

Mary E. Pivec, Esq.
**Curriculum Vitae – Immigration and Worksite
Compliance Law**

Firm Affiliation

Pivec & Associates, PLLC
1300 Crystal Drive, Unit 1605
Arlington VA 22202

Practice Description

Ms. Pivec's immigration compliance practice focuses on the growing intersection between immigration enforcement and immigration-related labor protections. She represents employers in civil and criminal worksite enforcement cases, I-9 compliance counseling and worksite audits, immigration-related discrimination investigations, H1-B/LCA investigations and enforcement proceedings and in administrative hearings and tribunals with jurisdiction over immigration enforcement and immigration-related labor and discrimination matters. She has been at the forefront of the practice of I-9 worksite enforcement law since enactment of The Immigration Reform and Control Act of 1986 and is also a leading practitioner in the field of LCA employer-defense. Ms. Pivec has also served as an expert witness in civil and criminal cases in matters relating to immigration law and enforcement.

Prior Employment

Pivec & Associates, PLLC	Jan. 2016 – Present
Ford Harrison LLP, Washington, DC <i>Partner</i>	April 2014-Dec. 2015
Williams Mullen, Washington, DC <i>Partner</i>	Oct. 2011-April 2014
Keller and Heckman LLP, Washington, DC <i>Partner</i>	May 2007-Oct. 2011
Sheppard Mullin Richter & Hampton LLP, Washington, DC <i>Partner</i>	Aug. 2004-Nov. 2006
Greenberg Traurig LLC, Washington, DC <i>Shareholder</i>	Nov. 1999-July 2004
Proskauer Rose LLP, Washington, DC <i>Special Counsel</i>	July 1995-Oct. 1999

Venable, Baetjer, Howard & Civiletti, Baltimore, MD

Partner

May 1990-June 1995

Frank, Bernstein, Conaway & Goldman, Baltimore, MD

Associate, Partner

June 1980-May 1990

Maryland Classified Employees Association, Baltimore, MD

Business Agent / Field Representative

March 1978-June 1980

Bar Association Memberships, Offices and Appointments

American Immigration Lawyers Association (AILA), 1983-Present: Member, AILA Board of Governors (elected positions) (1989-1995; 1996-1999); Member, Document Verification Liaison Committee (appointed positions) (2007-2013, 2016-2017); Chair, OCAHO Liaison Committee (appointed position) (1998-2002); AILA Representative to the ABA Standing Committee on Immigration (appointed position (1998-2000); Member, DOL Liaison Committee (appointed position) (1996-1998).

American Bar Association (ABA), 1981-Present; Member, ABA Labor and Employment (L&E) Section, 1990- Present; Member, ABA L&E Section Equal Employment Opportunity (EEO) Liaison Committee (appointed position) (1991-1996); Chair, ABA L&E Immigration Law Committee (appointed position) (1992-1996).

College of Labor and Employment Lawyers, Member, Fourth Circuit Credentials Committee, 2016 – Present.

Federal Bar Association (FBA), Chair, Immigration Law Committee (appointed position) (1990-1992).

Maryland State Bar Association, 1981- 2018.

District of Columbia Bar Association, 1995- Present.

Virginia State Bar Association, 2005- Present.

Bar Admissions

State of Maryland, 1981 (Inactive)

District of Columbia, 1995

State of Virginia, 2005

Education

Towson University, B.A., English & Spanish, 1972 (*Magna cum Laude*)

Johns Hopkins University, Master of Liberal Arts, 1977

University of Maryland Law School, 1981 (With Honor)

Professional Recognitions

Fellow, ABA College of Labor and Employment Attorneys

The Best Lawyers in America, Immigration Law

AV® Preeminent Peer Review Rated by Martindale-Hubbell

Member, 2015-2016 Law360 Immigration Advisory Board

“Baltimore and Washington DC’s Top Attorneys,” by *The Washington Post*

“Washington, DC Super Lawyers” in Employment Litigation-Defense by *Super Lawyers* magazine

Publications

“Advising Employers Regarding Workforce Retention Issues During an Economic Downturn.” *Immigration & Nationality Law Handbook*. American Immigration Lawyers Association (2009-2010).

“Civil RICO Class Action Suits by U.S. Domestic Workers.” *Guide to Worksite Enforcement and Criminal Compliance*. American Immigration Lawyers Association (2007).

“Employer Immigration Compliance Audit: Checklist of Issues for Review and Risk Assessment.” *Guide to Worksite Enforcement and Criminal Compliance*. American Immigration Lawyers Association (2007).

“Employment of the Undocumented: Civil and Criminal Liability Risks.” *Guide to Worksite Enforcement and Criminal Compliance*. American Immigration Lawyers Association (2007).

“Immigration Woes in the Workplace.” *Legal Times*, 23 January 2006.

“A Summary of the DOL No-Match Regulation.” AILA, August 2007.

“Whistleblower Protection Pitfalls.” *Legal Times*, 18 April 2005.

“SOX Whistleblower Protection”. ALI-ABA, Washington, D.C., December 2004.

“1991 Employer Sanctions Update,” *Immigration Briefings*, Dec. 1991.

“Handling Immigration-Related Discrimination Claims,” *Immigration Briefings*, Apr. 1988.

Speeches, Webinars and Presentations

The 2021 Enforcement Forecast for the USDOJ Civil Rights Division Office of Immigrant and Employee Rights, National Counsel of Agricultural Employers Labor Forum, December 3, 2020, Washington, DC.

The Intersection of Employment and Immigration Law, 2018 AILA Employer Compliance and Worksite Enforcement Conference, Boston, MA, August 10, 2018.

A Review of Notable ALJ and Circuit Court Decisions, 2017 Worksite Enforcement Conference, Scottsdale, AZ, February 10-11, 2017.

Worksite Enforcement and Hiring Foreign Workers in an Era of Increased Scrutiny, AILA Chicago Chapter Conference: The Business of Doing Business Immigration, October 21, 2016.

Update on Terminated U.S. IT Workers Rico Litigation, FBA Conference on Worksite Enforcement and Immigration, Chicago IL, April 20, 2016

Knowing your Clients' Work Site Rights and Obligations, 37th Annual AILA South Florida Immigration Conference, February 3, 2016.

Strategies for Working Around the H-1B Shortage, 37th Annual AILA South Florida Immigration Conference, February 3, 2016.

Emerging Trends in Government Investigations, PLI's 48th Annual Immigration & Naturalization Institute, New York, December 3, 2015.

USCIS Ombudsman Teleconference Series: *H-1B Changes in Worksite Locations* April 30, 2015.

Update on Compliance/Audit Issues, 2015 AILA Midwest Regional Conference, March 9, 2015.

Responding to Government Audits and Investigations, PLI's 47th Annual Immigration & Naturalization Institute, New York, December 19, 2014.

All Roads Lead to OSC, 2014 AILA Annual Immigration Law Conference, Boston, MA, June 17, 2014.

2014 Symposium of the Council for Global Immigration: *Strategies for Defending LCA Audits*. Alexandria, VA, June 4, 2014.

Lessons from Infosys and Other Compliance Issues, AILA Midwest Regional Conference, March 14, 2014.

The Implications of the Infosys Consent Decree, 35th Annual AILA South Florida Immigration Conference, February 2014.

Assessing the Implications of Immigration Reform for Employers, ABA Annual Labor & Employment Committee Conference, November 2013.

An Update on I-9 Investigations and Enforcement Activity, 10th Annual AILA New England Immigration Law Conference, Boston, March 1, 2013.

How to Protect Employers from Immigration-Related Penalties, AILA 2013 Midyear Conference, Panama City, Panama, January 25, 2013.

Strategies for Defending I-9 Audits and Ice Investigations, Federal Bar Association, Midwest Chapter, May 14, 2011.

2011 FLSA Litigation/Independent Contractor Update, National Limousine Association Annual Meeting, February 15, 2011.

Labor and Employment Issues Impacting Employment-Based Immigration Cases, Seton Hall Law School/New Jersey State Bar Immigration Conference, November 10, 2010.

Representing Employers in LCA Enforcement Actions and Section 274B OSC Investigations, Federal Bar Association, Chicago Chapter, November 9, 2010.

H-1B Compliance Issues, 2010 AILA Annual Immigration Law Conference, July 2, 2010.

Batting Clean-Up on H-1B Compliance, AILA Teleconference, December 4, 2009.

Update on U.S. Immigration Worksite Enforcement, International Bar Association Fourth Biennial Global Immigration Conference, London, November 20, 2009.

E-Verify Update: New Rules for Federal Contractors, ALI-ABA Telephone Conference, September 30, 2009.

Confronting the New E-Verify Mandate for Federal Contractors, Associated Builders and Contractors Webinar, September 17, 2009.

Planning and Implementing Layoffs, Furloughs and Pay Reductions Involving H-1B Workers, 2009 AILA Annual Immigration Law Conference, Las Vegas, NV, June 2009.

Cutting Edge Issues in Immigration Enforcement, 2008 AILA Fall Immigration Law Conference, New Orleans, LA, Dec. 3, 2008.

Representing Employers in ICE Criminal Investigations, 2008 AILA Annual Immigration Law Conference, Vancouver, BC, June 2008.

Update on Criminal Worksite Enforcement Issues, 2008 AILA Upper Midwest Migration Conference, Minneapolis, MN, Apr. 30, 2008.

Social Security No-Match Letters — Developing a Corporate Compliance Program. ALI-ABA Telephone Conference, Dec. 2008.

New Era of Worksite Enforcement: Representing the Endangered Employer, New York State Bar Association, New York, NY, Feb. 26, 2008.

The New Era of Worksite Enforcement, 2008 AILA Midyear Immigration Law Conference, Kona, HI, Jan. 20, 2008.

The Future of the DHS No Match Rule, AILA Worksite Enforcement Seminar (Conference Co-Chair), Scottsdale, AZ, Nov. 30, 2007.

2007 Employment Law Update, SHRM Annual Conference, Las Vegas, NV, June 2007.

Employment Law for Immigration Lawyers, AILA Webinar, March 2007.

The Impact of 9-11 on U.S. Immigration Law and Policy, Washington and Lee School of Law, Journal of Civil Rights and Social Justice Symposium, Lexington, VA, February 2006.