



## Benjamin J. Wilson

Member

### Charleston Office

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**Benjamin J. Wilson is a Member in the Firm's Labor and Employment and Workplace Safety and Health practice groups, focusing on labor and employment litigation and workplace safety. He practices out of the Firm's office in Charleston, West Virginia.**

Ben maintains a broad employer-oriented practice, from counseling and representing employers on labor and employment matters in state and federal court and agencies to representing employers in administrative proceedings before the Occupational Health and Safety Review Commission and the Federal Mine Safety and Health Review Commission. As a labor and employment lawyer, Ben focuses on defending employers in state and federal court, as well as state and federal agencies, with respect to claims of discrimination, harassment, wrongful and retaliatory discharge, and wage and hour violations. Ben also represents employers in traditional labor law matters involving the National Labor Relations Act. He was part of the firm's team who co-authored an amicus brief supporting the constitutionality of West Virginia's right to work law in *Morrissey v. West Virginia AFL-CIO*, 243 W. Va. 86, 842 S.E.2d 455 (2020). He also counsels and guides employers through safety regulations and represents them before various state and federal agencies in citation contests and discrimination proceedings.

Ben practiced with Jackson Kelly upon graduation from law school and also served as a Law Clerk to the Honorable Thomas E. Johnston, Chief Judge of the United States District Court for the Southern District of West Virginia. Ben received his law degree from the West Virginia University College of Law in 2017, where he served as the Editor-in-Chief of Volume 119 of the *West Virginia Law Review* and served as a teaching assistant for the legal writing program. Ben maintains a presence at the College of Law today, serving as an Adjunct Lecturer for the Supreme Court Clinic where he assists students on appellate matters through their work in the Clinic.

Ben's work history also gives him a unique perspective. Prior to law school, Ben was a commissioned park ranger for the State of Michigan, where he was able to exercise his love of the outdoors in tandem with his Bachelor's degree in Parks, Recreation, and Tourism Resources, which he received from Michigan State University. He also enjoys spending his spare time with his fiancé and their two sons, their two dogs, and rooting for the Spartans.

## Awards

- Named in the *Best Lawyers*® 2021 Charleston, West Virginia "Ones to Watch" list for Environmental Law, Labor & Employment Law - Management, and Mergers & Acquisitions Law
- CALI Excellence for the Future Awards, Sports Law
- *West Virginia Law Review*, Editor in Chief
- Phi Alpha Delta

## Work History

- Jackson Kelly PLLC (2022-Present)
- Honorable Thomas E. Johnston, Chief Judge, U.S. District Court for the Southern District of West Virginia, Law Clerk (2020-2022)
- Jackson Kelly PLLC, Associate (2017-2020)
- United States Supreme Court Law Clinic, Supervised Clinic Member (2016)
- West Virginia Innocence Project, Supervised Student Attorney (2016)
- Honorable Robert Trumble, U.S. Magistrate Judge, U.S. District Court for the Northern District of West Virginia, Law Clerk (2015)
- State of Michigan, Department of Natural Resources, Park Ranger (2010-2014)

## Practices

- Labor & Employment
- Litigation
- Workplace Safety & Health

## Industries

- Coal
- Manufacturing
- Energy
- Mining

## Education

- West Virginia University College of Law (J.D., 2017)
- Michigan State University (B.S. in Parks, Recreation, and Tourism Resources, 2008)

## Admissions

- West Virginia (2017)
- West Virginia Supreme Court of Appeals (2017)
- U.S. District Court, Southern District of West Virginia (2017)
- U.S. District Court, Northern District of West Virginia (2018)
- Supreme Court of the United States of America (2023)

## Professional Organizations

- West Virginia State Bar, Young Lawyers Section
- American Bar Association

## Community

- Education Elevators

## Speaking Engagements & Publications

### Writings and Publications

- Author, "Powered haulage: Can technology eliminate safety concerns?," *Aggregates Manager* magazine, June 2019
- Co-author with **Grace E. Hurney**, "What is an Employment Statute Doing in My Public Health Code? Defending Claims under the Patient Safety Act," 2019 Defense Trial Counsel of West Virginia Annual Seminar Notebook, June 2019

- Co-author with Justin M. Harrison, "What Urban Meyer Can Teach You about HR Investigations," *The Community Banker*, Q3 2018