



Joseph P. Harkins

Special Counsel

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Focus Areas

Litigation and Trials
Wage and Hour
Background Checks
Discrimination and Harassment
Business Restructuring and M&A

Overview

Joseph P. Harkins is a litigator who defends employers in individual and class action cases in all areas of employment law in judicial, administrative, and arbitral settings. Joe also serves as Associate General Counsel to Littler on human resources matters.

Joe frequently defends employers in claims of sex, sexual orientation, transgender status, race, age, disability and leave discrimination, as well as retaliation before the Equal Employment Opportunity Commission, state fair employment practices agencies, and in federal and state courts. Joe also litigates wage and hour collective actions and FCRA and COBRA class actions. He has civil jury trial experience in several jurisdictions and has conducted numerous labor arbitrations and arbitration enforcement actions. Additionally, Joe represents employers before the U.S. Department of Justice in citizenship discrimination proceedings.

In addition to litigation, Joe advises private sector employers, nonprofit associations, law firms and background check companies on federal and state laws regulating employee screening. Overall, he counsels employers on:

- Family and Medical Leave Act / Americans with Disabilities Act compliance
- Fair Labor Standards Act compliance
- Fair Credit Reporting Act compliance
- Reductions-in-force

- Older Workers Benefit Protection Act
- Worker Adjustment and Retraining Notification Act
- Disparate impact analyses under various anti-discrimination statutes

Prior to his 31 years as a management labor and employment lawyer, Joe served for six years as an assistant district attorney in Brooklyn, New York. There he gained extensive jury trial experience, including the prosecution of homicide cases for two years. Based on this experience, Joe often advises employers when they or their employees interact with the criminal justice system.

During law school, Joe served on the staff of the law journal, *Law and Policy in International Business*.

Recognition

- Named, International Who's Who of Management Labour and Employment Lawyers, *Who's Who Legal*, 2014 and 2015
- Named, Who's Who in American Law, 2014
- Harold Helm Fellow, *McGill University*
- Named, Super Lawyer, Washington, D.C., *Super Lawyers*, 2016

Education

J.D., Georgetown University, 1982, *cum laude*

A.B., Princeton University, 1976, *cum laude*

Bar Admissions

District of Columbia

New York

Courts

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, 4th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. Court of Appeals, D.C. Circuit

U.S. District Court, District of Columbia

U.S. District Court, District of Maryland

Publications & Press

Preventing Sexual Harassment at the Ranch

BEEF Magazine

July 19, 2018

Practice Management: Unwanted Advances

Med Esthetics

May 3, 2018

The Heavy Burden of Light Duty: Young v. UPS

Littler Insight

March 31, 2015

Four New Laws Within 40 Miles: The Washington, DC Area Accelerates the "Ban-the-Box" Movement

Littler Insight

December 2, 2014

Private Sector Employers in the District of Columbia Will Soon Be Required to Comply with a New Law Restricting Their Ability to Rely on Criminal Records for Employment Purposes

Littler Insight

August 22, 2014

Md.: Employers May Be Liable for Treble Damages for Misclassification Claims

Society for Human Resource Management (SHRM)

August 20, 2014

Maryland Employers Can Be Liable for up to Treble Damages for Misclassification "Overtime Pay" Claims Under State Law

Littler Insight

August 18, 2014

Littler Named Law Firm of the Year for Labor and Employment by Who's Who Legal

Littler Press Release

April 2, 2014

Maryland Employers Soon Must Provide "Light Duty" to Pregnant Disabled Women and Update Employment Handbooks

Littler Insight

September 16, 2013

Legislation Roundup: Maryland General Assembly Mandates that Employers Provide "Light Duty" to Pregnant Disabled Women, Leave for Military Family Members, and Creates a New Wage Law

Littler Insight

May 16, 2013

The Silencing of Sexual Harassment

Bloomberg Businessweek

November 17, 2011

Joe Harkins Comments on Absentee Workers

Christian Science Monitor

July 2, 2007

To Deduct or Not to Deduct Exempt Employee Absences During Weather Emergencies

Littler Insight

November 18, 2005

Joseph Harkins clarifies new O.T. rules

Restaurant Hospitality

April 1, 2005

The Department of Labor's Revised White-Collar Regulations A New Focus in an Uncertain Arena

Littler Insight

May 30, 2004

Speaking Engagements

Hot Topics in Working Hard and Hardly Working: Paid Leave Laws, USDOL PAID Program, and Wage Payment and Collection Act Enforcement

2018 Mid-Atlantic Employer Conference, Washington, D.C.

June 5, 2018

The Insider Threat: Protecting Information Assets Through Data Stewardship and Continuous Risk Monitoring

December 1, 2016

2016 Mid-Atlantic Employer Conference

Washington, DC

June 7, 2016

Raffa Learning Community: Background Checks and Ban-the-Box Laws

Washington, DC

April 7, 2016

2014 Mid-Atlantic Employer Conference

Washington, DC

June 10, 2014