

Legal Insights

September 2020

Legal Insights is a newsletter of timely and practical legal information that we hope you can use in your professional and personal pursuits. Please contact your attorney at Nicola, Gudbranson & Cooper if you have any questions or comments or if you would like to suggest topics of interest for future issues.



New Ohio Workers Comp Statutory Changes Take Effect September 14th

By Michael Bertsch, Member

On June 16, 2020, Governor DeWine signed House Bill 81, which will bring several important changes to the Ohio Workers' Compensation System. These changes take effect on September 14, 2020, and include key provisions.

Read the full article [here](#).

Many Changes in Immigration

Spotlight

Nicola, Gudbranson & Cooper's Education Litigation Group draws upon the skills of NGC's attorneys, including our business and litigation attorneys, to assist with evaluation of claims and their defense and prosecution.

NGC has extensive administrative and civil litigation experience representing clients on issues involving education and charter school regulation. NGC's Education Litigation Group represents clients in administrative hearings as well as in state and federal courts throughout Ohio.

Firm News

[Matt Fitzsimmons](#) has been elected Chair of the Governance Committee of the Board of Directors for MidTown

By Karen Gabriel Moss, Member & Anne Grove, law clerk

In 2020, immigration has been in the news on an almost daily basis. With so many issues facing employers, we have chosen two topics which we hope are most relevant given current events. These include Form I-9 and updates on exceptions to the travel ban.

Read the full article [here](#).

Support Your Favorite Minor League Baseball Team!

By Jim Juliano, Member



If you love baseball, support your favorite minor league baseball team any way you can. As it has done to many other industries, the COVID-19 pandemic has devastated Minor League Baseball (“MiLB”).

On June 30, the MiLB governing organization, the National Association of Professional Baseball Leagues (“NAPBL”), announced that MiLB cancelled the entire 2020 season. Although this announcement is not a surprise, the 160 MiLB teams have been creating ways to generate revenue without baseball. Many teams have been conducting very creative promotions and opportunities, such as rental of the ballpark, carryout concession food, movie nights, and fireworks. Teams have also been promoting the on-line sale of unique and creative clothing and other merchandise bearing their logos or team names. Our firm supports these efforts, and we encourage you to do so as well

Read the full article [here](#).

U.S. Supreme Court Holds that Prohibition Against Workplace Discrimination Based on Sex Includes Sexual Orientation / Preference and Gender Identity

By Matt Fitzsimmons, Member

Cleveland, Inc., where he also serves on the Executive Committee. MidTown Cleveland is a community development nonprofit which is building a connected community between (and including) CSU and University Circle. For the 2020 Spring Semester, Matt once again taught a course on Mediation at Cleveland-Marshall Law School with U.S. District Court Judge Dan A. Polster.

[Karen Moss](#) and [Brad Ortman](#) were both selected again by their peers for inclusion in 27th Edition of The Best Lawyers in America® for their work in Immigration Law. [Best Lawyers](#) recognition is based entirely on peer review with a methodology and transparent survey designed to capture the consensus opinion of leading lawyers on their colleagues’ professional abilities within the same geographical and practice areas.

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On June 15, 2020, the United States Supreme Court issued a major decision dealing with workplace discrimination. The case, ***Bostock v. Clayton County, Georgia***, raised the question of whether the federal workplace statute prohibiting discrimination on the basis of race, color, religion, sex, and national origin (Title VII of the 1964 Civil Rights Act) applies to gay and transgender people.

The Court held, in a 6-3 decision (172 pages), that Title VII's prohibition of discrimination on the basis of sex includes discrimination on the basis of one's sexual orientation and gender identity. As of June 15, 2020, Ohio did not have any statute prohibiting workplace discrimination against gay and transgender people. Title VII applies to employers engaged in interstate commerce who employ at least fifteen or more employees. Prior to the Supreme Court's June 2020 ruling in ***Bostock***, the lower federal appellate courts were sharply divided on this question.

Read the full article [here](#).

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