



Michael L. Squillace

Partner
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Mike handles all aspects of workers' compensation law on behalf of Ohio employers, including administrative hearings, court appeals and mandamus actions. He has handled claims in every Industrial Commission district, had cases in most Ohio counties and tried several cases before the Ohio Supreme Court.

Prior to joining the firm in 1991, he worked for the Ohio attorney general, serving as chief of the Workers' Compensation and Transportation sections. He also handles a variety of litigation and appellate matters.

Services

- Workers' Compensation
- Litigation
- Employment Discrimination Litigation
- Wage/Hour Law
- Wrongful Discharge
- Audits, Counseling & Training

Education

- University of Toledo College of Law (J.D., *cum laude*, 1980)
- University of Notre Dame (B.A., 1977)

Bar Admissions

- Ohio

Court Admissions

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

Affiliations/Memberships

- Columbus Bar Association, Workers' Compensation Admissions Committee
- Ohio State Bar Association
 - Workers' Compensation Committee
 - Specialization Committee Certified Specialist, Workers' Compensation

Distinctions

- Peer Review Rated AV in *Martindale-Hubbell*
- *Best Lawyers*®
 - Workers' Compensation - Employers (2022)
- *Ohio Super Lawyers*®
 - For Workers' Compensation (2021)
- Top Lawyers by *Columbus CEO* magazine

Experience

State, ex rel. Blanton v. Ind. Comm., 2003-Ohio-3271

We successfully defended a challenge filed by a claimant to an order denying her request that our client pay for her medical bills even though they were not related to her industrial injury. We were able to effectively shut down this claim with this decision.

State, ex rel. Crossett Co. v. Conrad, 2000-Ohio-464

We successfully challenged the Bureau of Workers' Compensation decision to hold our client responsible for workers' compensation premiums which were owed by our client's predecessor in interest which the BWC said our client inherited. We demonstrated that because the amounts allegedly due from the predecessor were related to the retrospective rating program, it was illegal for the BWC to order that our client was responsible for this plan which was agreed to by our predecessor. We used a novel approach to argue that the retrospective rating program was an exception to the rule that allows BWC to charge successor employers with premiums of its predecessors.

State, ex rel. Delany v. Ind. Comm., 2006-Ohio-427

The claimant sought an order requesting the payment of temporary total compensation even though she had been terminated for failing to accept a light duty job offer from the employer. The Ohio Supreme Court agreed with our position that the claimant's actions constituted a voluntary abandonment which precluded the payment of temporary total compensation. This decision further solidified the voluntary abandonment defense which can be utilized by all employers to defend requests for temporary total compensation by claimants who refuse light duty jobs.

State, ex rel. Eckerly v. Ind. Comm., 2005-Ohio-2587

We successfully defended an order of the Industrial Commission which denied temporary total compensation to a claimant who had been fired due to his failure to comply with the "no call, no show" policy, despite the claimant's allegations that his condition significantly worsened following his termination. We were able to convince the Ohio Supreme Court not to extend the ability of claimants who were terminated as the result of a clear violation of company rules, to obtain temporary total compensation even though the claimant's medical condition had worsened following the termination. This resulted in a significant cost savings to our client.

State, ex rel. Genuine Parts Co. v. Ind. Comm., 2005-Ohio-1447

We challenged an award of temporary total compensation to a claimant on the basis that her doctor was treating her for conditions not related to the industrial injury. The court agreed with our position, finding that despite the disability forms signed by the treating doctor listing the allowed conditions, his office notes proved that he was actually treating her for conditions not related to her claim. This case saved our client a considerable amount of money and presently serves as legal precedent which allows employers to look beyond the disability forms completed by doctors to determine if in fact the disability is related to the industrial injury.

State, ex rel. McCoy v. Dedicated Transport, 2002-Ohio-5305

We successfully defended a request made by a terminated employee for temporary total compensation. The Ohio Supreme Court ruled that because the employee was fired for violating company rules, he forfeited his eligibility for temporary total compensation, even though his disability worsened to the point where he could no longer work. This resulted in significant cost savings to our client. It also served as a landmark case on the issue of voluntary abandonment.

State, ex rel. OSU v. Allen, 2004-Ohio 3839

The Ohio Supreme Court agreed with our challenge of a permanent total disability award and vacated the award. The Court found that the evidence relied upon by the Industrial Commission was flawed and not submitted in a timely fashion. The client saved a considerable amount of money as the order that the claimant be awarded lifetime disability was vacated. The decision reaffirmed the principle that the Industrial Commission was obligated to follow its own rules when adjudicating permanent total disability matters.

State, ex rel. OSU v. Wooten, 2001-Ohio-1596

We successfully challenged an award of permanent total disability to the claimant on the basis that the evidence relied upon to support this award was submitted at the hearing table in violation of all applicable rules. The Ohio Supreme Court found that the decision was an abuse of discretion. This decision saved our client a considerable amount of money. It also established precedent that the Industrial Commission was required to follow its own rules.