



Jan E. Hensel

Partner
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Jan counsels and defends employers in all aspects of employment law. She consults with employers of all sizes to help them comply with the myriad of state and federal employment laws that affect the workplace, including the Fair Labor Standards Act, the Family and Medical Leave Act, the Americans With Disabilities Act, the Age Discrimination in Employment Act, Title VII, and the Ohio Civil Rights Act. Jan frequently conducts onsite trainings and seminars to ensure that clients avoid employment pitfalls. She works closely with her clients to help them identify issues before they become problems and solve problems after they arise.

She is also an experienced workplace investigator. Jan frequently conducts investigations into claims of discrimination, harassment, and other workplace issues for firm clients, and as an independent third-party investigator. She has completed a two-week training institute conducted by the Association of Workplace Investigators (AWI), and in November 2021 became an AWI Certificate holder.

Jan has more than 30 years of experience litigating employment law cases in state and federal courts, representing employers before state and federal enforcement agencies, counselling employers on workplace issues, and conducting workplace investigations. She has tried cases and presented appeals in state and federal courts throughout Ohio and has represented clients before the Ohio Supreme Court.

Her courtroom experience includes representing employers in defending claims arising out of the FLSA, FMLA, ADA, ADEA, Title VII, wrongful discharge claims, breach of contract claims, and in non-competition litigation.

Jan is a frequent author, speaker, and trainer on employment law related topics.

Prior to joining the firm, she served as chair of the Employment & Workers' Compensation practice group and the Diversity Committee at Buckingham, Doolittle and Burroughs.

Services

- Labor
- Employment
- Employment Discrimination Litigation

- Wage/Hour Law
- Wrongful Discharge
- Audits, Counseling & Training
- Education Industry
- Health Care Industry

Education

- The Ohio State University Moritz College of Law (J.D., *with honors*, 1988)
- The Ohio State University (B.A., 1983)

Bar Admissions

- Ohio

Court Admissions

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

Affiliations/Memberships

- Ohio State Bar Association, Labor and Employment Committee
- Columbus Bar Association, Labor and Employment Committee
- Association of Workplace Investigators
- Women Lawyers of Franklin County
- Ohio Women's Bar Association

Distinctions

- Peer Review Rated AV in *Martindale-Hubbell*
 - Preeminent Women Lawyers, Bar Register of (2013)
- *Chambers USA*®: *America's Leading Lawyers for Business*, Labor & Employment
- 10 Lawyers of the Year in Ohio, *Lawyers Weekly* (1999)
- Ohio *Super Lawyers*®
 - For Employment & Labor (2021)
 - Top 25 Women Attorneys, Columbus (2013, 2022, 2023)
- Top Lawyers by *Columbus CEO* magazine
- *Best Lawyers*®
 - Employment Law - Management, Litigation - Labor and Employment (2022,2024)
- Certified Instructor, Ohio Judicial College

Experience

McFee; Ohio Civil Rights Commission v. Nursing Care Management Of America, Inc. d/b/a Pataskala Oaks Care Center, 2010 Ohio-2744

In this appeal to the Supreme Court of Ohio, Dinsmore argued that an employment policy that imposes a uniform minimum length of service requirement for leave eligibility with no exception for maternity leave is not direct evidence of sex discrimination under Revised Code Chapter 4112, seeking reversal of the Fifth District Court of Appeals. After full briefing and oral argument to the Supreme Court of Ohio, the Supreme Court agreed establishing, as a proposition of law, that an employment policy that imposes a uniform minimum length of service requirement for leave eligibility with no exception for maternity leave is not direct evidence of sex discrimination under R.C. Chapter 4112.

Publications

January 13, 2021

Ohio's HB 352 Simplifies and Clarifies Anti-Discrimination Statute

November 25, 2020

Can Employers Mandate Employees to Take a COVID-19 Vaccine?

April 25, 2019

Supreme Court Agrees to Hear Cases Determining Extent of Title VII Protection for LGBT Workers