

Joel Clymer

PARTNER

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I am very competitive and like to win. I'm also a good listener and a creative thinker when it comes to finding solutions to complex problems.

Mr. Clymer primarily focuses his practice on employment litigation and counseling. His litigation experience encompasses the investigation, evaluation and litigation of discrimination and retaliation claims under Title VII of the Civil Rights Act, the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), the Family & Medical Leave Act (FMLA), the New Jersey Law Against Discrimination (NJLAD), the New Jersey Conscientious Employee Protection Act (CEPA), and other employment law statutes. He provides representation from pre-litigation status through trial in state and federal court, including the defense of clients in appellate court proceedings.

In the area of employment counseling, Mr. Clymer provides guidance on a variety of employment issues in the workplace, including accommodation requests, employee benefits, leaves of absence, workplace investigations, workplace policies and procedures, employee handbooks, and severance agreements. He advises clients on legal compliance issues including those arising under the Occupational Safety & Health Act (OSHA) and the federal Fair Labor Standards Act (FLSA), in addition to other state and federal laws, rules, and regulations.

Mr. Clymer's experience with employment-related workplace investigations is broad-based. He has conducted prelitigation investigations to determine the likelihood of successful litigation and has counseled those clients to avoid litigation where possible. In matters where employment litigation is already underway, he has conducted workplace investigations to assess the validity of employment

Departments

Employment Law
Litigation

Education

Temple University Beasley
School of Law, J.D., 2013

Temple University, B.A.,
summa cum laude, 2009

Bar Admissions

New Jersey, 2013
Pennsylvania, 2013

Clerkships

Former judicial law clerk to
The Honorable M. Christine
Allen-Jackson, Superior Court
of New Jersey, Criminal
Division

discrimination, harassment, retaliation, and whistleblower complaints during all stages of the litigation process from initial filing through trial.

Mr. Clymer also represents clients in commercial matters and has represented businesses in the litigation of restrictive covenants, shareholder/member disputes, breach of contract actions, and other business tort matters in state and federal court.

Mr. Clymer previously served as a Deputy Attorney General at the New Jersey Office of the Attorney General, Department of Law and Public Safety, Division of Law. In that role, he handled civil defense litigation in state and federal court with a primary focus on employment litigation, including claims filed under Title VII, ADEA, ADA, FMLA, NJLAD, and CEPA. He also represented governmental agencies in state and federal trial and appellate courts and in administrative hearings before the Office of Administrative Law.

Results may vary depending on your particular facts and legal circumstances.

HONORS & AWARDS

- Listed in *Best Lawyers: Ones to Watch* (a trademark of Woodward/White, Inc.) in the Labor and Employment Law - Management practice area (2024)
- Selected by the National Bar Association as a 2023 "40 Under 40 Nation's Best Advocates" Award recipient
- Listed in *Super Lawyers – New Jersey Rising Stars* (a Thomson Reuters business) in the Employment Litigation: Defense practice area (2022 - 2023)
- Selected for inclusion by the *New Jersey Law Journal* on the 2022 list of "New Leaders of the Bar," the publication's annual listing of outstanding attorneys under the age of 40 and practicing in New Jersey
- Selected for inclusion by *NJBIZ* as a 2022 "Forty Under 40" honoree

Please visit our Award Methodology page for a description of the standard or methodology on which these accolades are based. Attorney Advertising: No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

REPRESENTATIVE MATTERS

Results may vary depending on your particular facts and legal circumstances.

- In defense of a complaint filed against a public university alleging retaliation under CEPA, Mr. Clymer took the lead in completing written discovery and with drafting and filing a motion for summary judgment at the close of discovery. This three-year employment litigation was ultimately dismissed with prejudice at summary judgment. Mr. Clymer is currently assisting with the plaintiff's appeal of the order granting summary judgment, which is fully briefed and awaiting a decision by the Appellate Division.

Joel Clymer (Cont.)

- In defense of a complaint filed against a large public entity and multiple individual employees alleging various discrimination, harassment, and retaliation claims under the NJLAD and CEPA, Mr. Clymer assumed the lead in conducting and completing written discovery, drafting, filing, and arguing discovery motions, drafting a partial motion for summary judgment, and drafting a global motion for summary judgment at the close of discovery. This four-year employment litigation was ultimately dismissed with prejudice at summary judgment.
- In defense of a complaint filed against a large public entity and multiple individual employees alleging discrimination, harassment, and retaliation claims under the NJLAD, Mr. Clymer finalized written discovery and drafted a global motion for summary judgment at the close of discovery. This four-year employment litigation was ultimately dismissed with prejudice at summary judgment. Mr. Clymer is currently assisting with the plaintiff's appeal of the order granting summary judgment, which is fully briefed and awaiting a decision by the Appellate Division.
- In defense of a complaint filed against a large public entity and multiple individual employees alleging discrimination, harassment, and retaliation claims under the NJLAD, Mr. Clymer resolved all outstanding discovery disputes with plaintiff's counsel, conducted the depositions of the plaintiff's treating physicians and drafted a global motion for summary judgment at the close of discovery. This four-year employment litigation was ultimately dismissed with prejudice at summary judgment. Mr. Clymer is currently assisting with the plaintiff's appeal of the order granting summary judgment, which is fully briefed and awaiting a decision by the Appellate Division.

UNIQUELY NJ

- Garden State Bar Association: Treasurer, Former Secretary; Labor & Employment Law Committee; Gala Fundraising Committee; Board of Directors (past Member)
- New Jersey Supreme Court Special Committee on the Duration of Disbarment for Knowing Misappropriation (member representing the Garden State Bar Association)

MORE ACTIVITIES & EXPERIENCE

- National Bar Association
- Mr. Clymer is a member of the firm's Diversity, Equity & Inclusion Leadership Team and the Recruitment & Retention Focus Group
- Barristers' Association of Philadelphia, Inc. (past Vice President of Finance)
- Juveniles Active in Science & Technology (JASTECH) Recording Secretary
- Temple Law Alumni Association
- Mr. Clymer has served the West Philadelphia community as an AmeriCorps state and national volunteer

- While attending law school, Mr. Clymer served as President of the Black Law Students Association and was the recipient of an Archer & Greiner Diversity scholarship, a Barristers' Association of Philadelphia, Inc. scholarship, a Philadelphia Bar Association Young Lawyers Division Diversity scholarship, a Sandy M. Brown Memorial scholarship, a Conwell scholarship, and the Jacqueline E. Davis Award

PRESENTATIONS & SPEAKING ENGAGEMENTS

Panelist, 2022 Community Association Law Summit

Sponsor: *New Jersey Institute for Continuing Legal Education*, November 9, 2022

Moderator, Employers' Best Practices Lunch and Learn Seminar

Sponsor: *Garden State Bar Association*, March 15, 2022

Speaker, Employee Handbooks in 2022: What the Pandemic Has Taught Us

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP*, March 3, 2022

Speaker, Covid and Testing and Mandates, Oh My! - A 2022 Update on the Biden Administration's Actions, Court Challenges, and Employer Best Practices

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP*, February 10, 2022

Speaker, The Impact of COVID-19 on Healthcare Industry Employers and Next Steps

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP, NJ Hospital Association, NJ Healthcare Financial Management Association, Medical Society of NJ, and NJ Dental Association*, June 24, 2020

Presenter, COVID-19 Now and Into the Future: A Practical Employment Law Guide for Employers

Sponsor: *Clear Law Institute*, April 21, 2020

PUBLICATIONS & ALERTS

Author, Governor Murphy Signs Law Protecting Employees During Transfer in Ownership of Healthcare Entities

Greenbaum, Rowe, Smith & Davis LLP Healthcare Perspectives Blog, August 30, 2022

Co-Author, Three Issues to Consider When Assessing the Impact of the U.S. Supreme Court's Decision in *Dobbs v. Jackson Women's Health Organization*

Greenbaum, Rowe, Smith & Davis LLP Healthcare Perspectives Blog, July 14, 2022

Co-Author, U.S. Supreme Court Halts Enforcement of OSHA Vaccine Mandate for Private Employers

Greenbaum, Rowe, Smith & Davis LLP Client Alert, January 18, 2022

Co-Author, Multiple Appeals Leave Lingering Uncertainty for Employers After Federal Appeals Court Lifts Stay of OSHA Emergency COVID Vaccine Mandate

Greenbaum, Rowe, Smith & Davis LLP Client Alert, December 28, 2021

Co-Author, Federal Court Puts OSHA's Emergency COVID Vaccination Mandates on Hold, But Private Employers Must Still Consider Next Steps

Greenbaum, Rowe, Smith & Davis LLP Client Alert, November 23, 2021

Co-Author, New Jersey Supreme Court Ruling Expands Employers' Potential Liability in Failure-to-Accommodate Disability Claims

Greenbaum, Rowe, Smith & Davis LLP Client Alert, June 23, 2021

Co-Author, NJ Governor Murphy Signs Executive Order 192 in Response to Latest Spike in COVID-19 Cases: New Protective Workplace Requirements for Employers Are Effective November 5

Greenbaum, Rowe, Smith & Davis LLP, November 2, 2020

Author, NJ Department of Health Issues Directives to Restaurants Seeking to Comply with Governor Murphy's Executive Order 150; Overview of Related CDC Updated Guidance

Greenbaum, Rowe, Smith & Davis LLP Client Alert, June 12, 2020

Author, OSHA Increases On-Site Inspections, Expands Employee Illness Recordkeeping Requirements in Response to Businesses Reopening

Greenbaum, Rowe, Smith & Davis LLP Client Alert, May 22, 2020

Author, Employment Law Update: EEOC Issues Updated Guidance on Accommodating High Risk Employees Under ADA Regulations During COVID-19 Pandemic

Greenbaum, Rowe, Smith & Davis LLP, May 15, 2020

Author, Employment Law Update: EEOC Issues New Guidance on Accommodation Requests; Expands "Undue Hardship" Definition; Provides Guidance for Employers on Employees Returning to Work

Greenbaum, Rowe, Smith & Davis LLP Client Alert, April 23, 2020

Author, Employment Law Update: The Four Classifications of Potential Risk on OSHA's Occupational Risk Pyramid; Additional Guidance for Employers of Critical Infrastructure Workers

Greenbaum, Rowe, Smith & Davis LLP Client Alert, April 15, 2020

Author, COVID-19 Employment Law Update: Employer Rights and Responsibilities Following Additional Guidance from the EEOC on the ADA, ADEA and Title VII

Greenbaum, Rowe, Smith & Davis LLP Client Alert, April 7, 2020

Author, COVID-19 Employment Law Update: Guidance For Employers from the CDC and OSHA; Employers Rights and Responsibilities Under the ADA and State Anti-Discrimination Laws

Greenbaum, Rowe, Smith & Davis LLP Client Alert, March 24, 2020

New Jersey Takes Steps to Increase Pay Equality by Banning Salary History Inquiries
Greenbaum, Rowe, Smith & Davis Client Alert, August 8, 2019

NEWS

Joel Clymer Sworn in as Treasurer of Garden State Bar Association
August 25, 2023

2024 Edition of *Best Lawyers* Recognizes 59 Attorneys in 38 Practice Areas: Twelve Greenbaum Lawyers Recognized on “Ones to Watch” List; Five Selected for “Lawyer of the Year” Recognition
August 17, 2023

National Bar Association Recognizes Joel Clymer with 2023 “40 Under 40 Nation's Best Advocates” Award
July 18, 2023

Greenbaum’s Next Generation: More About Our 2022 Class of Partners

Greenbaum Partner Joel Clymer Recognized by *New Jersey Law Journal* on “New Leaders of the Bar” List and by *NJBIZ* as a “Forty Under 40 Honoree”
August 15, 2022

Joel Clymer Named to NJ Supreme Court Committee Focused on Potential Disbarment Reform
July 14, 2022

Joel Clymer Elected Secretary of Garden State Bar Association
June 28, 2022

Greenbaum, Rowe, Smith & Davis Welcomes New Partner and Promotes Three Associates to Partnership: New Counsel and Associates Also Join Firm
February 10, 2022