



Principal, Boston

P 617-305-1270

F 617-367-2155

Michael.Bertoncini@jacksonlewis.com

Michael R. Bertoncini is a principal in the Boston, Massachusetts, office of Jackson Lewis. He is a member of the Healthcare industry group and a member of the Higher Education group.

With a background as a former Deputy General Counsel, Michael understands first-hand the competing demands and unique challenges faced by in-house counsel. Before joining Jackson Lewis, he was responsible for all labor and employment law matters for the largest fully integrated community care hospital system in New England. Michael provides timely, practical advice that helps clients achieve their strategic goals while ensuring compliance with legal obligations.

With deep experience in a broad range of industries, Michael has a keen interest in the healthcare, higher education, museum, and arts & music sectors. He is dedicated to supporting clients in these areas, leveraging his extensive experience to address the specific challenges faced by institutions and organizations in these fields.

Michael regularly partners with clients to establish positive employee relations. In labor relations matters, he negotiates collective bargaining agreements on behalf of organized clients, represents clients in labor arbitrations and National Labor Relations Board proceedings, and counsels clients with respect to rights and obligations under collective bargaining agreements and applicable labor and employment laws. He also has extensive experience in advising organizations responding to corporate campaigns and negotiating neutrality agreements.

Michael's privacy and data security practice focuses on advising clients on complying with HIPAA and other state and federal privacy and data security laws. He reviews and develops policies and procedures, written information security plans and integrated compliance programs to ensure his clients meet their obligations under privacy and data security laws. Michael represents clients in investigations of alleged data breaches and advises them on reporting obligations. He also conducts workplace training programs on HIPAA compliance and related privacy and data security topics.

In addition to his labor relations and privacy experience, Michael conducts internal investigations and counsels clients on whistleblower and retaliation matters, as well as negotiating executive agreements, both employment and separation agreements. His litigation experience includes matters before federal and state courts and administrative agencies. He has appeared before United States Courts of Appeals and District Courts, Massachusetts and New York state courts, the Equal Employment Opportunity Commission, and the Massachusetts Commission Against Discrimination.

Honors and Recognitions

- *Chambers USA*, "Labor & Employment" (2024)

Practices

- Advice and Counsel
- COVID-19
- EngageMD®
- Healthcare
- Higher Education
- Labor Relations
- Privacy, Data and Cybersecurity

Education

- Northeastern University School of Law, J.D. 1996
- Boston College, B.A. 1993

Admitted to Practice

- U.S. Supreme Court 2000
- 1st Circuit Court of Appeals 1997
- U.S. Court of Appeals, DC Circuit 2007
- Massachusetts - D. Mass. 1997
- Massachusetts 1996
- New York 1997

- *The Best Lawyers in America*®, “Employment Law – Management” (2020–present), “Labor Law – Management” (2018–present) and “Litigation – Labor and Employment” (2018–present)
- *Boston Magazine*, “Top Lawyers” (2021–present)
- *Legal 500 USA*, “Recommended Attorney” (2017–present)
- *Martindale-Hubbell*®, “AV Preeminent® - Peer Rated for Highest Level of Professional Excellence” (2018–present)

Published Works

- “What Health Care Institutions Need to Know About the NIOSH “Impact Wellbeing Guide”: Implementation and Best Practices to Promote Employee Engagement and Retention,” *American Health Law Association Health Law Connections*, (September/October 2024, Volume 5, Issue 5) [Co-Author]

Speeches

- “Advising Employers & Employees on Off-Duty Conduct,” Massachusetts Continuing Legal Education (June 2020) (Co-Chair)
- “Top 10 Tips for Safely And Successfully Returning Employees To The Workplace,” Iroquois Healthcare Association (May 2020) (co-presenter)
- “Coronavirus (COVID-19) FAQs for Healthcare Employers,” North American Spine Society (April 2020) (co-presenter)
- “First Do No Harm: Recognizing and Addressing Impaired Physicians,” Society for Health Care Risk Management of NJ (Princeton, NJ, November 2019) (co-presenter)
- “Late Career Practitioner Policies: Trading One Risk for Another,” American Society for Healthcare Human Resources Administrators Annual Conference (Chicago, IL, September 2019)
- “Compliance, Diversity and Inclusion,” Association of Jesuit Colleges and Universities Human Resources Conference (Chicago, IL, September 2019) (co-presenter)