

Joshua L. Schwartz

Partner

General Counsel

Office: Lancaster, PA

Email: jschwartz@barley.com

Tel: (717) 399-1535

OVERVIEW:

Josh is a partner in the firm's Litigation and Employment practice groups working primarily in employment counseling and litigation, labor law and workers' compensation. He also serves as the firm's general counsel.

Josh represents public and private employers in litigation matters, administrative agency investigations, labor arbitrations and commercial litigation.

Employment Counseling and Litigation

Josh protects employers inside and outside of the courtroom on issues related to employee discipline and termination, workplace harassment, noncompetition and non-solicitation, whistleblower claims, wage-and-hour compliance, and medical leaves of absence. He also chairs the firm's Workers' Compensation practice, using his knowledge to guide employers in managing workers' compensation claims, proactively addressing safety protocols, and offering risk management advice. Throughout his career, Josh has presented at numerous seminars and groups on employee safety, harassment, medical marijuana, and other compliance and risk management topics.

Labor

Josh provides clients with NLRB/union organizing training and counsels employers through union organizing campaigns. Josh also represents a number of unionized workplaces and is an experienced advocate during contract negotiation and grievance arbitration. He is also a trained and certified mediator.

General Litigation

Josh handles a broad spectrum of commercial litigation, intellectual property/patent litigation, and appellate litigation matters. He has experience representing clients in complex commercial disputes regarding contract disputes, business ownership issues, non-compete/non-solicitation agreement matters, and more. As chair of the firm's Appellate Practice, Josh brings extensive experience in handling appeals, including preservation of issues during and after trial, drafting appellate briefs, and advocacy through oral argument.

Mediation/Arbitration

Josh serves as a mediator and arbitrator in a range of disputes, with particular experience in employment and civil rights matters. Known for his thoughtful, patient approach, he creates an environment where parties feel heard and respected while guiding them toward practical, mutually acceptable resolutions. Drawing on strong listening skills and a problem-solving mindset, he builds trust through a straightforward, honest style and helps parties move beyond positions to identify common ground.

Josh has completed mediation trainings through Advoz and is certified by the U.S. District Court for the Middle District of Pennsylvania to serve on its pro bono mediator panel. In addition, he serves as an arbitrator on the American Arbitration Association's consumer panel, where he handles matters involving consumer claims, including those related to credit reporting and privacy issues.

Higher Education Litigation and Counseling
Josh provides comprehensive counseling and training to administrators on student rights and disciplinary issues governed by federal and state laws, including Title IX, Title VI, the ADA, FERPA and others. He assists colleges in creating Title IX-compliant sexual misconduct policies, conducts internal investigations, and offers guidance on faculty matters. Josh has also represented higher education institutions in court and in legal proceedings before the Department of Education Office of Civil Rights.

Josh lives in Manheim Township with his wife, Franklin & Marshall College professor Carey Faulkner, and their two children, Eli and Casey. He can also be seen performing in community theater productions and cabarets throughout central Pennsylvania.

EDUCATION:

- Columbia Law School, J.D.
- Muhlenberg College, B.A.

ADMISSIONS:

- Pennsylvania
- District of Columbia
- New York
- Massachusetts
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the District of Columbia
- U.S. Supreme Court
- U.S. District Court for the Eastern District of Pennsylvania

PRACTICE AREAS:

- Employment
- Employment Litigation
- Labor Law
- Litigation
- Appellate Litigation
- Commercial Litigation
- Intellectual Property
- Intellectual Property Litigation
- Workers' Compensation
- Alternative Dispute Resolution (ADR)
- Crisis Management
- Employment Training and Professional Development

INDUSTRY GROUPS:

- Higher Education
- Construction

COMMUNITY INVOLVEMENT:

Touchstone Foundation
Board Member

Ephrata Performing Arts Center
Board Member

Congregation Shaarai Shomayim
Former Board of Trustees, Cantorial Soloist, Youth Committee, Ritual Committee

Fulton Theatre
Former Board of Trustees

Lancaster Public Library
Former President

RECOGNITION:

- Central Penn Business Journal (Forty Under Forty, 2015)

MEMBERSHIP:

- American Arbitration Association, Panel Member Arbitrator
- Pennsylvania Chamber of Commerce Workers' Compensation and Employment Committees

PRESENTATIONS:

- "OSHA and Workers' Compensation: Strategies for Defending and Resolving Workplace Complaints", 42nd Annual Barley Snyder Employment Law Seminar (May 2025)
- "Ethics and Attorney-Client Privilege for HR Professionals: Navigating Business Ethics, the Attorney-Client Relationship, and the HR Professionals' Role in Legal Matters", 42nd Annual Barley Snyder Employment Law Seminar (May 2025)
- "Due Process for Public Sector Employees", Pennsylvania Water Environment Association Webinar (March 2025)
- "Are Workplace DEI Programs Legal? Assessing DEI in 2024", 41st Annual Barley Snyder Employment Law Seminar (May 2024)
- "Employee Handbook Workshop," Lancaster Chamber (August 2023)
- "Use of Surveillance in Workers' Compensation and Employment Cases," 40th Annual Employment Law Seminar (May 2023)
- Lancaster Bar Association's Employment Law Summit (November 2022)
- Lancaster Chamber's Employee Handbook Updates: Key Policies and Trends (August 2022)
- "Anatomy of a Worker's Compensation Case," 39th Annual Barley Snyder Employment Law Seminar (May 2022)
- "Employee Handbooks," 39th Annual Employment Law Seminar (May 2022)
- "OSHA, COVID-Related EEOC Claims and ADA Violations", Lancaster SHRM (May 2021)
- "Ask the Attorney: Return to Work", Lancaster Chamber (May 2021)
- "NLRB Updates under the Biden Administration", 38th Annual Employment Law Seminar (May 2021)
- "Employer Obligations under OSHA and the Workers' Compensation Act", 38th Annual Barley Snyder

Employment Law Seminar (May 2021)

- "Drafting Employee Handbooks", 38th Annual Employment Law Seminar (May 2021)
- "COVID-19 Vaccines: The Impact on the Hospitality Industry", webinar (January 2021)
- "OSHA and Workers' Compensation", 37th Annual Barley Snyder Employment Law Seminar (September 2020)
- "Medical Marijuana", 37th Annual Barley Snyder Employment Law Seminar (September 2020)
- "Getting Your Business Back to Business Webinar Part 2", Barley Snyder Webinar Series (May 2020)
- "Getting Your Business Back to Business Webinar Part 1", Barley Snyder Webinar Series (April 2020)
- "Top 10 HR Myths", Barley Snyder Employment Law Seminar (May 2019)
- "Workers' Compensation Litigation: Understanding the Injured Worker's Day(s) in Court", Barley Snyder Employment Law Seminar (May 2019)
- "Legal Issues Encountered During the Hiring Process", 2018 Barley Snyder Employment Seminar (May 2018)
- "Workers' Compensation: The Role of the Independent Medical Examiner", 2018 Barley Snyder Employment Seminar (May 2018)
- "Non-Compete Litigation and the Computer Fraud and Abuse Act", 2018 Barley Snyder Employment Seminar (May 2018)
- "2018 Employee Handbook Workshop", Lancaster Chamber (March 2018)
- "Navigating Pennsylvania's Medical Marijuana Act and the Creation of a New Protected Class", 2017 Barley Snyder Employment Seminar (April 2017)
- "Workers' Compensation: The Panel Physician", 2017 Barley Snyder Employment Seminar (April 2017)
- Common Legal Issues for New Businesses, PA Treasury's Small Business Initiative at York College (October 2016)
- "Workplace Bullying: Applying School Law in an Employment Context", Barley Snyder Employment Law Seminar (May 2016)
- "Hand, Wrist, & Elbow Disorders in the Workers' Compensation Population", Barley Snyder Employment Law Seminar (May 2016)
- "Workers' Compensation: The Role of Medical Evidence in Litigated Cases", Barley Snyder Employment Law Seminar (April 2015)
- "Legal Compliance Issues Related to Workplace Safety", Barley Snyder Employment Law Seminar (April 2015)
- "Workers' Compensation: The Role of the Occupational Medicine Physician", Barley Snyder Employment Law Seminar (May 2014)

- "Managing Injured and Disabled Employees: FMLA, ADA, and the Workers' Compensation Act", Barley Snyder Employment Law Seminar (May 2014)
- "Workers' Compensation: Aggravations of Degenerative Conditions", Barley Snyder Employment Law Seminar (May 2013)
- "Preparing for the Inevitable: Evaluation, Discipline, & Discharge", Barley Snyder Employment Law Seminar (May 2013)
- "Workers' Compensation: Repetitive Injuries, Barley Snyder Employment Law Seminar (May 2012)
- Pennsylvania Employment Law Deskbook, contributing author

CLERKSHIPS:

- Law Clerk to the Honorable Jane R. Roth, U.S. Court of Appeals for the Third Circuit (2008-2009)
- Law Clerk to the Honorable Paul S. Diamond, U.S. District Court for the Eastern District of Pennsylvania (2005-2006)

RELATED NEWS:

- Presidential Reclassification of Medical Marijuana to Schedule III No Change (Yet) for DOT-Regulated Employers
  December 19, 2025
- Barley Snyder Partner Joshua Schwartz Named to Touchstone Foundation Board of Directors
  February 24, 2025
- Barley Snyder Partner Joshua Schwartz Appointed to Ephrata Performing Arts Center Board of Directors
  February 5, 2025
- National Labor Relations Board Decision: Employers Discussing the Prospective Impact of Unionization No Longer Get the Benefit of the Doubt (For Now)
  November 11, 2024
- New Pennsylvania Workers' Compensation Laws Expand Mental Health Coverage for First Responders, Require Direct Deposit
  November 4, 2024
- OSHA Proposes New Heat Standard Protocols
  July 16, 2024
- Federal Court Strikes Down NLRB's Joint Employer Rule
  March 13, 2024

- National Labor Relations Board Restores Multifactor Independent Contractor Test
  June 14, 2023
- Barley Snyder Partner Justin Tomevi Admitted to Practice in the District of Columbia
  March 8, 2023
- Barley Snyder Attorneys Recognized in Lawyers of Color Law Firm Leaders 2022 Edition
  February 24, 2023
- Court Restores More Union-Friendly Election Rules
  January 20, 2023
- National Labor Relations Board Adds New Financial Remedy for Labor Law Violations
  December 14, 2022
- Barley Snyder Partner Joshua L. Schwartz Aids Lancaster Public Library's Capital Campaign to Relocate and Upgrade Facility
  November 30, 2022
- Employment Law 2021 Year in Review
  February 7, 2022
- Court Expands Fee Shifting in Workers Comp Cases
  January 10, 2022
- OSHA Updates COVID Guidance for Employers
  August 16, 2021
- OSHA Finally Issues ETS for COVID-19
  June 10, 2021
- OSHA Nixes Recording Obligations for Vaccine Mandates
  May 25, 2021
- UPDATE: Pa. Mask Mandate to End by June 28
  May 14, 2021
- Barley Snyder Attorneys Named to Arbitration Panel
  May 13, 2021
- Pa. to Ease Restrictions, but Not Masking (Yet)
  May 4, 2021
- Tax Credits Available for Vaccination Sick Leave
  April 26, 2021
- OSHAs Obligations for Employers Requiring Vaccines
  April 22, 2021
- OSHA Launches Program to Address COVID-19 Safety
  March 17, 2021
- American Rescue Plan Extends Tax Credits, Funds COBRA
  March 15, 2021

- OSHA Provides Updated COVID-19 Guidance
  February 2, 2021
- COVID-19 Vaccine Webinar Series
  January 12, 2021
- FFCRA to Expire, but Its Benefits to Live On
  December 28, 2020
- New Quarantine Guidance Affects Employers
  December 7, 2020
- UPDATE: New Travel Restrictions Place Employers in a Bind
  November 30, 2020
- New Set of COVID-19 Restrictions Hit Even Harder
  November 24, 2020
- New CDC Close Contact Guidance Affects Employers
  October 28, 2020
- COVID-19: New Guidance Issued on Paid Leave as Schools Open
  August 31, 2020
- Pennsylvania Releases Hazard Pay Grant Application
  July 20, 2020
- New Pennsylvania Restrictions: Mandatory Telework, Limits on Restaurants, Bars, Nightclubs, and Fitness Centers
  July 16, 2020
- Now Limited Protz Retroactivity in Workers Compensation Cases
  June 16, 2020
- LATEST UPDATE: Business Closure List, June 2
  June 2, 2020
- State Releases FAQ on Mask Requirements
  April 20, 2020
- New Public Health Requirements Including Masks Imposed on Essential Employers
  April 15, 2020
- OSHA Issues New Guidance on Use of N95 Respirators
  April 6, 2020
- New Regulations Released for Families First Coronavirus Response Act
  April 2, 2020
- How the CARES Act Stimulus Package Could Affect Your Business (UPDATE)
  March 31, 2020
- Bill Imposes New Layoff Notification Requirements for Employers
  March 30, 2020

- Gov. Wolf Issues Stay-at-Home Order for 7 Counties
  March 24, 2020
- LATEST UPDATE: Business Closure List
  March 23, 2020
- LATEST UPDATE: Business Closure List
  March 23, 2020
- UPDATE: Business Closure List, New Enforcement Deadline
  March 21, 2020
- Governor Orders Immediate Closure of All Non-Life-Sustaining Businesses
  March 19, 2020
- OSHA Raises Fines for 2020
  February 7, 2020
- Pennsylvania Sets 2020 Workers Compensation Rate Calculations
  January 9, 2020
- NLRB Changes Rule on Successors Bargaining Obligations
  April 4, 2019
- DOL Opinion Letter Allows Employee Incentive Programs for Community Service Work
  March 15, 2019
- EEO-1 Pay Data Gathering Reinstated; Compliance Deadline Uncertain
  March 6, 2019
- Pennsylvania Sets 2019 Workers Compensation Rate Calculations
  December 27, 2018
- Barley Snyder Helps ABA Win Important Federal Court Case
  August 15, 2018
- Medical Marijuana Closer to Entering the Pennsylvania Workforce
  November 6, 2017
- IREs Held as Unconstitutional in Workers' Compensation Cases
  June 26, 2017
- OSHA E-Filing Rule on Hold
  May 18, 2017
- Pennsylvania Law Clarifies Use of Payroll Debit Cards
  May 16, 2017
- Barley Snyder Partner Joshua L. Schwartz Named to Fulton Theatre Board
  September 21, 2016
- EEOC Issues Final Rules Governing Employer Wellness Programs
  May 18, 2016
- Implications of the Medical Marijuana Act on Employers
  May 5, 2016

- Governor Wolf Raises Minimum Wage for State Employees and Contractors
  March 8, 2016
- EEOC Confirms that Sexual Orientation Discrimination is Sex Discrimination
  August 4, 2015
- Barley Snyder Names Joshua Schwartz Partner
  January 1, 2015
- Pennsylvania Imposes Limits on Physician Dispensing to Injured Workers
  October 28, 2014

RELATED RESOURCES:

- 15. Barley Snyder Legal Update Podcast: Title IX
  August 2, 2022
- Pandemic Contingency Planning Webinar Replay
  July 15, 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
- Getting Your Business Back To Business COVID-19 Webinar
  May 1, 2020
- 2. COVID-19 Legal Update Podcast
  April 28, 2020