



Brian D. Hall

Brian partners with employers of all sizes – from small family-owned businesses to multi-national Fortune 500 companies – to help them effectively manage the issues they face on a daily basis in an increasingly regulated workplace. Brian focuses much of his practice on educating and assisting employers in their use of 21st century technology in their workplaces and its impact on cybersecurity, employee privacy, and trade secret protection. Brian also counsels employers on the wide range of federal and state employment laws, including the Family & Medical Leave Act, the Americans with Disabilities Act, the Fair Credit Reporting Act, and the Fair Labor Standards Act.

When employment-related disputes escalate to litigation, Brian represents management interests in employment and workers' compensation matters in both union and non-union environments. In fact, he devotes a large portion of his practice to defending employers in litigation involving employment discrimination, wrongful discharge, allegations related to workplace injuries and occupational diseases (including employment intentional tort litigation), as well as claims arising under ERISA. Brian also has significant experience advising employers and litigating the enforcement of rights and obligations under non-compete agreements and laws relating to misappropriation of trade secrets.

In the workers' compensation discipline, Brian helps both state-funded and self-insured employers manage their Ohio workers' compensation programs and defend against individual claims. Viewing workers' compensation from a general employment law perspective, he helps employers understand how their approach to workers' compensation is impacted by federal laws such as the Americans with Disabilities Act, the Family and Medical Leave Act, and ERISA and state law concepts addressing workers' compensation retaliation and employment intentional tort.

Brian is a Certified Information Privacy Professional through the International Association of Privacy Professionals (IAPP), the world's leading association of privacy and security professionals, and is a Certified Specialist in Ohio Workers' Compensation Law by the Ohio State Bar Association.

Partner

bhall@porterwright.com
614.227.2287
www.porterwright.com

41 South High Street
Suite 2900
Columbus, OH 43215

SOCIAL MEDIA

Blogs

bankingandfinancelawreport.com
employerlawreport.com
technologylawreport.com

Twitter

[@BrianDHallEsq](https://twitter.com/BrianDHallEsq)

EDUCATION

University of North Carolina School of Law, J.D., 1985

University of New York at Albany,
B.S., 1982

SERVICES

Labor & Employment

- Workplace privacy and technology
- Employment law compliance counseling
- Workplace safety
- Leave, FMLA and ADA reasonable accommodation counseling
- Trade secret protection and non-competition
- Employment litigation
- Whistleblowing and retaliation
- Reductions-in-force and restructuring
- NLRB and other unfair labor practices representation
- Social media



As editor of the firm's *Employer Law Report* blog, Brian is constantly reviewing recent cases, legislation, and other employment law developments and helping our clients understand how these changes may impact their organizations. More information and updates can be found on his Twitter feed @BrianDHallEsq, including employment law news, resources and views.

Brian is listed in *The Best Lawyers in America*® in the areas of Employment Law – Management, Litigation – Labor & Employment and Workers' Compensation - Employers and has been recognized by *Ohio Super Lawyers*® in Employment Law and Workers' Compensation Law.

Bar Admissions

Ohio

Ohio Court of Appeals

Ohio Court of Common Pleas

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio

Presentations

- "Addressing Workplace Challenges Stemming from the Opioid Epidemic," HORAN, June 5, 2018
- "Epidemic at the O.K. Corral: Addressing the Impact of Opioids in the Modern Workplace," Porter Wright Employment Relations Seminar, May 21, 2018
- "Ghosts Inside: Data Breach for Employers," Porter Wright Employment Relations Seminar, Oct. 12, 2017
- "Data Breach for Employers," Porter Wright Technology Seminar Series, June 14, 2017
- "The Rise of Wearable and Smart Technology in the Workplace," National Symposium on Technology in Labor and Employment, American Bar Association Section of Labor & Employment Law, April 7, 2017
- "Big Data, Data Analytics & the Law 2016: What Your Company Needs to Know About the Evolution of the Next Big Thing," Porter Wright Technology Seminar Series, May 18, 2016
- "FCRA and Ban the Box: Get it Right or You'll End Up Walking the Plank," Porter Wright Employment Relations Seminar, May 16, 2016
- "Preventing Data Leaks Through Workplace Management," Porter Wright Employment Relations Seminar, June 3, 2015
- "Preventing Data Leaks Through Workplace Management," OHS/INFRAGARD: Cyber Strategies for a Safer Ohio, Oct. 27, 2014
- "Preventing Data Leaks Through Workforce Management," Porter Wright Technology Seminar Series, Aug. 13, 2014

SERVICES (CONTINUED)

Business Competition, Advice & Litigation

- Non-compete, non-solicitation, non-recruitment and non-disclosure agreements

Litigation

- Non-competition and trade secrets litigation

Privacy & Data Security

- Workplace privacy
- Data security and breach notification
- HIPAA and HITECH compliance
- Litigation
- Social media

Health Care

Sports

PROFESSIONAL ASSOCIATIONS

- Columbus Bar Association
- Ohio State Bar Association
- American Bar Association
- Society for Human Resource Management
- International Association of Privacy Professionals



- “Shining a Light on the Workers’ Compensation Hearing: Strategies for Success and Pitfalls to Avoid,” Porter Wright Workers’ Compensation Seminar, February 2014
- “Social Media: An Employer’s Best Friend in Defending Against Questionable Workers’ Compensation Claims,” Porter Wright Workers’ Compensation Seminar, February 2014
- “Be My Cyber-Friend: the Effect of Social Media and Technology on Employment Litigation,” Columbus Bar Association, October 2013
- “Taming the Lion: Social Media, Bring Your Own Device Issues and Other Technology Risks in the Workplace,” Porter Wright Labor and Employment Seminar, October 2013
- “Finding Your Way Out of the Darkness: Crafting ‘Exit Strategies’ for Problem Employees,” Porter Wright Employment Relations Seminar, Oct. 30, 2012
- “Voluntary Abandonment and Retaliation: Two Sides of the Same Coin,” Porter Wright Workers’ Compensation Seminar, Feb. 1, 2012
- Steering Your Clients Through Troubled Waters: Privacy Issues in the Modern Workplace,” American Bar Association Employment Rights & Responsibilities Committee Midwinter Meeting, 2011
- “Social Media: An Effective Tool for Your Toolbox, If Used Wisely,” Porter Wright Employment Relations Seminar, Oct. 28, 2010
- “Confronting Employee Privacy in the Information Age,” “Understanding the Opportunities and Controlling the Risks Presented by Social Media,” Human Resources Association of Central Ohio Annual Legal Conference, Oct. 12, 2010
- “Keep Your Eyes On The Road: Understanding the Opportunities and Controlling the Risks Presented by Social Media,” Porter Wright Employment Relations Seminar, Oct. 1, 2009
- “Legal Issues Businesses Face in Using Social Media Sites: Intellectual Property, Privacy, and Workplace Issues,” “Understanding Social Media’s Opportunities and Risks For Human Resources,” Porter Wright Seminar, Sept. 30, 2009
- “FMLA Master Class: FMLA and Other Laws,” Feb. 17, 2009
- “Understanding the Changes to the FMLA and ADA: New Hurdles for Employers,” Porter Wright Seminar, Jan. 14, 2009
- Panel Member, “HIPAA Privacy Rule for the Employment Lawyer,” American Bar Association Employment Rights & Responsibilities Committee Midwinter Meeting, 2008
- “Privacy Practices: What Does My Knee Surgery Have To Do With My Lawsuit?: How to Handle Employees’ Medical Information,” American Bar Association Employment Rights & Responsibilities Committee Midwinter Meeting, 2008

Publications

- “Four takeaways from failed wrongful termination claims,” *Law360*, May 8, 2018
- “Don’t give up on post-accident drug and alcohol testing just yet,” *Columbus Business First*, March 7, 2011



Honors | Awards

- *Ohio Super Lawyers*[®], Employment & Labor
- *The Best Lawyers in America*[®], Employment Law – Management, Litigation – Labor & Employment, Workers' Compensation Law – Employers

Community

- ProMusica Chamber Orchestra, Board of Trustees
- Center of Science and Industry (COSI), Member, Community Board
- Greater Columbus Sports Commission, Member, Board of Commissioners, 2011-2017