

## ERIC J. JOHNSON



**Eric J. Johnson** brings more than 20 years of experience to the fields of labor and employment

and education law. Eric represents both private and public sector clients in a wide range of labor and employment matters and represents boards of education throughout Ohio. He is consistently recognized for his service to clients by being named to *The Best Lawyers in America*®.

Eric defends employers against discrimination, harassment and wrongful discharge allegations, Family and Medical Leave Act (FMLA) claims, Fair Labor Standards Act (FLSA) claims, non-compete issues, and various tort actions. Eric regularly counsels clients on general compliance and risk management strategy and provides training in almost every area of employment law.

Within the field of education law, Eric represents boards of education throughout Ohio in all facets of school law, providing general counsel to public school districts across the state. Eric regularly advises clients on how to navigate the most difficult of situations, including crisis and high visibility matters. He provides guidance in all stages of collective bargaining and has achieved precedent-setting decisions related to unilateral implementation of contract terms, as well as the supremacy of the teacher evaluation system over collective bargaining rights.

Eric also possesses substantial labor law experience. He represents public and private sector employers at the bargaining table as the lead negotiator with a variety of labor organizations. When not at the table, he counsels employers on bargaining issues and strategy from behind the scenes. Eric has successfully represented clients' interests in the arbitration of claims brought by employees and unions and has prosecuted and defended unfair labor practice charges with State Employment Relations Board (SERB) and the National Labor Relations Board (NLRB).

## **REPRESENTATIVE MATTERS**

### **SCHOOL DISTRICT COLLECTIVE BARGAINING**

- Guided school district client through the process of unilaterally implementing the client's last best offer over the unfair labor practice challenges brought by the union
- Represented client in achieving a precedent-setting decision about the school district's implementation of the standards-based evaluation framework over union's demands to bargain
- Defended school districts in a variety of matters before the State Employment Relations Board (SERB) Served as chief negotiator on behalf of school districts of various sizes and financial states
- Provided "behind-the-scenes" collective bargaining support to school districts of various sizes

### **LABOR & EMPLOYMENT**

- Achieves arbitration victories on high-profile teacher and non-teaching discipline cases, as well as high- stakes contract interpretation matters
- Represents school districts in proceedings before the Equal Employment Opportunity Commission (EEOC) and Ohio Civil Rights Commission (OCRC) with respect to claims of race, sex, age, gender and disability discrimination
- Represents school districts in teacher termination and discipline proceedings Represents school districts in proceedings regarding discipline and termination of classified employees including negotiation and implementation of last chance agreements
- Counsels clients regarding compliance with the Americans with Disabilities Act (ADA), FMLA, FLSA, Age Discrimination in Employment Act of 1967 (ADEA), and other employment laws
- Represents districts in defamation lawsuits
- Argued to overturn an arbitrator's decision holding that the school district did not have grounds to terminate a teacher

### **GENERAL COUNSEL**

- Provides day-to-day advice to school districts regarding operational issues
- Assists school districts with negotiating vendor contracts and interpretation of existing vendor contracts
- Assists school districts with land-use and facilities issues
- Assists school districts with policy review and development

### **SUNSHINE LAW / PUBLIC RECORDS**

- Counsels school districts faced with voluminous public record requests and responded to same on behalf of clients
- Counsels school districts on various aspects of compliance with Ohio's Open Meetings Act, including impact of social media and text messaging
- Counsels school districts on compliance with Ohio's Public Records Act, including the impact of new technologies on public records

## **PRESENTATIONS**

- BASA Summer Legal Update
- Collective Bargaining Update
- Administrative Update
- Professional Conduct for New Educators
- Classified Supervisors HR Role in Employee
- Human Resources During a Pandemic
- New Superintendent Transition Program
- Talking Points & Other Related Considerations: Re-Open and Re-Start Guidance for 2020-2021
- Serving Students with Mental Health Challenges
- Licensure Code and Personal Conduct
- Fall Legal Update
- School Human Resources
- Investigations and Employee Discipline
- Professional Conduct and Managing Social Media
- Social Media for School HR Professionals
- Employee Investigations
- Costing Out Your Collective Bargaining Agreement
- Managing Social Media in District Communications
- Managing Social Media in District Communications

## **ASSOCIATIONS**

- Member of the Board of Directors, Hershey Montessori School
- Member, Cystic Fibrosis Foundation
- Fellow, Cleveland Metropolitan Bar Association
- Member, Cleveland Employment Law Inns of Court
- Member, Ohio Council of School Board Attorneys
- Member, National Council of School Attorneys
- Member, Ohio Management Lawyers Association

## **Contact Information**

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