



Michael J. Underwood

partner

Mike represents employers in all major areas of labor and employment law. His practice includes defending employers in discrimination and wrongful discharge litigation. Mike also represents employers in collective bargaining and arbitration cases. He advises on OSHA, COBRA compliance and affirmative action. In addition to his clients in the private sector, Mike represents several municipal government employers for labor negotiations, public-sector union representation matters, and civil service law issues.

In addition to his employment law work, Mike handles public accommodation claims under the Americans with Disabilities Act, including cases concerning website accessibility. He presents training sessions for human resources professionals and managers designed to give practical, effective approaches to minimize legal risk and improve employee relations. He also serves as a frequent presenter on various employment law topics for seminar and industry/management groups and is a regular contributor to employment law blogs and publications.

Mike was a contributing editor to "How Arbitration Works," *Elkouri & Elkouri Supplemental Update*, and to "The Developing Labor Law," *BNA Books*, Cumulative Supplement.

BAR ADMISSIONS

- Ohio
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Southern District of Ohio

PRESENTATIONS

- "The New Normal – Vaccine Mandates, Safety Requirements & the Impact on Employers," Porter Wright Employment Relations Webinar, Nov. 12, 2021
- "Where the Rubber Meets the Road: OSHA, EEOC & NLRB Regulations Under the Current Administration," Porter Wright Employment Relations Webinar, June 17, 2021
- "Getting Back to Business: Post-COVID Policies & Regulations," Greater Cincinnati European American Chamber of Commerce, March 31, 2021

CONTACT

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SOCIAL MEDIA

Blogs

bankingandfinancelawreport.com
employerlawreport.com

EDUCATION

University of Pittsburgh School of Law, J.D., *cum laude*, 1980

University of Pittsburgh, B.A., *cum laude*, 1976

SERVICES

Labor & Employment

- Employment litigation
- NLRB and other unfair labor practices representation
- Employment law compliance counseling
- Leave, FMLA and ADA reasonable accommodation counseling
- Recruiting, hiring and training
- Reductions-in-force and restructuring
- State and federal workplace safety and health

- “Returning to Work: Managing the Employment & Liability Risks,” City of Delaware Economic Development and Entrepreneur Center, June 4, 2020
- “Returning to Work: Retail, Restaurant & Other Consumer-Facing Sectors Encountering the New Normal,” Porter Wright, May 28, 2020
- “Returning to Work: Managing the Regulatory, Employment & Risk Liability Risks,” Porter Wright, May 14, 2020
- “Navigating Employment Issues in the Wake of COVID-19,” Porter Wright, March 24, 2020
- “Navigating Employment Issues in the Wake of COVID-19,” Porter Wright, March 23, 2020
- “What’s Fair Game? Handling Employee Off-Duty Misconduct,” Porter Wright Employment Relations Seminar, Oct. 4, 2019
- “Have Your Light Sabers Ready! Calculated Risks: The Role of HR Professionals in Risk Management,” Porter Wright Employment Relations Seminar, June 2, 2017
- “Americans with Disabilities Act (ADA) Website Accessibility,” Ohio Hotel and Lodging Association Annual Conference, Oct. 27, 2016
- “Under Surveillance: OSHA is Looking at You. And Medical Marijuana Issues are Coming Your Way Too,” Porter Wright Employment Relations Seminar, Oct. 20, 2016
- “Batten Down the Hatches: Defending Against Discrimination Charges,” Porter Wright Employment Relations Seminar, May 16, 2016
- “Disability, Religious Practices and Other Accommodation Issues,” Columbus Bar Association HR Academy, April 13, 2016
- “ADA Website Compliance 101,” Porter Wright, Dynamit, April 6, 2016
- “The Latest Fall Trends: Changing Workplace Dynamics Present Unique Challenges for Retailers,” Porter Wright Retailer Roundtable, Oct. 28, 2015
- “Curiouser and Curiouser: Today’s New Workplace Law Reality,” Porter Wright Employment Relations Seminar, Oct., 6, 2015
- “Against All Odds: Ensuring Your Employee Handbook is Keeping Stride,” Porter Wright Employment Relations Seminar, June 3, 2015
- “The Voracious Appetite of the New NLRB: Protecting Your Company From the Newest Employer Predator – Unionized or Not,” Porter Wright Employment Relations Seminar, Oct. 30, 2014
- “Walking the Tightrope: Balancing Your HR Decision-making Process to Reduce Risk,” Porter Wright Employment Relations Seminar, Oct. 25, 2013
- “Workplace Investigation Practices and Techniques: Making Sure Your Investigation Provides The Support You Need for Your Defense,” Porter Wright Employment Relations Seminar, May 1, 2012

SERVICES (CONTINUED)

Labor & Employment

- Trade secret protection and non-competition
- Whistleblowing and retaliation
- Public sector collective bargaining
- Executive compensation
- Workplace privacy and technology
- Affirmative action
- Social media
- Workplace safety

Litigation

- Arbitration and mediation
- Non-competition and trade secrets litigation

Construction

Business Competition Advice & Litigation

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

Investigations, White Collar Defense & Shareholder Litigation

Education

- “The Clock is Ticking: Preparing for the Posting Requirements Before the April Deadline,” Porter Wright Webinar, April 10, 2012

PUBLICATIONS

- “Tips to limit risk of employee harassment by customers,” *HR Daily Advisor*, Oct. 14, 2021
- “Legalized marijuana: Questions employers should be asking,” *Dayton Business Journal*, Oct. 30, 2015

PROFESSIONAL ASSOCIATIONS

- Columbus Bar Foundation
- Ohio State Bar Association
- American Bar Association

HONORS | AWARDS

- *Chambers USA*, Labor & Employment, Ohio
- *Best Lawyers*®, Employment Law – Management, Labor Law – Management, and Litigation – Labor & Employment
- *Ohio Super Lawyers*®

COMMUNITY

- Gahanna Parks and Recreation Foundation, Board Member
- First Congregational Church, Personnel Committee Chair
- Franklin County Board of Developmental Disabilities