDARD

"COVID & Employment Law Issues," Washington County Bar Association, May 2020

"Medical Marijuana in Pennsylvania: What Employers Should Know," The PIOGA Press, Pennsylvania Independent Oil and Gas Association, February 2020

Presenter: "A Growing Issue: Medical Marijuana, CBD, Hemp and Other Substances in the Workplace," Steptoe & Johnson PLLC, Employment Essentials Seminar, October 2019

Presenter: "Multigenerational Workforce Litigation Risks and Best Practices for Avoiding Them," Southwestern Pennsylvania Human Resources Organization Symposium, September 2019

Presenter: "Navigating Pennsylvania's Medical Marijuana Act in the Energy Industry," Pennsylvania Independent Oil & Gas Association Fall Conference, September 2019

Panelist: "Sexual Misconduct in Higher Ed: Preparing to Navigate the New Title IX Regulations" at Meeting Today's Challenges in Higher Education Summit, hosted by Steptoe & Johnson PLLC, May 2019

"A Pattern of Misconduct May Haunt an Employer in the Era of #MeToo," Hometown Banker, Pennsylvania Association of Community Bankers, April 2019

Presenter: "Marijuana in the Workplace: A Hazy Issue for Employers," 2019 West Virginia Chamber HR Conference, April 2019

"What Employers Need to Know about #MeToo," Inside Washington County, March 2019

Presenter: "Meeting Today's Challenges in Higher Education Seminar," hosted by Association of Independent Colleges and Universities of Ohio in affiliation with Steptoe & Johnson PLLC, October 2018

Panelist: Southwestern Pennsylvania Human Resources Organization Symposium on Workplace Harassment, September 2018

"The Law Does Not Require Complete Civility in the Workplace Notwithstanding the "Me Too" Movement," Transactions Magazine, Pennsylvania Association of Community Bankers, June 2018

"Workplace Highs and Lows – Medical Marijuana in Pennsylvania and the Husbandry of the ADA & FMLA," Pittsburgh Human Resources Association, June 2018

Presenter: "Campus Investigations and the "Me Too" Movement" at Meeting Today's Challenges in Higher Education Summit, hosted by Steptoe & Johnson PLLC, May 2018

"HR Academy," Pittsburgh Human Resources Association, March 2018

"Conducting Effective Investigations," Steptoe & Johnson PLLC, Employment Essentials Seminar, October 2017

"Misclassification of Independent Contractors: Addressing Costly Industry Trends and Past Practices," Steptoe & Johnson PLLC webinar, September 2017

"Preventing and Addressing Campus Violence," Steptoe & Johnson PLLC webinar, September 2017

"Campus Emergency Management Preparation: Best Practices to Address Campus Emergencies, Cyber Attacks, and Institutional Threats", Panelist, Steptoe & Johnson PLLC Second Annual Higher Ed Seminar, May 2017

"Medical Marijuana in Pennsylvania, Employers Should Prepare for Accelerated MMA Program Implementation," Pennsylvania Association of Community Bankers, 2017 HR Forum, May 2017

University of Pittsburgh Alumni-in-Residence, 2016-2017, 2017-2018 Academic Years

"Highs and Lows in the Workplace: Drug Testing and Medical Marijuana - What Pennsylvania Employers Should Know," Steptoe & Johnson PLLC, Employment Essentials Seminar, October 2016

"Medical Marijuana in the Workplace Update," Steptoe & Johnson PLLC, Employment Essentials Seminar, October 2015

Pennsylvania Oil & Gas Leases in Bankruptcy: Rejection Should Occur Only Before Production, 16 Duq. Bus. L.J. 264 (2014)

## **MEMBERSHIPS AND AWARDS**

### **PROFESSIONAL**

American Bar Association

Pennsylvania Bar Association

Washington County Bar Association

Order of Barristers

CALI Award for Future Excellence: Employment Discrimination, Energy Law

### **INDUSTRY/CIVIC**

Advisory Council Member, Southwestern Pennsylvania Human Resources Organization

Society for Human Resource Management

University of Pittsburgh Alumni-in-Residence, 2016-2017, 2017-2018, 2018-2019, 2019-2020