



David J. Freedman

Partner

Higher Education Industry Group Chair

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OVERVIEW:

David Freedman is a partner in the firm's **Employment Practice Group**, concentrating his practice in the areas of **employment litigation** and counseling, higher education law, and business **immigration**. He also chairs Barley Snyder's **Higher Education Industry Group**.

Employment Litigation

David represents public and private employers of all types and sizes - including employers in the health care, higher education, and hospitality industries - in litigation before state and federal courts and administrative agencies. David has represented employers in claims brought under Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Family and Medical Leave Act, the Fair Labor Standards Act (FLSA), the Combined Omnibus Budget Reconciliation Act (COBRA), the Pennsylvania Human Relations Act (PHRA), the Pennsylvania Wage Payment Collection Law, the Pennsylvania Minimum Wage Law, the Pennsylvania Whistleblower Law, and the Pennsylvania Unemployment Compensation Law, among others. As a litigator, David has:

Labor and Employment Counseling

David also counsels employers on issues related to employee discipline, termination, workplace harassment, wage and hour compliance, and compliance with federal and state laws such as the Fair Labor Standards Act, the FMLA, Title VII, the ADA, the Fair Credit Reporting Act and numerous other employment laws. He has experience counseling employers from a wide variety of industries including the hospitality industry. Some examples of David's counseling experiences are:

Higher Education Litigation and Counseling

David provides extensive counseling and training for administrators, faculty and staff regarding student rights and discipline issues arising under a host of federal and state laws including the Pennsylvania Fair Educational Opportunities Act, the Pennsylvania Human Relations Act, the Americans with Disabilities Act, Title IX of the Educational Amendments Act, the Clery Act, and the Violence Against Women Act. David has assisted colleges and

universities in drafting and implementing Title IX-compliant sexual misconduct policies and grievance procedures. David has also served as a part-time Title IX coordinator at a private college in Pennsylvania, giving him a unique "insider's" perspective regarding the complex nature of Title IX compliance. He has conducted extensive, comprehensive internal Title IX investigations. David also provides institutions with counseling regarding faculty hiring, promotions and tenure removal issues. David has also represented public and private colleges and universities in a diverse array of litigation matters. Some of David's more notable litigation matters for colleges and universities include the following:

Immigration

David counsels employers and individuals regarding their immigration needs. He has assisted employers in securing non-immigrant work visas and legal permanent residency for new hires and transferring employees within multi-national companies. David also counsels individuals and businesses regarding various immigrant investor programs. His current business immigration work includes:

Pro Bono

David also maintains a robust pro bono immigration practice, representing victims of domestic violence, sexual assault and LGBT persecution. He has handled asylum, U-Visa cases, and has represented a *habeas corpus* petitioner. David currently serves as the lead attorney in the U Visa Litigation Project, which has involved filing federal lawsuits against the U.S. Department of Homeland Security for failure to timely decide U visa petitions filed by victims of domestic violence and sexual assault. The Project is a joint effort among the Pennsylvania Immigration Resource Center, volunteer law students from the University of Pennsylvania Carey School of Law, and volunteer attorneys from the Lancaster County Bar Association, the York County Bar Association, the Dauphin County Bar Association, and the Federal Bar Association for the Middle District of Pennsylvania. The Project is a "first of its kind effort" and its efforts have been chronicled in a number of media outlets including *The Associated Press*, *The Philadelphia Inquirer*, and CBS-21 News. David is in the processing of assisting the creation of a similar project in the Richmond, Va. area. David also previously volunteered for the Pennsylvania Innocence Project, investigating inmates' claims of wrongful conviction.

Prior Experience

Prior to joining Barley Snyder, David served as an assistant city attorney for Richmond, Va., representing the city in police liability and other civil rights matters under 42 U.S.C. 1983, the Voting Rights Act, Title VII, the ADA, as well as cases involving construction law, automobile accident liability and other miscellaneous tort and criminal matters.

Earlier, David was an associate with McGuire Woods, LLP, in that firm's Richmond, Va., office. David started his legal career as a law clerk for the Honorable Sylvia H. Rambo, U.S. District Judge for the Middle District of Pennsylvania.

EDUCATION:

- University of Richmond School of Law, J.D., Magna cum laude, University of Richmond Law Review, editor and staff member

- George Mason University, B.A. in Philosophy and Spanish

ADMISSIONS:

- Pennsylvania
- Virginia
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the Western District of Virginia
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- Supreme Court of the United States

PRACTICE AREAS:

- Employment
- Labor Law
- Employment Litigation
- Immigration
- Employment Training and Professional Development
- Higher Education
- Crisis Management
- Litigation
- Appellate Litigation

INDUSTRY GROUPS:

- Hospitality
- Food & Agribusiness

COMMUNITY INVOLVEMENT:

Lancaster Bar Association

Former President (2021), Vice President (2015 and 2019), Board Member (2015 and 2019-2022), and Labor & Employment Law Section Chair (2014-2015)

CWS Lancaster

Former Advisory Board Member (2016-2021)

La Academia Partnership Charter School

Former Board Secretary (2014-2016), Board of Trustees (2010-2016)

Clare House

Former Board Member (2009-2014), Vice President (2013), President (2013-2014)

Economic Development Company of Lancaster County, Human Resources Committee

Former Member

United Way of Lancaster County

Personnel Committee, Former Member

RECOGNITIONS:

- George Mason University Alumni Association's Distinguished Alumnus of the Year Award (2022)
- Central Pennsylvania Business Journal's Power 30 Award, Top 30 Most Influential Legal Professionals in Central Pennsylvania (2021 & 2022)
- George Mason University College of Humanities and Social Sciences, "Community & Catalysts Award" (2021)
- Central Penn Business Journal's "Legal Excellence Awards" for Pro Bono Excellence (2021)
- Pennsylvania Immigration Resource Center's Light of Liberty Award as Pro Bono Attorney of the Year (2015, 2018, and 2021)
- Select Lawyer, Polk-Lepson Research Group; Labor and Employment Law (2016)
- Pennsylvania Rising Stars (2015)
- Central Penn Business Journal's Forty Under 40 list (2013)
- University of Richmond's McNeill Law Society Legal Writing Contest: First Prize (2001)

MEMBERSHIPS:

- Lancaster Bar Association
- York Bar Association
- National Association of College and University Attorneys
- American Immigration Lawyers Association

PRESENTATIONS:

- "Religious Accommodations in the Post-COVID Era," 40th Annual Employment Law Seminar (May 2023)
- "Anatomy of an Employment Discrimination Lawsuit," 40th Annual Employment Law Seminar (May 2023)
- "Getting in the Weeds of Medical Marijuana," 39th Annual Employment Law Seminar (May 2022)
- "Religious Accommodations in the Workplace," 39th Annual Employment Law Seminar (May 2022)
- "2021 Immigration Update for Employers", 38th Annual Employment Law Seminar (May 2021)
- "COVID-19 Vaccines: The Impact on Higher Education", webinar (January 2021)
- "2019 and 2020 Federal Update", 37th Annual Barley Snyder Employment Law Seminar (September 2020)
- "Expanding the Scope of Employer Responsibilities & Employee Protections", 37th Annual Barley Snyder Employment Law Seminar (September 2020)
- "Immigration Compliance in the COVID-19 Era", 37th Annual Barley Snyder Employment Law Seminar (September 2020)
- "Employee Handbook Must Haves", 36th Annual Barley Snyder Employment Law Seminar (May 2019)
- "Immigration and Employment Law Update", Pennsylvania Bankers' Association Agriculture Lending Summit (April 2019)
- "Employee Handbook Must Haves", Lancaster Chamber (March 2019)
- "Worksite Enforcement for the Hospitality Industry", Pennsylvania Restaurant and Lodging Association (March 2019)
- "Hot Topics in Employment, Labor & Immigration", Food & Ag Summit (February 2019)
- "Workplace Investigations in the Era of the #MeeToo Movement," 35th Annual Employment Law Seminar (May 2018)
- "Immigration Issues for Businesses", Gettysburg Adams Chamber of Commerce seminar (March 2018)
- "Immigration Issues for Businesses", Lancaster SHRM Fall Legal Update 2017 (September 2017)

- "Enforcement Priorities in the Trump Era", Workforce Forum (June 2017)
- "The Human Side - Employment and Immigration Compliance Issues", The Summit for Food & Agribusiness (May 2017)
- "Key Policies and Trends for Employee Handbooks and Policies", Barley Snyder Employment Law Seminar (April 2017)
- Key Issues in Drafting Personnel Policies , County Commissioners Association of Pennsylvania Annual Conference (May 2017)
- "Sexual Orientation and Gender Identity", Barley Snyder Employment Law Seminar (May 2016)
- "Workplace Investigations", Barley Snyder Employment Law Seminar (May 2016)
- "Anatomy of a Lawsuit: Strategies for Defending Employment Litigation in State and Federal Courts", Barley Snyder Employment Law Seminar (April 2015)
- "Workplace Enforcement Avoiding I-9 Issues & Pitfalls", Barley Snyder Employment Law Seminar (April 2015)
- "Key Policies and Trends With Respect to Employee Handbooks", Lancaster Chamber of Commerce & Industry, Professional Development Friday (May 2015)
- "Social Media in the Workplace", Pennsylvania Bar Institute (August 2014)
- "Be Careful What You Test For It Might Land You in Court: The Legal Pitfalls of Pre-Employment Screening and Testing", Barley Snyder Employment Seminar (May 2014)
- "Immigration Law: Where Things Stand and Where Things Might Be Going?", Barley Snyder Employment Seminar (May 2014)
- "Hot Topics in Employment Law", ACC Seminar: What Keeps You up at Night? (September 2013)
- "Navigating the Minefield: Advanced Strategies for Managing ADA, FMLA, and Workers' Compensation Leave", Barley Snyder Employment Seminar (May 2013)
- "Be Careful What You Test For; It Might Land You in Court: The Legal Pitfalls of Pre-Employment Screening and Testing", Barley Snyder Employment Seminar (May 2012)

LANGUAGE:

- Spanish

CLERKSHIPS:

- Law Clerk to Hon. Sylvia H. Rambo, U.S. District Court for the Middle District of Pennsylvania (2001-2003)

RELATED NEWS:

- U.S. Supreme Court Eases Employees' Burden of Proof in SOX Retaliation Cases
February 13, 2024
- Colleges Should Make Title IX/Clergy Act Training Compliance Their New Year's Resolution
January 4, 2024
- Pennsylvania Immigration Resource Center Recognizes Barley Snyder as the Light of Liberty Law Firm of the Year
September 29, 2023
- Supreme Court Clarifies Standard Related to Employer Accommodations of Religious Beliefs
June 30, 2023
- Barley Snyder Partner David J. Freedman honored by George Mason University Alumni Association
November 10, 2022
- Barley Snyder Partner Freedman Wins Alumni Award
November 10, 2021
- Barley Snyder Professionals Honored in CPBJ Legal Excellence Awards
October 18, 2021
- Barley Snyder Partner David Freedman Receives 3rd Light of Liberty Award
September 30, 2021
- U.S. Department of Ed Wont Enforce Title IX Cross Examination Regulation
August 30, 2021
- Barley Snyder Attorneys Elected to Lancaster Bar Posts
February 1, 2021
- COVID-19 Vaccine Webinar Series
January 12, 2021
- Fixing the U Visa Backlog
January 5, 2021
- Pennsylvania Asks Higher Education to Go Virtual
December 22, 2020
- Should Employers be Preparing to Mandate COVID-19 Vaccines?
November 23, 2020

- **New COVID-Cautious Recommendations for Higher Education**
November 19, 2020
- **Hospitality Highlights August 2020**
August 11, 2020
- **Barley Snyder Partner David Freedman to Lead Education Group**
August 3, 2020
- **Barley Snyder Partner David Freedman Named to Statewide COVID-19 Task Force**
July 27, 2020
- **Scope of Temporary Visa Ban Remains Unclear**
July 2, 2020
- **Camp Closures Now Covered for Paid Employee Leave Under FFCRA**
June 29, 2020
- **Extended Immigration Ban Suspends Popular Temporary Visas**
June 24, 2020
- **Supreme Court Blocks DACA Elimination**
June 18, 2020
- **Immigration Ban Has Limited Reach (for Now)**
April 23, 2020
- **DOL: Employers Must Document Paid Leave for Payroll Tax Credit**
March 31, 2020
- **Alternative Form I-9 Compliance Available During COVID-19 Crisis**
March 26, 2020
- **Barley Snyder Partner David Freedman to Lead Lancaster Bar Association**
January 24, 2020
- **DOL Updates Guidance Regarding the Tip Credit for Side Work**
February 19, 2019
- **David Freedman Named Vice President of Lancaster Bar Association**
February 12, 2019
- **Barley Snyder Partner David Freedman Earns Pro Bono Award**
June 14, 2018
- **H-1B Visas: File Now or Forever Hold Your Peace?**
January 31, 2018
- **The International Entrepreneur Rule is Back . . . for Now**
December 18, 2017
- **Business Immigration in the Trump Era, Part 1: Worksite Enforcement**
August 10, 2017
- **Trump Administration Plans to Ax the International Entrepreneur Rule**
July 24, 2017

- **Introducing the New(est) Form I-9**
July 20, 2017
- **ICE Officials: More Workplace Enforcement and New Form I-9 on the Way**
July 10, 2017
- **Pittsburgh City Council Passes Paid Sick Days Act**
August 6, 2015
- **U.S. Supreme Court Sides with EEOC in Abercrombie & Fitch Religious Accommodation Case**
June 1, 2015
- **Eight Barley Snyder Attorneys Selected to the 2015 Pennsylvania Super Lawyers and 2015 Pennsylvania Rising Stars Lists**
May 15, 2015
- **Executive Action on Immigration: Whats in It for Business?**
November 21, 2014
- **Pennsylvania Enacts Notario Publico Ban**
November 11, 2013
- **NLRB Provides Clarity Regarding Permissible At-Will Employment Acknowledgments**
November 1, 2012

RELATED RESOURCES:

- **16. Barley Snyder Legal Update Podcast: Corporate Transparency Act**
November 11, 2022
- **15. Barley Snyder Legal Update Podcast: Title IX**
August 2, 2022
- **14. Barley Snyder Legal Update Podcast: Season 2 Episode 3**
July 20, 2021
- **Webinar Replay: The Impact of the COVID-19 Vaccines on Higher Education**
January 21, 2021
- **13. Barley Snyder Legal Update Podcast: Season 2 Episode 2**
November 19, 2020
- **12. Barley Snyder Legal Update Podcast: Season 2 Episode 1**
October 22, 2020
- **11. Barley Snyder COVID-19 Legal Update Podcast **TIGER KING SPECIAL EDITION****
June 26, 2020

- 10. COVID-19 Legal Update Podcast
June 18, 2020
- 9. COVID-19 Legal Update Podcast
June 11, 2020
- 8. COVID-19 Legal Update Podcast
June 8, 2020
- 7. COVID-19 Legal Update Podcast
May 22, 2020
- 6. COVID-19 Legal Update Podcast
May 18, 2020
- 5. COVID-19 Legal Update Podcast
May 8, 2020
- 4. COVID-19 Legal Update Podcast
May 5, 2020
- 3. COVID-19 Legal Update Podcast
May 1, 2020
- 2. COVID-19 Legal Update Podcast
April 28, 2020
- 1. COVID-19 Legal Update Podcast
April 24, 2020