



## JOSEPH R. HARBESON / OF COUNSEL

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### EDUCATION

- Rutgers University (J.D., 1978)
- Princeton University (B.A., 1974)

### PRACTICE AREAS

- Alternative Dispute Resolution
- Commercial Litigation
- Construction
- Employment
- Environmental
- Zoning & Land Use

Joseph R. Harbeson practices construction law, including contracts, project transactional work and compliance with trust fund obligations, as well as all types of construction and commercial litigation. He has extensive experience in disputes arising out of construction projects, including mechanic's liens, public bidding and issues involving performance and payment bond sureties; municipal law, including Article 78 and plenary challenges to governmental action; landlord/tenant and other real estate disputes, including challenges to municipal zoning actions; transportation, particularly relating to the school bus industry; negligence and contract disputes; and appellate practice in all areas.

Of Counsel at Ruskin Moscou Faltishek, P.C., he is chair of the firm's Construction Practice Group, and a member of the Litigation Department and the Employment Law Practice Group, and chairs the Pro Bono Committee.

In addition to advising clients on compliance with the myriad statutes and regulations governing employment relationships, he has handled a wide range of labor and discrimination matters, successfully representing clients in claims of racial, religious and disability discrimination, both in federal and state courts and before administrative agencies. He has defended "hybrid" claims involving wrongful termination of union employees coupled with claims of union breaches of the duty of fair representation, and has represented employers in labor arbitrations. In addition, he has advised clients and litigated employment disputes arising out of the breakup of partnerships and close corporations.

Joseph is an active member of St. John's Episcopal Church, Tuckahoe and is a member of the Nassau and Westchester County Bar Associations and the New York State Bar Association. At the Nassau County Bar Association, he currently serves as Co-Chair of the Access to Justice Committee.

He has a substantial interest in sustainable building and is a member of the U.S. Green Building Council – Long Island Chapter.

At St. John's, in addition to being counsel to the Vestry, he serves as a warden and member of the Vestry, chairs the Stewardship and Cemetery Committees and sings in the choir.

## **Presentations**

- Representing Organizations: Conflicts and Ethics (May 2016)
- Ethics Update: Joint Representation (December 2015)
- Ethics Update (November 2013)
- Construction Change Orders (January 2013)
- Demonstrative Evidence in Construction: Practical and Evidentiary Issues, (February 2010)
- The New Ethics: New York's Rules of Professional Conduct (March 2009)
- Green Building: What It Is, What You Need to Know and Why (February 2007)
- It's Not Your Money: Understanding New York's Lien Law Trust Fund Provisions (December 2005)

## **PUBLICATIONS**

- Michael L. Faltiscek And Attorneys Recently Closed On A \$102,116,000 Tax Exempt Bond Financing Deal For The Development Of Fountaingate Gardens At Gurwin In Commack, New York. (Press Releases)
- To Pay or Not to Pay: Issues Concerning the Payment of Rent During the Coronavirus Pandemic (Alerts, Real Estate)
- RMF Partner Joseph R. Harbeson presents program to joint meeting of the Commercial Litigation and Ethics Committees of the Nassau County Bar Association (Press Releases)
- Another Reason to Build Green (Suffolk Lawyer, October 2012) (Articles, Construction)
- It's Smart to Plan Ahead for Change Orders (Articles, Construction)
- Transferring Risk (NYLJ, Special Construction Section, Nov. 3, 2008) (Articles, Construction)