



Jill Sebest Welch

Partner

Employment Practice Group Chair

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OVERVIEW:

Jill is a partner in and chair of Barley Snyder's Employment Practice Group, where she counsels companies in handling workplace challenges and helps clients resolve disputes, claims, cases, and litigation in all aspects of labor and employment law.

As an employment law counselor, Jill assists in developing employment policies, employee handbook provisions, non-compete and restrictive covenants and severance agreements, and has assisted companies through difficult layoffs and reductions in force. Jill serves as her clients' counselor-on-call, advising clients daily on a myriad of employment issues such as Internet and drug and alcohol abuse, evaluating requests for Family Medical Leave Act and military leaves of absence, questions under the Fair Labor Standards Act, using criminal background checks in hiring, conducting terminations, and other workplace challenges.

In her employment litigation practice, Jill represents employers and companies of all types - large and small, public, private, family-owned, emerging companies, entrepreneurs and others - on matters ranging from employment discrimination, benefits, contracts, collective action wage and hour claims, non-compete cases and unemployment compensation appeals to Sarbanes-Oxley and OSHA whistleblower cases, and labor-management relations before administrative tribunals and state and federal courts.

Jill works with companies across a wide range of industries including manufacturing, products, retail, banking and other finance-related companies, hospitals, long-term care facilities and other health care entities, food processing, hospitality, construction and property management, communication, technology, transportation, agri-business, professional services and non-profit organizations. Examples of select matters which Jill has helped resolve for clients include:

- Served as trial counsel and successfully resolved a number of collective action wage and hour claims.
- Secured a complete defense verdict on claims of overtime violations of the Fair Labor Standards Act and breach of contract in the Lancaster County Court of Common Pleas.
- Successfully secured a preliminary injunction in the York County Court of Common Pleas for a company against its former national sales director who began working for a competitor.

- Represented a client in a temporary restraining order/preliminary injunction involving claims of tortious interference with the company's contracts and misappropriation of confidential client information, involving over 20 pre-trial motions and hearings, resolving the matter favorably for the client.
- Served as co-trial counsel in the Eastern District of Pennsylvania on an ERISA claim for benefits in excess of a million dollars resulting in a complete defense victory for the company.
- Successfully defended a manufacturing client in a breach of employment contract claim in AAA arbitration.
- Successfully represented clients before the Unemployment Compensation Board of Review and the National Labor Relations Board in upholding the independent contractor status of their third-party contractors.
- Successfully defended a manufacturer before the American Arbitration Association, where the union alleged that the company violated the collective bargaining agreement, affirming the company's management rights in response to changing market needs.
- Represented a client in a jury trial in the Eastern District of Pennsylvania on an employment discrimination claim resulting in a defense verdict on five of six counts and a favorable resolution of the final count.
- Represented County Commissioners in interest arbitration regarding full-time and part-time Adult Probation Officers, Juvenile Probation Officers, BARJ Coordinator and Domestic Relations Hearing and Enforcement Officers under the auspices of the PLRB.
- Secured dismissal of OSHA whistleblower claims alleging retaliation for lodging internal safety complaints.

Jill also defends Barley Snyder's [food and agribusiness](#) clients in matters ranging from class and collective action wage and hour litigation, whistleblower complaints, restrictive covenants and employment discrimination claims, and provided counsel to companies on a wide range of employment practices and policies.

Jill was selected to the 2012, 2013, 2014, 2015, 2016, 2018, 2019, 2020, 2021 and 2022 Super Lawyers list. The Super Lawyers list is issued by Thomson Reuters. A description of the selection can be found at [Super Lawyers](#).

A frequent speaker, Jill has trained companies, human resources professionals, managers and supervisors on best practices in such areas as: conducting sexual harassment investigations, planning reductions in force, handling mental disabilities under the ADA, understanding wage and hour laws, effective hiring and discharge strategies, EEOC compliance, managing Sarbanes-Oxley and whistleblower claims, and navigating the ADA - FMLA - Worker's Compensation maze and other subjects.

For the comparison standards employed by Super Lawyers, please visit [superlawyers.com](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

EDUCATION:

- Rutgers School of Law, J.D., Rutgers Law Journal, State Constitutional law editor
- Wittenberg University, B.A.

ADMISSIONS:

- Pennsylvania
- New Jersey
- U.S. District Court for the District of New Jersey
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the D.C. Circuit
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. Supreme Court

PRACTICE AREAS:

- Employment
- Employment Litigation
- Employment Training and Professional Development
- Litigation
- Crisis Management

INDUSTRY GROUPS:

- Food & Agribusiness
- Banking
- Construction

COMMUNITY INVOLVEMENT:

Lancaster County EDC Center for Regional Analysis

Advisory committee member

Pennsylvania Dutch Council of the Boy Scouts of America

Council President, Board of directors (2018-present)

Taekwon Do Black Belt

2nd Dan

Leadership Lancaster EOS

2008 graduate

Lancaster Family YMCA Association; former secretary

Board member and former chair, human resources committee

Lancaster County Workforce Investment Board

Board member, chair (2014-2016), vice chair (2012-2014)

PUBLICATIONS:

- "Employee or independent contractor? DOL publishes new rule seeking reclassification," Central Penn Business Journal (October 2022)

RECOGNITIONS:

- Pennsylvania Rising Stars (2010)
- Pennsylvania Super Lawyers (2012, 2013, 2014, 2015, 2016, 2018, 2019, 2020, 2021, 2022, 2023)

MEMBERSHIPS:

- American Institute of Certified Planners
- Lancaster Bar Association; former chair of the Employment/Labor Law Section, 2011; former vice chair, 2010
- Pennsylvania Bar Association
- York Society for Human Resource Management

PRESENTATIONS:

- "Bridging the Pay Gap - The Legal Case," York County Economic Alliance/WBCO Summit: Manifest Your Success (September 2023)
- "Human Resource Hot Topics," PennAg (October 2023)
- "The Pitfalls of Social Media and Informal Communication," 40th Annual Employment Law Seminar (May 2023)
- "Remote Work Is Here to Stay...And Wage & Hour Update Too!" 40th Annual Employment Law Seminar (May 2023)

2023)

- Lancaster Bar Association's Employment Law Summit (November 2022)
- "Workforce 2022: The Impact of the Great Resignation," 39th Annual Employment Law Seminar (May 2022)
- "The 2022 Wage and Hour Update," 39th Annual Employment Law Seminar (May 2022)
- "Biden Administration's First 100 Days: Employment Law Edition", 38th Annual Employment Law Seminar (May 2021)
- "COVID-19 Vaccine: The Impact on the Food & Agribusiness Industry", webinar (December 2020)
- "2019 and 2020 Federal Update", 37th Annual Barley Snyder Employment Law Seminar (September 2020)
- "UC Benefits, Layoffs and Furloughs", 37th Annual Barley Snyder Employment Law Seminar (September 2020)
- "Getting Your Business Back to Business Webinar Part 2", Barley Snyder Webinar Series (May 2020)
- "The Legal Implications: Re-opening Your Business In Defiance of the Governor's Order", Barley Snyder Webinar Series (May 2020)
- "Getting Your Business Back to Business Webinar Part 1", Barley Snyder Webinar Series (April 2020)
- Panelist: "Embracing Change & Preparing for the Future", 2019 Reading Business Seminar (October 2019)
- "All Things Wage and Hour An Update on Developments at the U.S. Department of Labor and the Pennsylvania Department of Labor & Industry", 36th Annual Barley Snyder Employment Law Seminar (May 2019)
- "Mock Investigation in the #MeToo Era", 36th Annual Barley Snyder Employment Law Seminar (May 2019)
- "Hot Topics in Employment, Labor & Immigration", Food & Ag Summit (February 2019)
- "A Discussion of Top Employment Challenges Facing Business Owners and A Human Resources Department of One (Or None)", Wake up with Barley (September 2018)
- "Paid Sick Leave Trends and Forecasts, Lancaster SHRM Fall Legal Update 2018 (September 2018)
- "Medical Marijuana in the Workplace", Lancaster Chamber's "Wake Up to the Issues" (June 2018)
- "Is Six Degrees of Separation Enough? Joint Employer Liability & Independent Contractor Misclassification", 2018 Barley Snyder Employment Seminar (May 2018)
- "Top Payroll and Payroll Tax Issues Facing Human Resource Professionals (and Their Controllers, Too!)", 2018 Barley Snyder Employment Seminar (May 2018)
- "2018 Employee Handbook Workshop", Lancaster Chamber (March 2018)
- "The New EEOC and Pennsylvania Employment Law Update", Cumberland Valley SHRM (October 2017)
- "Ethics Lessons Learned from the Jerry Sandusky Case", Financial Executives International, Pennsylvania Chapter (June 2017)
- "New Faces In The Trump Administration Shaping Labor and Employment Law", Financial Executives

International, Pennsylvania Chapter (June 2017)

- "The Summit for Food & Agribusiness: The Human Side", Food & Ag EdCon (May 2017)
- Moderator, Taking and Defending the Deposition of an HR Manager, Pennsylvania Bar Institute, 23rd Annual Employment Law Institute (April 2017)
- "Wage and Hour Law Developments From Our Courts, Congress and the Trump Administration", Barley Snyder Employment Law Seminar (April 2017)
- "Strategic Issues in Non-Competes and Restrictive Covenants", Barley Snyder Employment Law Seminar (April 2017)
- "Work and Gender Equality Legal Implications", Pennsylvania Bankers Association (February 2017)
- "Compliance Strategies for the New Federal Overtime Rule", Webinar (June 2016)
- "Record Breaking Year for Wage and Hour Claims - Managing the Tide", Barley Snyder Employment Law Seminar (May 2016)
- "U.S. Department of Labor Proposed Changes to Overtime Rule", Complimentary Payroll Services Seminar (November 2015)
- "Using Social Media and Complying with the Latest FTC and NLRB Requirements", 2015 Employment Law & Legislative Conference (October 2015)
- "The Year of the Standoff Wage and Hour Developments in 2015", Barley Snyder Employment Law Seminar (April 2015)
- "The Year of the Standoff: The President v. Congress v. The Supreme Court on Key Labor and Employment Issues", McKonly & Asbury's Collaborate 2015 Conference (May 2015)
- "The Healthcare Workplace", PBI's 21st Annual Employment Law Institute (April 2015)
- "Workplace Harassment and Risk Management Strategies for Investigation and Compliance", Barley Snyder Employment Law Seminar (May 2014)
- "Pay Me Now Or Pay Me Double (and My Attorney) Later", Barley Snyder Employment Law Seminar (May 2014)
- "Out Of The Frying Pan . . . But Still In The Fire Traps Lurking In Pennsylvania's Wage And Hour Laws", Barley Snyder Employment Law Seminar (May 2013)
- "Contending with Social Media in the Workplace," Pennsylvania Bar Institute (August 2012, panelist)
- "FMLA/ADA and Managing Leave", Barley Snyder Employment Law Seminar (May 2012)
- "Under Attack: Independent Contractor and Contingent Workers Classifications," Pennsylvania Bar Institute (March 2012, panelist)
- "Social Media Issues in the Workplace," Barley Snyder Business Seminar (October 2011)
- "Basics of the ADA and the ADA Amendments Act," Pennsylvania Bar Institute (July 2011)
- "Ethical and Privilege Considerations in the Age of Electronic Discovery," Pennsylvania Bar Institute,

Employment Law Institute (April 2011)

- "Wage and Hour Overview and Litigation Trends," Lancaster Bar Association (January 2010)
- "Ethical Implications of Social Networking," Pennsylvania Bar Institute Employment Law Institute (April 2010)
- "Review of the ADA Amendments Act," Lancaster Bar Association (February 2009)
"Minimum Wage and Overtime Requirements," Pennsylvania Bar Institute (December 2007)
- "The Ethics of Ex Parte Communications in Employment Disputes," Lancaster Bar Association (August 2006)

CLERKSHIPS:

- Law Clerk to Hon. Thomas L. Ambro, U.S. Court of Appeals for the Third Circuit

RELATED NEWS:

- Barley Snyder Partner Jill Sebest Welch Elected President of Local Boy Scouts' Pennsylvania Dutch Council
August 10, 2023
- Fourteen Barley Snyder Attorneys Named 2023 Super Lawyers
May 22, 2023
- New FTC Proposed Rule to Ban Non-Compete Clauses
January 9, 2023
- EEOC: COVID-19 Screening Now Must Meet Business Necessity Test
August 1, 2022
- EEOC Updates Guidance on Employer Use of Assessment Software, Algorithms and AI
June 23, 2022
- U.S. Department of Labor Issues Guidance for Mental Health Conditions Under the FMLA
May 31, 2022
- Pa. Focused on Independent Contractor Misclassification
March 3, 2022
- Employment Law 2021 Year in Review
February 7, 2022
- A Softer Federal Contractor Vaccination Deadline
November 1, 2021
- DOL Issues Final Tip Credit Rule
October 29, 2021

- Pa. Repeals OT Rule and White Collar Exemptions
August 24, 2021
- Expanded Employment Training Offered
July 14, 2021
- Supreme Court Takings Decision Doesn't Alter Employee Union Organizing
June 29, 2021
- DOL Reverses Course on Tipped Employee Dual Jobs Rule
June 24, 2021
- Eleven Barley Snyder Attorneys Named Super Lawyers
May 26, 2021
- Pennsylvania Supreme Court Bars No-Hire Agreements
April 30, 2021
- DOL's Independent Contractor Rule on Life Support
February 22, 2021
- DOL Final Rule Establishes Independent Contractor Test
January 8, 2021
- Pennsylvania's New Overtime Regulations Are Finally Final
October 5, 2020
- DOL Holds Firm on Several FFCRA Paid Leave Provisions
September 14, 2020
- Temporary to Permanent: Layoffs Trigger WARN Act
May 27, 2020
- Trump, OSHA, CDC Work to Keep Meat and Poultry Producers Safely Open
April 29, 2020
- New Guidance Released for FFCRA Small Employer Exemption
March 30, 2020
- DOL: Post New Coronavirus Act Notice in Workplace
March 26, 2020
- Coronavirus Risk Assessment, the ADA and FMLA (Part 2 of 3)
March 11, 2020
- Coronavirus and Workplace Preparedness
March 6, 2020
- Pennsylvania One Step Closer to its Own Overtime Salary Threshold
February 6, 2020
- DOL Releases Final FLSA Joint Employer Rule
January 14, 2020
- Partner Welch Named Chair of Barley Snyder Employment Practice Group
January 2, 2020

- **Pennsylvania Tries Again With Updated Overtime Final Rule**
October 18, 2019
- **BREAKING NEWS: At Long Last, DOL Issues Final Rule on OT Standards**
September 24, 2019
- **Barley Snyder Sees 11 Attorneys Named to Super Lawyers Lists**
May 9, 2019
- **Update Your Settlement Agreements After New Jersey Bans Some Non-Disclosure Provisions**
April 11, 2019
- **DOL Releases Much-Anticipated Proposed Update to Overtime Regulations**
March 8, 2019
- **DOL Weighs in on Additional Compensation for Professionals**
January 14, 2019
- **Nine Barley Snyder Attorneys Named to Super Lawyers Lists**
May 18, 2018
- **Barley Snyder's Jill Welch Named to Boy Scouts Board**
March 15, 2018
- **NLRB Rolls Back Expansive Joint Employer Standard**
December 21, 2017
- **New EEO-1 Pay Reporting Requirements Suspended Indefinitely**
September 15, 2017
- **Check the DOL's Overtime Rule for a Pulse**
September 14, 2017
- **DOL Signals Change May Be in Store for Overtime Rule**
July 7, 2017
- **DOL Once Again Welcoming Requests for Opinion Letters**
July 6, 2017
- **Federal Appeals Court Includes Sexual Orientation in Title VII Protection for First Time**
April 12, 2017
- **Another Reason to Tread Carefully When Using Criminal Backgrounds Checks in Hiring Decisions**
January 18, 2017
- **Mandatory Use of Payroll Debit Cards Violates Pennsylvanias Wage Payment and Collection Law**
October 26, 2016
- **SEC: Review Severance Agreements For Unlawful Anti-Whistleblower Provisions**
August 12, 2016
- **The Federal Defend Trade Secrets Act Immediate Implications for Businesses That Utilize Employment Agreements and Contracts To Protect Trade Secrets and Other Confidential Information**
May 18, 2016

- **BREAKING NEWS The DOL Issues the Final Version of its Much-Anticipated Overtime Regulations**
May 18, 2016
- **Another Statute With Broad Whistleblower Protections The FDA's Food Safety Modernization Act (FSMA)**
May 11, 2016
- **U.S. Supreme Court Approves Trial By Formula in Wage and Hour Class and Collective Actions Making It Easier For Workers To Prove Monetary Damages**
March 24, 2016
- **DOL's Final Overtime Rule Sent to OMB Likely To Be Published Late Spring**
March 16, 2016
- **U.S. Supreme Court Rules That Unaccepted Settlement Offers and Offers of Judgment Can't End Consumer Class Action Lawsuits**
January 26, 2016
- **Third Circuit Holds That Jury Must Decide If Temporary Workers Are Employees Under Anti-Discrimination Laws**
November 23, 2015
- **McDonald's Mandatory Use of Payroll Cards Violates Pennsylvania's Wage Payment and Collection Law**
June 3, 2015
- **Eight Barley Snyder Attorneys Selected to the 2015 Pennsylvania Super Lawyers and 2015 Pennsylvania Rising Stars Lists**
May 15, 2015
- **Keep an Eye on Executive Orders and Presidential Memoranda for Key Employment Initiatives in 2015**
March 11, 2015
- **Who Needs Rules? The DOL Wins Supreme Court Battle In Mortgage Loan Officer Administrators Interpretation vs. Rule Making**
March 10, 2015
- **U.S. Supreme Court: FLSA Does Not Entitle Warehouse Employees to Wages for Security Screenings**
December 11, 2014
- **Barley Snyder Attorneys Named to the Lists of 2014 Pennsylvania Super Lawyers and Pennsylvania Rising Stars**
May 27, 2014
- **Does the Mere Intention To Be Legally Bound Make a Non-Compete Agreement Enforceable? Pennsylvania Superior Court Answers No!**
May 19, 2014
- **Do Companies Need To Pay Employees For Their Commute Back From the Construction Worksite At The End Of The Day?**
March 22, 2012
- **Wal-Mart Fails to Overturn Award of \$187.6 Million For Wage and Hour Violations, But Pennsylvania Superior Court Sends \$45.6 Million Award of Attorneys' Fees Back to Trial Court Due to Potential**
June 16, 2011

- Deductions From Exempt Employees' Salary: Don't Risk Losing That Exemption
March 30, 2010
- Is Your Non-Compete Valid Under Pennsylvania Law?
October 27, 2009
- My Employee Is Leaving: What Do I Owe and What Can I Deduct at Termination?
March 17, 2008

RELATED RESOURCES:

- 14. Barley Snyder Legal Update Podcast: Season 2 Episode 3
July 20, 2021
- 11. Barley Snyder COVID-19 Legal Update Podcast **TIGER KING SPECIAL EDITION**
June 26, 2020
- GRCA Best Practices for Re-Opening Your Business Certificate Program Session 2
June 11, 2020
- The Legal Implications: Re-Opening Your Business in Defiance of the Governors Order Webinar
May 14, 2020
- Getting Your Business Back To Business COVID-19 Webinar
May 1, 2020