



Jill K. Bigler

Partner



Jill Bigler works with employers in a broad range of labor and employment matters arising under the Americans with Disabilities Act (ADA), Age Discrimination in Employment Act (ADEA), Family Medical Leave Act (FMLA), Fair Labor Standards Act (FLSA), Title VII, National Labor Relations Act (NLRA), and state employment laws.

Her experience includes litigation in state and federal courts and before administrative agencies, and she has handled matters involving race, gender, national origin, age, disability, pregnancy, sexual orientation, religion and/or political discrimination or harassment, intentional infliction of emotional distress, breach of contract, wrongful termination in violation of public policy, and alleged violations of ERISA. She also represents employers as defense counsel approved by Employment Practices Liability Insurance (EPLI) and Directors and Officers Liability Insurance (D&O) carriers.

Jill's practice also includes advising employers on day-to-day employment issues and drafting employment policies, handbooks, employment agreements, severance agreements, and other employment-related documents.

CONTACT INFORMATION

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COLUMBUS OFFICE

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Bar Admissions & Activities

- Admitted, State of Ohio, 2008
- Admitted, U.S. Court of Appeals, Sixth Circuit
- Admitted, U.S. District Court, Southern District of Ohio
- Admitted, U.S. District Court, Northern District of Ohio
- Member, American Bar Association
- Member, Columbus Bar Association
- Member, Ohio State Bar Association (Labor & Employment Law Section Council)
- Member, Ohio Women's Bar Association
- Member, Ohio Women's Bar Foundation Leadership Institute, Class of 2015–2016
- Member, Editorial Board, *The Better Lawyer*

Education

- The University of Toledo (J.D.), 2008; Assistant Executive Editor, *The University of Toledo Law Review*
- Kent State University (B.S. in Public Relations, *magna cum laude* with honors), 2004

INDUSTRIES & PRACTICES

Employment & Labor
Litigation
Health Care Industry



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Awards & Recognition

- Rising Star, *Ohio Super Lawyers* (Employment & Labor: Employer), 2018

Presentations & Published Works

- Speaker, "Impact of COVID on Hospitals as Employers," Ohio Society of Health Care Human Resources Administrators Fall Conference, October 2020
- Speaker, "The Life Cycle of an Employee: A Tax and Wage & Hour Perspective," Hot Topics in Employment Law Seminar, October 2019
- Panelist, "Getting practical: Tips for managing difficult ADA issues in the workplace," Hot Topics in Employment Law Seminar, November 2018
- Speaker, "The Dos and Don'ts of Hiring and Onboarding," Hot Topics in Employment Law Seminar, November 2017
- Author, "Q&A With Stephanie Hanna: Why You Should Run For The Columbus Bar Association's Board of Governors," *Columbus Bar Lawyers Quarterly*, Spring 2017
- Speaker, "Should Employees Be Disciplined for Safety Violations?" BWC Ohio Safety Congress, March 2017
- Speaker, "New OSHA Anti-Retaliation Rules Impact Drug Testing Policies and Incentive Programs," Hot Topics in Employment Law Seminar, November 2016
- Author, "Assembling Your Personal Board of Mentors," *Columbus Bar Lawyers Quarterly*, Summer 2015

Professional & Community Activities

- Member, Bricker & Eckler's Women in Networking Group

Experience

COVID-19 management counseling

Helped clients understand their legal obligations under new labor and employment laws passed in response to the COVID-19 pandemic. Drafted work-from-home, leave, and reopening policies; advised on mass layoff obligations, terminations, furloughs, unemployment issues, and alternative work arrangements; and recommended best practices for essential workers, safe reopening, employee testing and health assessments, employee travel, and face covering requirements.



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Non-compete agreement litigation

Represented a national mortgage loan company in two lawsuits in which the client hired two mortgage loan officers from a competitor, and the competitor sought to enforce the loan officers' non-compete agreements. Negotiated a global settlement that considerably reduced the length of each employee's non-compete agreement.

Healthcare client's bonus program audit

Conducted a full analysis of a healthcare client's multi-faceted bonus programs to determine compliance with state and federal wage and hour laws. Developed options for changing the criteria of several bonus programs and pay calculations to avoid possible wage law violations regarding the calculation of overtime. Created a plan for correcting possible improper overtime calculations for a two-year look back period.

Non-competition and non-solicitation defense

Represented a mortgage lender in a dispute following the abrupt resignation of a branch manager and 25 employees who left to join a competitor, taking confidential information with them. Secured temporary restraining order prohibiting the employees from working for the competitor and then negotiated a settlement with the former employees and their new employer, which prohibited the employees from soliciting their former employer's clients.

Sex and age discrimination defense

Defended the president and CEO of a national software company against claims of sex and age discrimination, retaliation and intentional infliction of emotional distress in connection with the accusing employee's termination from the company. Secured favorable judgment for the company and dismissal of the employee's claims.

Sexual harassment termination and subsequent claims

Represented a regional health system in a harassment lawsuit following the termination of an employee related to her affair with a coworker. She had claimed that ten other influential employees were engaged in consensual affairs with coworkers. We successfully negotiated a settlement on behalf of the health system and avoided depositions and cross-examinations of other employees in court.

Health system crisis protocol

Advised a regional health system's vice president of human relations regarding the investigation, suspension and ultimate termination of a nurse who allegedly made off-duty threats to an on-duty coworker, including threats of violence involving a firearm. Assisted in revising the health system's weapons-free policy and crisis protocol for emergency situations.