



Joseph P. Sirbak, II

Member

Philadelphia

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Joseph P. Sirbak, II, focuses his practice on providing employers with experienced and efficient service in a variety of labor and employment matters.

As a traditional labor attorney, Joe represents employers on matters arising under the Railway Labor Act (RLA) and the National Labor Relations Act (NLRA), including union elections, the negotiation of collective bargaining agreements, arbitration of grievances, emergency relief against unlawful picketing or other strike activity, and unfair labor practice charges before the National Labor Relations Board.

Over the course of his career, Joe has developed a deep understanding of legal issues affecting the transportation industry, and RLA carriers in particular. Joe has wide-ranging experience counseling carriers on hours of service issues, labor protective conditions imposed by the Surface Transportation Board, and the preemptive force of federal statutes to invalidate state and local regulation.

Joe defends clients at all stages of proceedings under the Federal Railroad Safety Act and other whistleblower protection statutes, from the defense of administrative charges before the Occupational Safety and Health Administration (OSHA), through trial and appeals to the U.S. Circuit Courts of Appeals. Joe attends meetings of the federal Whistleblower Protection Advisory Committee and is recognized as a leading practitioner nationally in this rapidly evolving area of law.

Joe also handles a wide array of employment law matters. He represents employers in federal, state, and administrative proceedings alleging violations of Equal Employment Opportunity (EEO) laws such as Title VII, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA) and the New Jersey Law Against Discrimination. He advises employers and litigates cases involving the Fair Labor Standards Act (FLSA), the Worker Adjustment and Retraining Notification Act (WARN), and the Family and Medical Leave Act (FMLA).

His broad employment law experience includes defending clients in all stages of unemployment compensation and workers' compensation claims and representing employers in federal and state lawsuits asserting common law causes of action such as breach of contract, tortious interference with contractual relations, wrongful discharge, and defamation. He also advises employers on privacy issues, including pre-employment background checks, employee surveillance, drug testing and compliance with the Fair Credit Reporting Act, Freedom of Information Act, and the Family Educational Rights and Privacy Act.

Joe is an active member of the boards of directors of the Logan Square Neighborhood Association, the Delaware Valley Association for the Education of Young Children, and PhillySetGo. He also serves as a local Inspector of Elections.

Practice Areas

- Labor & Employment
- Railway Labor Act

Education

- Harvard Law School, J.D., *cum laude*, 2001
- St. Joseph's University, B.A., *summa cum laude*, 1998

Bar Admissions

- Pennsylvania

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