



JOSEPH L. BRACCIO

Partner

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Since 1986, Joe has counseled private sector employers on the full range of labor and employee relations issues, with particular concentration in contract negotiations, contract administration, arbitration, representation of employers before the National Labor Relations Board (NLRB), strike management, and employee discipline and discharge cases. Joe's extensive experience includes representing private employers in the industrial manufacturing, food, acute and long-term health care, construction, high-technology, chemical, and service sectors of the economy. He also regularly counsels employers on wage and hour issues, prevailing rate problems, and employment discrimination.

His many years of experience and deep understanding of the law enable him to analyze client labor and employment problems, and develop and pursue with determination creative solutions to those problems to achieve clients' goals. Solving problems without extended and expensive litigation is Joe's first priority, but if necessary, Joe is always prepared to defend clients in adversarial proceedings before arbitrators, the NLRB, and other agencies. He has a 30-year track record of success in his field and that could not have been achieved without strong and well-honed advocacy skills.

Joe exclusively practices U.S. law and is admitted to practice in New York.

Honors

- Listed, *Best Lawyers in America* (Employment Law - Management, Labor Law - Management, Litigation - Labor and Employment) 2012 - 2024
- Listed, *Upstate New York Super Lawyers*, (Employment & Labor) 2014 - 2020
- Listed, "Lawyer of the Year" in *Best Lawyers in America* (Litigation - Labor and Employment) 2018

440 Royal Palm Way
Suite 202
Palm Beach, FL 33480

Practices & Industries

Labor & Employment
Wage & Hour
Canada-U.S. Cross-Border
Manufacturing
Non-Compete, Non-Solicit & Trade Secrets

Admissions

New York
U.S. District Court, Western District of New York

Clerkships

New York State Appellate Division,
Fourth Department

Education

Hobart College, B.A.
Pace University, J.D. cum laude

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Experience

Hodgson Russ handles the day-to-day and complex labor and employment related matters for various large food and beverage manufacturers, including union negotiations, advice on executive compensation, defense of employment-related disputes and advice on employee benefit matters.

Several of our clients in the food, automotive, and chemical industries contribute to multiemployer defined benefit plans. The plan trustees imposed on these clients millions of dollars in additional contributions and withdrawal liability to remedy the underfunded status of the plans. In many cases, we were able to negotiate changes in the wage and benefit packages in the applicable collective bargain agreements to offset the cost of these additional contributions. In other cases, we negotiated substantial reductions in withdrawal liability.

Hodgson Russ attorneys successfully negotiated a collective bargaining agreement for one of our heavy manufacturing clients that included a complex tiered wage and benefit package. This enabled our client to compete against stiff foreign competition. The union vehemently objected to our proposals and conducted a five-month strike, during which the company continued to operate the plant. We guided the company through the strike and related National Labor Relations Board (NLRB) proceedings.

A teamsters local in Detroit filed a representational petition against a Hodgson Russ client. Our labor and employment attorneys intensively advised the client during the campaign, and the company won the election. The union filed objections to the results, but our attorneys were able to convince the National Labor Relations Board (NLRB) to dismiss the objections.

Attorneys from Hodgson Russ acted as Chapter 11 bankruptcy counsel to a meat distribution company in its Chapter 11 bankruptcy proceedings. At the time of its filing, the company was one of the largest family-owned meat distribution companies in the country, with yearly revenues in excess of \$900 million.

A well-funded union launched an organizing drive against a Hodgson Russ client with more than 3,000 employees in multiple locations. Our attorneys created a plan consisting of union-free training and employee communications and meetings that successfully ended the organizing drive.

In the News

Fifty-Five Hodgson Russ Attorneys Named to *Best Lawyers* 2014
August 28, 2013

Fifty-Four Hodgson Russ Attorneys Named to *Best Lawyers* 2013
August 30, 2012

Joseph L. Braccio to Speak on NLRB Developments at Regional Conference
February 16, 2012

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Calling in Sick is Getting Easier: More Employers Seek Ways to Reward Workers Who Don't Abuse the System
Buffalo News, February 27, 2011

Joseph L. Braccio Assumes Leadership of Hodgson Russ's Employment, Benefits, and Immigration Practice Area
January 4, 2011

Joseph L. Braccio Interviewed About NYS WARN Act
February 9, 2009

Joseph L. Braccio Interviewed About Employee Free Choice Act
February 8, 2009

Press Releases

83 Hodgson Russ LLP Attorneys Ranked in 2024 Edition of *Best Lawyers in America*
August 17, 2023

71 Hodgson Russ Attorneys Ranked in 2023 Edition of *Best Lawyers in America*
Hodgson Russ Press Release, August 19, 2022

55 Hodgson Russ Attorneys Ranked in 2022 Edition of *Best Lawyers in America*
Hodgson Russ Press Release, August 19, 2021

Sixty-Two Hodgson Russ Attorneys Named to 2020 Upstate New York Super Lawyers
Hodgson Russ Press Release, September 8, 2020

55 Hodgson Russ Attorneys Ranked in 2021 *Best Lawyers in America*
Hodgson Russ Press Release, August 20, 2020

52 Hodgson Russ Attorneys Named to Various *Best Lawyers* Listings
Hodgson Russ Press Release, August 20, 2019

Sixty Hodgson Russ Attorneys Named to 2019 Upstate New York Super Lawyers
Press Release, August 12, 2019

Sixty-One Hodgson Russ Attorneys Named to 2018 Upstate New York Super Lawyers
Press Release, August 20, 2018

48 Hodgson Russ Attorneys Named to Various *Best Lawyers* Listings
Press Release, August 15, 2018

Seventy Hodgson Russ Attorneys Named to 2017 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50
Press Release, September 6, 2017

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Publications

FTC Adopts Rule Banning Most Non-Competes and the Legal Slugfest Begins

Hodgson Russ Non-Compete, Non-Solicit, and Trade Secrets Alert, April 24, 2024

New York State's "Freelance Isn't Free" Act – What Employers Need to Know

Hodgson Russ Labor & Employment Alert, April 18, 2024

Employees Enjoy a Private Right of Action Under Changes to New York City Earned Safe and Sick Time Act

Hodgson Russ Labor & Employment Alert, March 7, 2024

NY General Obligations Law Amended to Limit Further Pro-Employer Provisions in Settlement Agreements

Hodgson Russ Labor & Employment Alert, January 23, 2024

New Year - New Statute of Limitations for Complaints filed with the New York State Division of Human Rights

Hodgson Russ Labor & Employment Alert, December 29, 2023

New York State Increases Minimum Wage and Modifies Other Salary Requirements

Hodgson Russ Labor & Employment Alert, December 22, 2023 - CORRECTED*

Wage Theft In New York Is Now Criminal Larceny

Hodgson Russ Labor & Employment Alert, October 3, 2023

New York State Bans Employee Captive Audience Meetings

Hodgson Russ LLP Labor & Employment Alert, September 28, 2023

OSHA Launches National Emphasis Program Targeting Warehousing and Distribution Operations

Hodgson Russ Occupational Safety & Health Act Alert, August 8, 2023

New York Amends and Expands Scope of Statewide "Pay Transparency" Law

Hodgson Russ Labor & Employment Alert, July 6, 2023

Presentations & Events

28th Annual Labor and Employment Conference

Buffalo Marriott Niagara 1340 Millersport Hwy, Amherst, NY 14221, November 8, 2023

27th Annual Labor & Employment Conference

Buffalo Marriott Niagara 1340 Millersport Hwy, Amherst, NY 14221, January 12, 2023

25th Annual Labor & Employment Conference

Buffalo Niagara Marriott, Amherst, NY, November 14, 2019

United States Law Firm Group Presentation

Hodgson Russ, 140 Pearl St, Buffalo, NY 14202, May 17 to May 18, 2018

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23rd Annual Labor & Employment Conference

Buffalo Niagara Marriott, Amherst, NY, November 2, 2017

22nd Annual Labor & Employment Conference

Buffalo Marriott Niagara, 1340 Millersport Highway, Amherst, NY, November 3, 2016

21st Annual Labor & Employment Conference

Buffalo/Niagara Marriott, 1340 Millersport Highway, Amherst, NY, November 5, 2015

Labor & Employment Conference

Buffalo/Niagara Marriott, 1340 Millersport Highway, Amherst, New York, November 6, 2014

19th Annual Labor & Employment Conference

Hodgson Russ, Amherst, NY, November 7, 2013

18th Annual Labor & Employment Conference

Hodgson Russ, Amherst, NY, November 1, 2012

Professional Affiliations

- Chair, Labor & Employment Section: United States Law Firm Group
- New York State Bar Association: Labor and Employment Law Section

Community & Pro Bono

Joe is a past president of Families of FANA of Western New York, which is an organization of more than 500 families devoted to the support of the orphanage in Bogota, Colombia, from which Joe and all the involved families adopted their children, as well as other children's charities throughout the United States.

Joe is also a nationally certified USA competitive swimming official.