



Al F. Sebok

Member

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Al F. Sebok is the Chair of the Firm's Litigation Practice Group, focusing primarily on complex civil litigation and labor and employment law.

Al also serves as Assistant General Counsel to the Firm, has been on the Firm's Executive Committee, and served as the Vice-Chairman of the Executive Committee in 2016 and 2017.

Only by meeting Al will you truly understand his mastery of the law – with what can only be described as a photographic memory, Al will easily recall the holding of a case – word for word – from a case he read one time ten years earlier. He'll then follow up with the exact legal citation, and perhaps where the case can be found in a print version, just for good measure. Al's command of law and fact are unparalleled, and his clients reap the rewards.

Al's practice focuses on representing businesses in a wide variety of complex civil litigation cases, from nuisance litigation for coal and oil and gas companies to Consumer Credit and Protection Act litigation for financial institutions. He has represented businesses in a variety of commercial arbitration matters, has handled a significant number of class actions in state and federal courts, has handled several matters before the West Virginia Mass Litigation Panel, and has successfully challenged and defended the constitutionality of statutes.

Additionally, Al represents and consults with employers on labor and employment matters. This includes representing employers both in federal and state courts in wrongful discharge and employment discrimination claims. He consults with employers on personnel issues, union avoidance issues, and wage and hour matters. Al also negotiates collective bargaining agreements for employers.

Al has been included in *The Best Lawyers in America*[®] list since 2005 for labor and employment law, has been named a *West Virginia Super Lawyer*[®], and ranked in *Chambers USA*, where he was noted for his exceptional knowledge of the law and for being very good in the courtroom. He has authored numerous articles and lectures to groups on labor and employment law issues.

Awards

- Selected by his peers for inclusion in *The Best Lawyers in America*[®] for Employment Law - Management, Labor Law - Management, Litigation - Labor and Employment and Mining Law, 2005-2022
- Ranked in *Chambers USA, America's Leading Lawyers for Business* in the area of Labor & Employment Law in West Virginia, 2011-2015
- Listed in the Employment Section of 2013 *Super Lawyers*[®] Business Edition for Employment & Labor
- Named in the 2007-2012 and 2019-2021 editions of *West Virginia Super Lawyers*[®]
- Order of the Coif
- Phi Beta Kappa

Notable Legal Experience

- Litigation for coal mining companies including nuisance, deliberate intent, and commercial disputes
- Litigation for oil and gas companies including nuisance and royalty dispute cases
- Mechanic's lien litigation, both for the construction and mineral industries
- Handled a variety of property law disputes including matters relating to easements, recordation of deeds, and right of first refusal
- Consumer Credit and Protection Act litigation for financial institutions and other businesses
- Represented businesses in a variety of commercial arbitration matters
- Handled a significant number of class actions in both state and federal court
- Handled several matters before the West Virginia Mass Litigation Panel
- Successfully challenged and defended the constitutionality of various statutes
- Served as chief spokesperson in negotiating contracts with the United Steel Workers of America, the Aluminum Brick and Glass Workers, and the United Mine Workers of America
- Has counseled companies from a variety of industries about negotiation strategies and specific bargaining proposals

Work History

- Jackson Kelly PLLC (1985-Present)

Practices

- Class Action & Complex Litigation
- Commercial Litigation
- Labor & Employment
- Litigation

Industries

- Coal
- Energy
- Hotels & Hospitality
- Oil & Gas
- Cannabis Law

Education

- Washington and Lee University School of Law (J.D., 1985)
- Albion College (B.A. in History and Religious Studies , *magna cum laude*, 1982)

Admissions

- West Virginia
- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, Northern District of West Virginia
- U.S. District Court, Southern District of West Virginia

Professional Organizations

- West Virginia State Bar, Committee on Labor & Employment Law

Speaking Engagements & Publications

Speaking Engagements

- "How the NLRB's Recent Decisions Affect All Employers," Jackson Kelly PLLC Trends in WV Employment, Labor and Benefits Law Seminar, Charleston, West Virginia, Oct. 16, 2018
- "What's Wrong With Asking For a Harmonious Work Place?: The New National Labor Relations Board and the Non-Union Employer," Jackson Kelly PLLC, Webinar, Dec. 7, 2017
- "Arbitration and Other Dispute Resolution Clauses in Commercial Agreements," Internal CLE, July 18, 2017
- "Indemnification Provisions in Commercial Contracts in Colorado, Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia," Internal CLE, Sept. 20, 2016
- "Right-to-Work West Virginia Workplace Freedom Act," Jackson Kelly PLLC, Webinar, March 8, 2016
- "Cutting Through Prosser's Impenetrable Jungle: The Tort of Nuisance in the Shale Gas Plays," WVCLE Shale Gas Law Conference, Morgantown, W. Va., Nov. 13, 2015
- "Pitfalls in State Wage Payment and Collection Acts: What You Don't Know Can Hurt You," Jackson Kelly PLLC, Webinar, Dec. 2013
- "Legal Issues Surrounding the Use and Enforceability of Arbitration Provisions in the Non-Union Employment Setting," Jackson Kelly PLLC, Webinar, July 2013
- "Navigating in an Uncertain World: The Effect of the National Labor Relations Board on Non-Union Operations," Jackson Kelly PLLC, Webinar, April 2013
- "Groundwater Litigation Claims," WVCLE Shale Gas Law Conference, Morgantown, W. Va., Nov. 16, 2012
- "Municipal Oil & Gas Regulation in the Marcellus Age," Energy & Mineral Law Foundation's Kentucky Mineral Law Conference, Lexington, Ky., Oct. 2011
- "Current Issues on Removal and Remand," West Virginia CLE Annual Litigation Seminar, Canaan Valley, W.Va., Feb. 25, 2011

Writings and Publications

- Co-Author, "Who Bears the Burden of Liability? The Law of Joint and Several Liability, Setoffs, Contribution, and Implied Indemnity in the Eastern Coal States," 35 *Energy & Mineral Law Institute* (2014)
- "Use Caution When Asking Employees to Waive Rights," *The State Journal*, Oct. 3, 2013
- Co-Author, "Defending Against Punitive Damages from the Answer Through the End of the Trial," 29 *Energy & Mineral Law Institute* (2008)
- Co-Author, "Legal Issues Surrounding Pre-Employment Physical Examinations in the Coal Industry," 94 *West Virginia Law Review* 811 (1992)
- Co-Author, "Professional Liability of Non-Legal Consultants to the Minerals Industry," 11 *Eastern Mineral Law Institute* (1990)
- "Third-party Misconduct in Union Representation Elections," 41 *Washington and Lee Law Review* 1459 (1984)