
JOHN V. BERRY

FOUNDING PARTNER

TEL: 703-668-0070

FAX: 703-668-0071



Mr. Berry is the founding partner and represents federal employees, government contractors, employers, state employees, federal intelligence agency employees, law enforcement officers, firefighters, private sector employees, in various employment, labor and national security law matters.

Mr. Berry's primary practice areas include disciplinary action defense, security clearance defense, administrative investigations, and equal employment opportunity (EEO) claims. For federal employees and government contractors, Mr. Berry represents them nationwide in federal disciplinary actions and security clearance appeals. Mr. Berry frequently defends federal employees in proposed removals, proposed suspensions, and performance matters before their respective agencies; represents federal employees in appeals before the Merit Systems Protection Board (MSPB); represents individuals in Equal Employment Opportunity (EEO) complaint matters before respective federal agencies and the Equal Employment Opportunity Commission (EEOC); and represents federal employees and government contractors in security clearance matters before the Department of Defense Central Adjudication Facility (DoDCAF) and the Defense Office of Hearings and Appeals (DOHA). In addition, Mr. Berry represents security clearance holders before all federal agencies (DoS, DoD, DoE) and those federal agencies within the Intelligence Community (NRO, NGA, CIA, DIA, NSA).

Mr. Berry has represented hundreds of individuals in administrative investigations conducted by agency investigators, inspectors general (IG), internal affairs unit investigators and before the Office of Professional Responsibility (OPR) of various federal agencies. Mr. Berry also represents private sector, state, county, and municipal employees in the Commonwealth of Virginia, Maryland, and the District of Columbia in various types of investigations, county and state grievance procedures, disciplinary actions, whistleblower issues, and equal employment opportunity (EEO) matters.

Mr. Berry previously served as the General Counsel to the United States Park Police and United States Capitol Police Federal Labor Unions representing law enforcement officers in disciplinary, wage and security clearance matters. Mr. Berry has also served as counsel for local businesses involving issues related to wage and hour matters, Human Resources Policy development, and employment legal defense. He is a security clearance lawyer and member of the [Security](#)

[Clearance Lawyers Association.](#)



Mr. Berry has been interviewed on radio and television networks, like CNN, and written and commented on articles for news organizations such as the Washington Post and others. He has taught continuing education courses for lawyers in his practice areas. He has written several published legal articles on various topics regarding employment and labor law as well as security clearance law. He authors four of the firm's informative legal blogs involving MSPB appeals, security clearance matters, federal employee employment issues and Virginia employment law. These legal blogs are located at: www.mspb-lawblog.com, www.securityclearanceblog.com, www.employmentlawvirginia.com, www.federalemployeelawblog.com and www.securityclearancelawyer.com.

In addition, he was the Editor-in-Chief of the District of Columbia Bar Labor and Employment Law Newsletter and served as a guest speaker for Continuing Legal Education (CLE) seminars on administrative, employment and labor law issues. Mr. Berry frequently provides legal guidance and training to Human Resources personnel of companies, nonprofit entities, and labor union representatives.

In 2009, Mr. Berry was elected by his peers to the D.C. Bar Labor and Employment Law Section's Steering Committee. The Committee works to advance the professional development and competence of its members by offering educational programs and publications in the substantive law fields of labor and employment law, as well as areas of practice and procedure. Since 2014, Mr. Berry has served as co-author of the firm's legal articles on [RestonNow](#) and [ArlingtonNow](#). Also, in 2018 Mr. Berry began to serve as co-author of the firm's legal articles on the Tysons Corner news website, [Tysons Reporter](#). Mr. Berry's Twitter account can be found [here](#).

Legal Articles

- Representing Federal Employees in Misconduct Investigations
- How do Employees Prove a Hostile Work Environment?
- Keys to Suitability Appeals for Federal Employees and Applicants
- The Whole-Person Concept in Security Clearance Cases
- Filing Sexual Harassment Complaints in Virginia
- Final Wages Owed to Virginia Employees Must Be Paid
- Fairfax County Office of Human Rights Complaints



Responding to the Statement of Reasons in a Security Clearance Matter
Wrongful Termination in Virginia
Employee Access to Personnel Files in Virginia
Security Clearance: The Duty to Self-Report
Are You Representing Yourself At The MSPB?
Changes to Employment Sexual Orientation Laws and Enforcement
Disclosing Criminal Violations in the Security Clearance Process
The Importance of Discovery During an MSPB Appeal
Filing Complaints at the Office of Special Counsel
Psychological Conditions and Security Clearances
What to Expect During an MSPB Hearing
Responding to Proposed Disciplinary Actions
Requesting Reconsideration After a Security Clearance is Denied
Due Process Issues in MSPB Cases for Federal Employees
The MSPB Pre-Hearing Process
8 Tips for the Security Clearance Process
Appealing a Final Federal Agency Decision: MSPB vs. Arbitration
8 Tips When Facing Virginia Employment Law Problems
Meeting With Security Clearance Investigators
Taking Depositions of Relevant Witnesses at the MSPB
Virginia's Grievance Process for State Employees
A Summary of the Security Clearance Appeals Process
Seeking Information Regarding Security Clearance Incident Reports
A Federal Employee's Guide to Burden of Proof Issues at the MSPB
Polygraph Examinations for Federal Employees and Contractors
The Importance of Properly Completing Security Clearance Forms
Indefinite Suspension for Federal Employees
The Completion and Submission of an MSPB Appeal
Performance Improvement Plans for Federal Employees
The Douglas Factor Defense for Federal Employees

Education

Graduate School

George Washington University School of Law, LL.M., Litigation and Dispute Resolution, 2000

Law School

University of Detroit School of Law, J.D., 1997
Executive Editor of the *Law Review*

Undergraduate School

University of Michigan, B.A., 1993

Bar Admissions

District of Columbia
Virginia
Maryland
New York
Michigan

Court Admissions

U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the District of Columbia Circuit
U.S. District Court, District of Columbia

Federal Agency Practice

Department of Defense Consolidated Adjudications Facility (DoD CAF)
Merit Systems Protection Board
All Federal Agencies for Disciplinary, Adverse and Performance Actions
Defense Office of Hearings and Appeals
Intelligence Community (IC) Security Clearance Appeals
All Federal Agency Security Clearance Appeals
Office of Special Counsel
Equal Employment Opportunity Commission
Office of Inspector General

Memberships & Affiliations

Security Clearance Lawyers Association
D.C. Bar Labor and Employment Law Section
Metropolitan Washington Employment Lawyers Association

Seminars & Lectures

The Intersection of Security Clearances and Family Law, CLE Instructor, Fairfax Bar Association (Dec. 2017)
Council on Education & Management, Employment Laws and How They Impact Human Resources Management
Shop Steward Training, an Introduction to Federal Labor Concepts