

JOEL HELLER

University of Kentucky J. David Rosenberg College of Law
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Academic Appointments

University of Kentucky J. David Rosenberg College of Law, Lexington, KY
Assistant Professor of Law (August 2026-present)
Courses Taught: Labor Law, Employment Law, Constitutional Law I

Education

Vanderbilt University Law School, Nashville, TN
J.D., 2010
Order of the Coif
Articles Editor, *Vanderbilt Law Review*

Oberlin College, Oberlin, OH

B.A., English, *high honors*, 2006
Honors Thesis: *The Peddler and the Poet: Literary Expressions of the Jewish South*
Instructor, “Unresisting Imbecility: Shakespeare’s Worst Plays”

Publications

Voting at Work, 2026 U. ILL. L. REV. 1343 (2026)

The Labor Gerrymander, 77 VAND. L. REV. 401 (2024)

- reviewed by Anne Marie Lofaso, *Taking Political Analogies Too Far: Why Applying the Concept of Political Gerrymandering to the Labor Context Doesn’t Work*, JOTWELL (January 28, 2025)
- featured in CONVERGE FOR IMPACT, University of Florida College of Law

Labor Law’s Political Analogies, ONLABOR (June 26, 2024)

Auto-Citation, 2021 U. ILL. L. REV. ONLINE 77 (2021)

- featured in Adam Liptak, *The Docket*, NEW YORK TIMES (July 16, 2026)
- featured in SCOTUSblog Newsletter (September 14, 2026)

Subsequent History Omitted, 5 CAL. L. REV. CIRCUIT 375 (2014)

Shelby County and the End of History, 44 U. MEM. L. REV. 357 (2014)

Faulkner’s Voting Rights Act: The Sound and Fury of Section 5, 40 HOFSTRA L. REV. 929 (2012)

Note, *Fearing Fear Itself: Photo Identification Laws, Fear of Fraud, and the Fundamental Right to Vote*, 62 VAND. L. REV. 1871 (2009)

Works In Progress

Labor and Loyalty

RetCon Law

Presentations & Guest Lectures

Labor and Loyalty, Colloquium on Scholarship in Employment and Labor Law (September 2026)

Voting at Work, Colloquium on Scholarship in Employment and Labor Law (September 2024)

Labor-Law Preemption and Harmonization, George Washington University Law School (Guest Lecture, Labor Law) (April 2024)

Auto-Citation, Duquesne University School of Law, Thomas R. Kline Center for Judicial Education (December 2023)

The Labor Gerrymander, Prospective Law Teachers Workshop, Southeastern Association of Law Schools (July 2023)

The Labor Gerrymander, Colloquium on Scholarship in Employment and Labor Law (October 2022)

Agency Adjudication, Berkeley Law (Guest Lecture, Administrative Law) (February 2021)

Agency Rulemaking vs. Adjudication: The NLRB's Joint-Employer Standard, Vanderbilt University Law School (Guest Lecture, Administrative Law) (October 2020)

Other Professional Experience

National Labor Relations Board, Appellate & Supreme Court Litigation Branch

Washington, DC

Attorney (September 2012-July 2026)

- briefed and argued over 45 cases defending NLRB decisions before the Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and D.C. Circuits
- worked with the Office of the Solicitor General in drafting briefs in opposition to cert petitions and providing agency input for cases touching on labor law
- performed 10-week details in the NLRB's regional offices in Oakland, CA (Summer 2018) and Fort Worth, TX (Winter 2022, remote): investigated charges, recommended whether to issue complaint, ran union-representation elections

The Honorable Karen Nelson Moore, U.S. Court of Appeals for the Sixth Circuit

Cleveland, OH

Law Clerk (August 2011- August 2012)

Bredhoff & Kaiser, P.L.L.C.

Washington, DC

Attorney (September 2010-August 2011)

- advised and represented labor unions; represented individual union members in grievance and disciplinary proceedings

Representative Litigation Experience

Supreme Court

Epic Systems Corp. v. Lewis, 138 S. Ct. 1612 (2018)

- whether mandatory individual arbitration policies for employment disputes violate the National Labor Relations Act (participated in drafting brief and preparing for oral argument)

Court of Appeals

Home Depot USA, Inc. v. NLRB, 158 F.4th 910 (8th Cir. 2025)

- whether NLRA protected employee's display of Black Lives Matter messaging on work apron

Hiran Management, Inc. v. NLRB, 157 F.4th 719 (5th Cir. 2025)

- whether NLRB's remedy that employers pay direct or foreseeable pecuniary harms suffered as a result of unlawful discharges was consistent with NLRA and the Seventh Amendment

NLRB v. McLaren Macomb, 2024 WL 4240545 (6th Cir. 2024)

- evaluating legality of severance agreements containing confidentiality and non-disparagement provisions

Constellium Rolled Products Ravenswood, LLC v. NLRB, 45 F.4th 234 (D.C. Cir. 2022)

- examining interplay between NLRA protections and anti-discrimination obligations under equal-employment-opportunity laws

Duquesne University of the Holy Spirit v. NLRB, 947 F.3d 824 (D.C. Cir. 2020), *rehearing denied*, 975 F.3d 13 (D.C. Cir. 2020)

- evaluating NLRB's test for exercising jurisdiction over faculty at religiously affiliated colleges and universities

University of Southern California v. NLRB, 918 F.3d 126 (D.C. Cir. 2019)

- evaluating NLRB's test for whether university faculty are managerial employees exempt from the NLRA

Browning-Ferris Industries of California, Inc. v. NLRB, 911 F.3d 1195 (D.C. Cir. 2018)

- evaluating NLRB's standard for determining whether two legally distinct entities constitute joint employers of the same employees

Volkswagen Group of America, Inc. v. NLRB, D.C. Cir. No. 16-1309

- litigating scope of bargaining unit for union-representation election at Volkswagen's only U.S. assembly plant

MikLin Enterprises, Inc. v. NLRB, 861 F.3d 812 (8th Cir. 2017) (en banc)

- litigating whether fast-food employees' campaign for paid sick leave lost the protection of the NLRA as "disloyal" to their employer

Pro Bono

D.C. Bar Pro Bono Center - represented individuals in eviction and housing-conditions cases in D.C. Superior Court (2018, 2020)