

# Workers' Compensation Proceedings + Litigation

Kegler Brown represents Ohio employers with respect to all aspects of their workers' compensation programs. Our team also has a wealth of experience in court litigation, with numerous successful jury trials and mandamus actions through the courts of appeal and Ohio Supreme Court.

## Our Services

- + **Ohio Industrial Commission hearings:** handling hearings around Ohio before hearing officers and the full Industrial Commission on issues such as claim allowance, fraud, extent of disability, appropriateness of treatment, entitlement and various forms of compensation, including permanent total disability (PTD) and abandonment of employment
- + **Violations of Specific Safety Requirements (VSSRs):** defending VSSR applications, which involve allegations that injury resulted from an employer's violation of safety requirements found in the Ohio Administrative Code
- + **Retaliatory discharge actions:** defending employers alleged to have taken adverse action against employees for pursuit of workers' compensation claims, often by proving the employer had legitimate non-discriminatory reasons for the actions taken
- + **BWC Adjudicating Committee hearings:** representing employers in disputes with the BWC over matters such as retrospective rating liability, successor liability, classification of payroll, a finding of non-complying employer status and denial of retroactive coverage
- + **Self-Insured Evaluation Board:** representing employers before the Board in matters involving allegations of failure to comply with BWC S/I obligations
- + **Litigation:** handling cases that involve an individual's alleged "right to participate" in the workers' compensation fund based on claimed legitimacy of the workers' compensation claim or allowance of additional medical conditions in an established claim; handling "extent of disability" matters in mandamus actions; arguing cases before the Ohio Supreme Court and in courts of appeal throughout Ohio

## Our Clients

We represent all types of Ohio employers, from small privately owned operations to large organizations like nursing homes, call centers, construction companies, manufacturers, religious institutions, food service employers and public entities that employ thousands of workers.

Several of our notable workers' compensation clients include a major provider of short-term and long-term care that employs 55,000 caregivers nationwide, a large public university, and a multinational Asian corporation primarily known for manufacturing mass-market automobiles and motorcycles.

## Contact Us

For more information on our workers' compensation services, please contact Dave McCarty.

### Our Team

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