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## Courtney M. Malveaux

Principal  
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### Practices

Advice and Counsel  
Litigation  
Workplace Safety and Health

### Industries

Construction  
Energy and Utilities  
Professional Services

### Education

William & Mary Law School  
J.D., 2002

George Washington  
University  
M.A., 1998

Pennsylvania State  
University  
B.A., 1993

### Admitted to Practice

- 4th Circuit Court of Appeals, 2006
- Virginia - E.D. Va., 2004
- Virginia - W.D. Va., 2006
- Virginia – E.D. Va. Bankruptcy Court, 2008
- Virginia, 2003

Courtney M. Malveaux is a principal in the Richmond, Virginia, office of Jackson Lewis. P.C. He is co-leader of the firm's Workplace Safety and Health practice group. His practice focuses on representing employers cited by the Occupational Safety and Health Administration and other regulatory agencies, oftentimes following catastrophic incidents.

Courtney advises and represents employers in employment law matters, including retaliation claims, employment discrimination, unemployment benefits and wage claims. He also represents business associations in state and federal legislative and regulatory matters, and he has testified before Congressional and state legislative committees on workplace safety and health matters.

Courtney represents industry on the Virginia Safety and Health Codes Board, and pulled together a broad coalition of business and safety associations to pass laws in four states to make voluntary compliance a permanent part of a state Occupational Safety and Health Act.

Before joining Jackson Lewis, Courtney enforced occupational safety and health law and other state and federal labor laws as Virginia's Labor Commissioner while also serving as President of the National Association of Government Labor Officials.

### Honors and Recognitions

- *The National Law Review*, Go-To Thought Leadership Award (2020)
- *Virginia Business Magazine*, "Legal Elite" (2014 through 2019)
- William and Mary School of Law, Distinguished Alumnus Award (2012)
- Virginia Leadership Institute, Political Inspiration Award (2008)
- William and Mary School of Law, George Wythe Award (2002)
- William and Mary School of Law, Marshall-Wythe Gambrell Professionalism Award (2001)

### Professional Associations and Activities

- National Association of Government Labor Officials, Past President
- American Society of Safety Professionals
- Virginia Safety and Health Codes Board
- Associated General Contractors of Virginia
- Virginia Manufacturers Association
- Lewis F. Powell, Jr. American Inn of Court
- Virginia Bar Association, Administrative Law Section

- Richmond Bar Association, Administration of Justice Committee

## Pro Bono and Community Involvement

- Governor's Commission to Ensure Integrity and Public Confidence in State Government
- William and Mary Law School Alumni Association, Former President
- Henrico County NAACP Pro Bono Committee

## Published Works

- "Los Angeles, New York Impose New Construction Requirements and Restrictions Due to COVID-19," *OSHA Blog* (2020)
- "OSHA Recommends Best Practices to Prevent Whistleblower Retaliation," *OSHA Blog* (2020)
- "Hidden Costs of an OSHA Citation," *OSHA Blog* (2019)
- "U.S. House Committee to Focus on Workforce Protections," *OSHA Blog* (2019)
- "A Kindler, Gentler OSHA for Construction?" *OSHA Blog* (2018)
- "VPP Act Is On the Move in Congress," *EHS Today* (2016)
- *Federal Law Employment Issues* (Handbook of Virginia Local Government Law, 2015, 2016)
- "The Safety Scorecard: The Dos and Don'ts of an OSHA Inspection," *Scaffold & Access Magazine* (2015)
- "OSHA Targets Misclassification in Virginia," *Virginia Chamber of Commerce* (2015)
- "Can You Claim Employee Misconduct? Take the Legal Test," *EHS Today* (2014)
- "Untying the Gordian Knot of Misclassification," *The Virginia Manufacturer* (2014)
- "From "Blackfish" to Blacklist: Show Biz Gets No Break from OSHA," *The Virginia Manufacturer* (2014)
- "HazCom Training: Don't Panic," *EHS Today* (2014)
- "Independent Contractor Liability: Your Risks and Obligations," *Business Legal Resources* (2014)
- "OSHA Enforcement of the "As Effective As" Standard for State Plans: Serving Process or People?," 46 U. Rich. L. Rev. 323, 345 (2011)

## Speeches

- "OSHA Compliance, Best Practices and Enforcement in the COVID-19 Era," Washington, DC National Electrical Contractors Association (June 2020)
- "What's New With OSHA?" Scaffold and Access Industry Association (New Orleans, September 2019)
- "Handling an OSHA Inspection," American Society of Safety Professionals (New Orleans, June 2019)
- "General Contractor and Prime Subcontractor OSHA Liability at Multiemployer Worksites," Associated General Contractors (Denver, April 2019)
- "How to Get Your Safety Message Across to Today's Temporary Workforce," Business and Legal Resources (Austin, Texas, October 2016) (panelist)
- "The Dos and Don'ts of an OSHA Inspection," Sealant, Waterproofing and Restoration Institute (Philadelphia, Pennsylvania, September 2016)
- "The Benefit of Becoming an OSHA Whisperer: Speaking the Language of Regulators," Cintas Corporation Annual Meeting (2015)
- "OSHA Citations: When and How to Contest Them to Maximize the Benefit to Your Company," Business Legal Resources (2015) (webinar)
- "Workplace Violence in Assisted Living – Your Rights and Responsibilities,"

Virginia Assisted Living Fall Conference (2014)

- "Reducing OSHA Exposure in Nursing and Health Care," Virginia Occupational Safety and Health Conference (2014)
- "Have the FLSA Auditors or OSHA Inspectors Knocked on Your Client's Door Lately? Be Sure You Know What to Do When They Do," Richmond Bar Association (2014) (co-presenter)
- "What to Do (and Not Do) When OSHA Comes Knocking," Virginia Business Consortium (2014)
- "Temporary Workers, Right to Work, Collective Bargaining, and the U.N. Globally Harmonized System of Classification and Labeling of Chemicals," Canadian Association of Administrators of Labour Legislation (2013)