JacksonLewis

Matthew F. Nieman

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Practices

- Government Contractors
- Higher Education
- Life Sciences
- National Compliance and Multi-State Solutions
- Affirmative Action, OFCCP and Government Contract Compliance
- Background Checks
- Corporate Governance and Investigations
- Disability, Leave and Health Management
- Drug Testing and Substance Abuse Management
- Employment Litigation
- Privacy, Data and Cybersecurity
- Restrictive Covenants, Trade Secrets and Unfair Competition
- Trials and Appeals
- Workplace Training
- Education: K-12
- Financial Services
- Construction
- Real Estate

Education

- William & Mary Law School, J.D. 2001
- Cornell University, B.S. 1998

Admitted to Practice

- 1st Circuit Court of Appeals 2013
- 4th Circuit Court of Appeals 2010
- U.S. Court of Appeals, DC Circuit 2010
- District of Columbia - D.D.C. 2009

Matthew F. Nieman is a principal in the Washington, D.C. Region office of Jackson Lewis P.C.

Matthew represents employers in a broad spectrum of labor and employment law matters, including discrimination, retaliation, wage and hour, whistleblower claims (including Dodd-Frank, the False Claims Act, and Sarbanes-Oxley), questions related to the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA), and workplace drug-testing issues. He is actively involved in all phases of the litigation process on the full range of employment discrimination and employment-related tort and contract claims, including the representation of employers in actions before the Department of Labor, the Equal Employment Opportunity Commission, the National Labor Relations Board, the Occupational Safety and Health Administration, the Mine Safety and Health Administration, and various state and local agencies.

As part of his litigation practice, he has concluded many employment-related adversarial proceedings, including solo trials and multiple jury trial defense-verdicts. He has additionally drafted numerous successful dispositive and summary judgment motions in state and federal courts throughout the Mid-Atlantic region, including a summary judgment victory in the United States District for Maryland on a Sarbanes-Oxley claim.

Matthew is a frequent writer on substance-abuse-prevention topics. He also speaks to and provides training to employer groups on various workplace-related topics, including sexual harassment, discrimination, substance-abuse prevention, and litigation avoidance.

Prior to entering private practice, Matthew was in public service as an active-duty U.S. Army Judge Advocate (JAG) at Fort Benning, Georgia and at Camp Liberty, Baghdad, Iraq. During his service as an Army JAG, Matthew enjoyed unique opportunities to interact with state and local governments in both the criminal and civil arenas as well as to develop trial experience. These opportunities include two years as a prosecutor in both military and federal courts (concluding over 40 separate trials) and over a year of responsibility for handling all tort claims filed against Fort Benning, its hospital, and other Department of the Army personnel in a region covering large portions of Alabama, Georgia, and Florida. Tort claim issues covered include general negligence, medical malpractice, and the subrogation and collection of TRICARE expenses incurred by service members, retirees and their dependents in otherwise unrelated tort actions.

Matthew received a commission as a Distinguished Military Graduate of the U.S. Army Reserve Officers' Training Corps. He clerked for the Williamsburg/James City County, Virginia Commonwealth Attorney's Office throughout law school.

Honors and Recognitions

- *The Best Lawyers in America©*, "Employment Law – Management" (2021-present) and

- Maryland - D. Md. 2009
- Virginia - E.D. Va. 2007
- Virginia - W.D. Va. 2007
- District of Columbia 2009
- Maryland 2008
- Virginia 2001

"Litigation – Labor and Employment" (2024-present)
- *Super Lawyers®*, "Rising Stars" (2010-2016)
- *Washington Post Magazine*, "Washington D.C. Metro Area Outstanding Young Lawyer," (2013-present)
- *Thomson Reuters,* "Stand-Out Lawyer" (2024)

Pro Bono and Community Involvement

- Cornell Club of Washington, Board Member
- Loudoun Literacy Council, Board Member
- Wounded Warrior Project, Volunteer Attorney

Published Works

- "[Virginia's 2020 Whistleblower Law: Major Ramifications for Employers](#)," *Virginia Lawyer*, Volume 72 (February 2024) [Co-Author]
- "Is Virginia the New California? Maybe..." *National Capital Region Chapter of ACC* (April 2020) [Co-Author]
- *Guide to State and Federal Drug-Testing Laws.* 16th ed. VA: Institute for a Drug Free Workplace, 2013. [Co-Author]
- *Guide to State and Federal Drug-Testing Laws.* 15th ed. VA: Institute for a Drug Free Workplace, 2008. [Co-Author]
- *Guide to State and Federal Drug-Testing Laws.* 14th ed. VA: Institute for a Drug Free Workplace, 2006. [Co-Author]