

OVERVIEW OF OHIO EMPLOYMENT LAW

by

Scott Warrick, JD, MLHR, CEQC, SHRM-SCP
Scott Warrick Human Resource Consulting, Coaching & Training Services
&
Scott Warrick Employment Law Services

(614) 738-8317 ♣ scott@scottwarrick.com

WWW.SCOTTWARRICK.COM

Link Up With Scott On [LinkedIn](#)

- I. OHIO COURT ESTABLISHES A DIFFERENT STANDARD FOR DISABILITY FROM THE ADA
- II. OHIO SUPREME COURT: PERSONAL LIABILITY AND PUNITIVE DAMAGES
 - A. Managers Can Be Sued Personally Under Ohio's Anti-Discrimination Law
 - B. The Ohio Supreme Court's Rationale
- III. OHIO FEDERAL COURT'S DECISION EXPANDS THE SCOPE OF PERSONAL LIABILITY FOR SUPERVISORS
 - A. What Standard Will Be Used To Impose Punitive Damages?
 - B. The Biggest Problem With Punitive Damages
 - C. Statute Of Limitations: 6 Years
- IV. LIMITING STATUTE OF LIMITATIONS TO SIX (6) MONTHS
- V. OHIO REQUIRES MILITARY FAMILY LEAVE
- VI. OHIO SUPREME COURT: TEMPORARY EMPLOYEES ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS
- VII. STATE MEDICAL MARIJUANA LAWS DO NOT TRUMP EMPLOYER POLICIES
- VIII. OHIO'S REFERENCE CHECKING LAW
- IX. OHIO'S "SMOKE-FREE WORKPLACE ACT"

- X. OHIO'S CONCEALED WEAPONS LAW
 - A. Coverage
 - B. Employer's Responsibility
- XI. EMPLOYEES DO NOT HAVE A RIGHT TO BEAR ARMS ON EMPLOYER'S PROPERTY
- XII. WHAT IS "CONSIDERATION" FOR A CONTRACT? NOT FIRING YOU!
- XIII. **IF YOU WANT TO KNOW ABOUT "SEALED CONVICTIONS," YOU MUST ASK**
- XIV.
- XV. EMPLOYER'S POLICY RENDERS PTO FORFEITED
- XVI. PROMISSORY ESTOPPEL AND EMPLOYMENT – AT WILL
- XVII. "SILENCE" CAN SUPPORT A PROMISSORY ESTOPPEL CLAIM
- XVIII. "NO REHIRE" RECOMMENDATION STATEMENT IS NOT DEFAMATORY
- XIX. LIQUIDATED DAMAGES IN EMPLOYEE CONTRACTS ALLOWED
- XX. OHIO DAS ADOPTS THE "BAN THE BOX"
- XXI. OHIO'S "FRIVOLOUS LAWSUIT" OVER PUBLIC RECORDS REQUEST
- XXII. OHIO "COBRA" LAW FOR SMALL EMPLOYERS
- XXIII. BEWARE: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
- XXIV. NEGLIGENT HIRING AND NEGLIGENT RETENTION
 - A. General Theory
 - B. Duty Of Care
 - C. Foreseeability
 - D. Various Potential Solutions
- XXV. WHEN IS AN EMPLOYER LIABLE FOR ACTS AGAINST CUSTOMERS?
- XXVI. NEGLIGENT HIRING & RETENTION: LIABILITY ENDS WHEN THE EMPLOYMENT RELATIONSHIP ENDS

OHIO WORKERS' COMPENSATION

- I. OHIO SUPREME COURT: UNCERTAINTY IN COOLIDGE REDUCED BY BICKERS
- II. S.B. 334 HELPS OHIO EMPLOYERS PAYING OUT-OF-STATE WORKERS' COMPENSATION COVERAGE
- III. OHIO SUPREME COURT REJECTS "PURE PSYCHOLOGICAL" INJURIES
- IV. STUPID IS AS STUPID DOES: WORKERS' COMPENSATION FOR BREAKING THE RULES
- V. EMPLOYERS MUST PAY BWC WAGES FOR INJURED EMPLOYEES WHO WORK FOR MULTIPLE EMPLOYERS
- VI. OHIO SUPREME COURT UPHOLDS STATUTE REGARDING WORKPLACE INTENTIONAL TORTS
- VII. WORKERS' COMPENSATION & INTENTIONAL TORTS TODAY
- VIII. OHIO SUPREME COURT EXAMINES WORKERS' COMPENSATION RETALIATION CLAIMS
- IX. WORKERS' COMPENSATION RETALIATION CLAIMS UNDER SUTTON
- X. FAILURE TO COMMUNICATE "VOLUNTARY ABANDONMENT" POLICY CAN COST YOU WORKERS' COMPENSATION CLAIMS
- XI. OHIO SUPREME COURT RE-ENFORCES "VOLUNTARY ABANDONMENT" POLICY
- XII. OHIO SUPREME COURT LIMITS "VOLUNTARY ABANDONMENT" DOCTRINE
- XIII. OHIO SUPREME COURT REJECTS "DUAL INTENT" DOCTRINE FOR WORKERS' COMPENSATION
- XIV. DRAFTING POLICIES TOO RESTRICTIVE COSTS EMPLOYER WORKERS' COMPENSATION CLAIM
- XV. MANAGEMENT'S COMMENTS SINK EMPLOYER IN WORKERS' COMPENSATION RETALIATION CLAIMS



Scott Warrick, JD, MLHR, CEQC, SHRM-SCP
Scott Warrick Human Resource Consulting, Coaching & Training Services
&
Scott Warrick Employment Law Services

(614) 738-8317 ♣ scott@scottwarrick.com
WWW.SCOTTWARRICK.COM
Link Up With Scott On [LinkedIn](#)

Business First's 20 People To Know In HR
CEO Magazine's 2008 Human Resources "Superstar"
Nationally Certified Emotional Intelligence Instructor

2012, 2008, 2007, 2006 and 2003 SHRM National Diversity Conference Presenter

Scott Warrick combines the areas of law and human resources to assist organizations in
“**Solving Employee Problems BEFORE They Happen.**” Scott uses his unique background of **LAW** and
HUMAN RESOURCES to help organizations get where they want to go, which includes coaching and training
managers and employees in his own unique, practical and entertaining style.

[Scott Trains Managers and Employees ON-SITE in over 50 topics](#)

LET SCOTT DESIGN A PROGRAM FOR YOU!

Scott's “**[Employment Law Videos](#)**” on the ADA, FMLA, FLSA and Harassment.

[“The Human Resource Professional's Complete Guide To Federal Employment And Labor Law”](#) &

Scott's “**[Do It Yourself HR Department](#)**”
are favorites for anyone wanting to learn Employment Law and run an HR Department.

Scott's academic background and awards include:

Capital University College of Law (Class Valedictorian (1st out of 233))

Master of Labor & Human Resources and B.A. in Organizational Communication: The Ohio State University

The Human Resource Association of Central Ohio's Linda Kerns Award for Outstanding Creativity in the Field of HR
Management and the Ohio State HR Council's David Prize for Creativity in HR Management

For more information on Scott, just go to www.scottwarrick.com