



Workplace Safety

Employers recognize that a commitment to the safety and health of their employees is an important part of a successful workplace. Employers also appreciate the difficulty of dealing with the many laws that affect disability management and occupational safety and health compliance, including the Occupational Safety and Health Act (OSHA), state workers' compensation statutes, the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), and common law claims for employment intentional tort and wrongful termination. Our firm is uniquely qualified to assist employers in successfully addressing this evolving and challenging area of the law.

Our firm has the largest management workers' compensation practice in Ohio. Our lawyers regularly advise clients regarding the recognition of injuries and the management of work-related disabilities. We represent employers before Ohio administrative agencies in both compliance and litigated matters, we participate in workers' compensation court appeals and other workers' compensation litigation, and we defend employers in employment intentional tort actions, wrongful termination claims, and toxic tort cases.

Although workers' compensation claims themselves present important regulatory and administrative issues, businesses also must consider the many other laws that govern workplace disabilities and mandate safe work practices, such as state and federal occupational safety and health standards and workers' compensation compliance issues. We routinely counsel our clients on a national basis on such compliance matters. When disputes arise, we represent their interests before the Occupational Safety & Health Administration and the Occupational Safety & Health Review Commission. We also work with our clients on complying with the Ohio workers' compensation regulatory scheme, whether the client is a self-insured employer or a state fund contributor.

As a result of our lawyers' active participation in many forums addressing occupational safety and health, our clients receive timely information. For example, we annually participate in programs with the National Council of Self-Insurers and the Ohio Self-Insurers Association. Our lawyers often are featured presenters at state and national programs on employer liability

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and disability management issues including, among many others, the Midwest Labor Law conference.

Our lawyers also serve on a subcommittee of the Ohio State Bar Association that regularly meets with the Ohio Bureau of Workers' Compensation to discuss and resolve administrative issues. In addition, our attorneys are members of a committee that meets with the Industrial Commission of Ohio to review and make suggested revisions to the Ohio Administrative Code, as well as to advise on unauthorized practice of law issues. We often appear before the Ohio courts as amicus curiae advocating positions on behalf of the employer community. Furthermore, our lawyers participate in rulemaking before the administrative agencies and have taken the lead in working for the passage of legislation such as the comprehensive reform of the workers' compensation system (2006), the Ohio intentional tort reform legislation (2005), the workers' compensation drug and alcohol testing law (2004), and the Ohio subrogation statute (2003), to name a few recent examples. As a result, our clients are made aware of not only the current status of the law, but also of likely statutory and administrative changes.

Our experience counsels that a successful occupational safety and health program requires timely knowledge of, and confident familiarity with, the various laws affecting disability management and safety compliance. We understand that long term success is not achieved through a piecemeal approach. Our experienced attorneys help our clients to understand the interplay of the various laws that govern workplace safety and health and to develop comprehensive and compliant occupational safety and health programs.