

Joon Hwang

Shareholder

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Practice Areas

Class Action
Discrimination and Harassment
Wage and Hour
Unfair Competition and Trade Secrets
Contractors, Staffing and Contingent Workers
Government Contracting
Emerging Companies and Venture Capital

Overview

Joon Hwang represents employers in all aspects of labor and employment law. He has successfully defended clients in scores of complex, high profile individual, class, and collective actions; countless mediations and arbitration proceedings; and achieved exceptional outcomes in state, federal, and appellate courts as well as administrative agencies. A highly recognized and skilled litigator, Joon understands his clients' business objectives, and his pre-litigation and litigation strategies are designed to efficiently meet clients' business goals and minimize risks. Joon's practice resides in the Virginia, Washington, D.C., and Maryland region, but he has represented international, national, and regional clients across the country, including New York and California.

Joon's nationwide practice includes:

- Employment discrimination, harassment, and retaliation
- Whistleblower and retaliation investigations and litigation
- Executive contracts and compensation
- Noncompetition, nonsolicitation, and nondisclosure negotiation and litigation
- Business torts, including defamation, breach of fiduciary duties, duties of loyalty, tortious interference, conspiracy, and other business competition issues

- Equal pay audits and litigation
- Independent contractor and contingent worker audits and litigation
- Wage and hour, including defense of allegations of employee misclassification, off-the-clock work, meal and rest break violations, and compensable preliminary and postliminary activities
- Private Attorneys General Act (PAGA) claims under California law

Joon works with a diverse range of clients in industries such as government contracting, consulting, technology, health care, transportation, construction, telecommunications, retail, insurance, staffing, higher education, and professional sports. His clients also include U.S. subsidiaries of multinational Korean conglomerates as well as emerging growth companies, start-ups, and entrepreneurs.

Joon is the Virginia liaison for Littler's Workplace Policy Institute (WPI), which partners with employers to engage in legislative and regulatory advocacy efforts on issues that impact the workplace. Joon focuses on Virginia state legislative and regulatory developments in employment and labor law, as well as municipal ordinances and regulation of the workplace. He assists the employer community in understanding and impacting Virginia legislation before it becomes law. Joon has been published in a variety of publications, including *Bloomberg Law* and *Society for Human Resource Management (SHRM)*, and routinely speaks on employment-related issues to businesses and human resource groups.

From 2016-2019, Joon served on Littler's Diversity and Inclusion Council responsible for creating, implementing, and reviewing firmwide diversity and inclusion strategies, including enhancing the firm's recruitment and retention of diverse attorneys, and creating pipelines in which lawyers from diverse backgrounds are promoted within the firm's management and leadership tracks. He has also devoted substantial time to the success of Littler's award-winning Career Advocacy Program (CAP), a signature diversity and inclusion initiative of the firm. Currently, Joon serves as the co-chair of the Littler SOAR Program, which mentors newly hired diverse attorneys to excel professionally at the firm.

Previously, Joon was a judicial clerk to the Honorable James C. Fox of the U.S. District Court for the Eastern District of North Carolina.

Professional and Community Affiliations

- Executive Committee Member, Business Climate Executive Committee, Virginia Chamber of Commerce
- Co-Chair, Labor and Employment Committee, National Asian Pacific American Bar Association
- Member, Asian Pacific American Bar Association of the Greater Washington, D.C. Area
- Member, Asian Pacific American Bar Association of Virginia
- Member, Korean-American Bar Association for the Washington, D.C. Area
- Member, Labor and Employment Law Section, American Bar Association
- Member, Virginia Bar Association
- Member, Employment Law Section, Fairfax Bar Association

Events & Speaking Engagements

Elections Matter: The Anticipated Impact of the 2024 Election on Labor and Employment Laws in the DMV

December 5, 2024

Whistle(Blowing) While You Work: An Update on Federal and Virginia State Whistleblower Retaliation Laws

December 6, 2023

2023 Mid-Atlantic Regional Employer Conference

Washington, DC

June 16, 2023

Hot Topics and New Employment Laws: Everything Employers in the DMV Need to Know to Hit the Ground Running in 2023

December 14, 2022

New Noncompete and Nonsolicitation Rules: The Altered Legal Landscape in Virginia, D.C. and Maryland

Tysons Corner, VA

November 17, 2021

New Administration, CW Risk Policy Guidance & Expectations

Staffing Industry Analysts Risk Management & Compliance Workshop

April 13, 2021

Ask Your Littler Attorney

Tysons Corner, VA

March 17, 2021

Tysons Corner Fall Mini Series: Elections Matter: An Update on the Impacts of the 2020 Election

Tysons Corner, VA

December 16, 2020

Virginia's New Employment Law Mandates and What Employers Need to Know

August 4, 2020

Key Considerations for WARN Act Notice Obligations

The Institute for Workplace Equality Washington, D.C.

June 17, 2020

How to Handle Sick Employees in the COVID-19 Era

The Institute for Workplace Equality Washington, D.C.

May 28, 2020

Virginia is for Lovers ... of Employees? The Commonwealth Enacts New Laws that Expand Employee Protections and Increase Employer Liability

May 19, 2020

Coronavirus Relief for Small Businesses – The CARES Act & Paycheck Protection Plan

National Asian Pacific American Bar Association

April 21, 2020

Employment Law and Coronavirus: An Update and Discussion

National Asian Pacific American Bar Association

March 26, 2020

Preparing Your Organization for 2019's Employment Laws: Renewing Your Focus and Refining Your Approach

Labor & Employment Webinar Series – Littler Mendelson and BB&T

February 25, 2019

Navigating Ever-Evolving Times: Top Labor and Employment Issues Affecting the Workplace in the U.S. and Korea

International Association of Korean Lawyers (IAKL) Conference

September 14, 2018

Accurate and Defensible Job Descriptions for 2018: Refining Your Craft, Avoiding the Common Quandaries, and Protecting Your Organization From Exposure

Center for Competitive Management (C4CM) Webinar

July 24, 2018

What's New in Employment Law for 2018: Your Hotel's Early Check-In

Asian American Hotel Owners Association (AAHOA)

February 7, 2018

New Year, New Focus: Preparing Your Organization for 2018's New Employment Laws

Labor & Employment Webinar Series – Littler Mendelson and BB&T

February 6, 2018

Best Practices for Conducting Effective Workplace Investigations: Legal Requirements and Practical Considerations

Labor & Employment Webinar Series – Littler Mendelson and BB&T

November 1, 2017

Effectively Handling Leave and Accommodations Under the ADA, FMLA, and Workers' Compensation Laws

Virginia Society for Human Resource Management (SHRM) Conference

March 15, 2017

Conducting Internal Investigations: Facing New Challenges, Refining Your Techniques, and Avoiding the Common Pitfalls

Virginia Society for Human Resource Management (SHRM) Conference
March 14, 2017

Legally Terminating Employees on Leave: The Interplay of the FMLA, ADA, and Workers' Compensation Laws

Center For Competitive Management (C4CM) Webinar
June 28, 2016

Navigating the FMLA and ADA Minefields

Labor & Employment Webinar Series - Littler Mendelson and BB&T
September 16, 2015

Writing Accurate & Defensible Job Descriptions that Comply with the FLSA, ADA, and FMLA

Center For Competitive Management (C4CM) Webinar
February 4, 2015

Privacy and Social Media in the Workplace

Labor & Employment Webinar Series - Littler Mendelson and BB&T
October 9, 2014

Books & Book Chapters

Employment Discrimination Laws and Statutory Rights in Virginia, Chapters 1 and 3, *The Mid-Atlantic Employer*, LexisNexis, chapter co-author, 2014-2015

Employee Privacy Rights, Chapter 19, *The National Employer*, LexisNexis, contributing chapter author, 2014-2015

Family and Medical Leave Act, Chapter 15, *Employment Law in Virginia*, Virginia CLE Publications, co-author, 2014-2016, 2019-2020

Education

J.D., University of North Carolina School of Law, 2010

B.A., University of North Carolina at Chapel Hill, 2004

Bar Admissions

Virginia

Maryland

District of Columbia

North Carolina

Courts

U.S. District Court, Eastern District of Virginia
U.S. District Court, Western District of Virginia
U.S. District Court, District of Maryland
U.S. District Court, District of Columbia
U.S. District Court, Eastern District of North Carolina
U.S. District Court, Western District of North Carolina
U.S. Court of Appeals, 4th Circuit

Languages

Korean

Publications & Press

How to Protect Your Business When Employees Get Poached

In the News

May 27, 2022

Littler Helps Diverse Attys Find Mentors With SOAR

In the News

May 11, 2022

Littler's SOAR Program Takes Off

Press Release

April 12, 2022

Avoid litigation, loss of trade secrets when employees leave

In the News

July 6, 2021

Fourth Circuit Finds Waiver of Appellate Review of Arbitration Enforceable

Littler ASAP

May 27, 2021

Virginia Enacts New Paid Sick Leave Law for Home Health Workers

Littler ASAP

April 8, 2021

Employee Poaching

In the News

November 5, 2020

Littler Elevates 28 Attorneys to Shareholder

Press Release

January 6, 2020

Delaware Enacts Law to Address Gender Pay Gap By Prohibiting Employers From Requesting Compensation History of Job Applicants

Littler ASAP

June 19, 2017

Security Breach Notification Becomes More Complex For Employers

Littler ASAP

April 24, 2017

Amorphous No More – Virginia Defines "Reasonable Notice" of Termination as "Effectual Notice" in the At-Will Employment Context

Littler ASAP

June 10, 2016

The Transformation of the Workplace Through Robotics, Artificial Intelligence, and Automation

Littler Report

August 4, 2016

Trendsetter or Outlier? Oregon Adds New Twist to Password Protection Laws

Littler ASAP

June 18, 2015

Va.: Password Protection Law Continues Trend Toward Increasing Protection of Personal Online Accounts

In the News

April 1, 2015

Virginia's Password Protection Law Continues the Trend Toward Increasing Legislative Protection of Personal Online Accounts

Littler ASAP

March 30, 2015

U.S.'s Largest Nurses Union to Stage Nationwide Protests to Demand Tougher Ebola Safety Measures

Littler ASAP

October 31, 2014

Rhode Island Enacts New Legislation Prohibiting Employers' Access to Personal Online Content

Littler ASAP

August 4, 2014

Oklahoma and Louisiana Become the Latest States to Enact Social Media Password Protection Laws

Littler ASAP

June 10, 2014

Tennessee Joins the Growing List of States Limiting Employers' Access to Personal Online Content

Littler ASAP

May 13, 2014

New Jersey Becomes the Twelfth State to Enact Social Media Password Protection Legislation; Recent Amendment to Illinois' Law Benefits the Financial Services Sector

Littler ASAP

September 4, 2013

D.C. Circuit Leaves Federal Motor Carrier Safety Administration's Hours of Service Rule Mostly Unchanged

Littler ASAP

August 8, 2013

Making Sense of the Complex Patchwork Created by Nearly One Dozen New Social Media Password Protection Laws

Littler ASAP

July 2, 2013

Making Sense of the Complex Patchwork Created by Nearly One Dozen New Social Media Password Protection Laws

External Publication

July 2, 2013

Pennsylvania Supreme Court Upholds More Stringent Standard for Grant of Immunity Under Federal Health Care Quality Improvement Act

Littler ASAP

May 13, 2013