



Joshua L. Schwartz

Partner

Workers' Compensation Practice Chair, Diversity & Inclusion Committee Co-chair

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OVERVIEW:

A prolific trial attorney and counselor, 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 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 nonsolicitation, whistleblower claims, wage-and-hour compliance, and medical leaves of absence. Josh has presented at numerous seminars and groups throughout his career on employee safety, harassment, medical marijuana, and other compliance and risk management topics.

Labor

Josh works with clients on union avoidance 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.

Workers' Compensation

As the chair of the Barley Snyder Workers' Compensation Practice Group, Josh assists employers and insurance companies in all aspects of handling alleged and actual work injuries. Josh takes a proactive approach to workers' compensation claims, working with employers to review job descriptions, safety protocols, and modified duty programs, while offering advice on risk management and cost control.

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.

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.

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

INDUSTRY GROUPS:

- Hospitality
- Construction
- Higher Education

COMMUNITY INVOLVEMENT:

Lancaster Public Library

Vice President, Former Secretary of the Board of Trustees, Steering Committee Member

Congregation Shaarai Shomayim

Board of trustees, Cantorial Soloist, Youth Committee, Ritual Committee

Fulton Theatre

Former Board of Trustees

RECOGNITION:

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

MEMBERSHIP:

- American Arbitration Association, panel member arbitrator

PRESENTATIONS:

- "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 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 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:

- 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