

Angelique Paul Newcomb

Shareholder

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Focus Areas

Discrimination and Harassment
Policies, Procedures and Handbooks
Training - Compliance, Ethics, Leadership
Litigation and Trials
Inclusion, Equity and Diversity
Arbitration
Hiring, Performance Management and Termination
Investigations
Workplace Violence Prevention and Crisis Response

Overview

Angelique (Angel) Newcomb represents and counsels management in all aspects of labor and employment law, with an emphasis on employment discrimination litigation. She represents a wide range of employers, from family-owned businesses to a large regional healthcare system. She appears in state and federal courts and has extensive experience before various administrative agencies, including the Equal Employment Opportunity Commission and the Ohio Civil Rights Commission. She has successfully defended claims under:

- Title VII and state antidiscrimination laws
- The Americans with Disabilities Act (ADA)
- The Age Discrimination in Employment Act (ADEA)
- The Family and Medical Leave Act (FMLA)
- The Fair Labor Standards Act (FLSA)
- Ohio Minimum Fair Wage Standards
- Ohio Whistleblower Statute

- Ohio Workers' Compensation Retaliation Statute

Angel has tried several employment discrimination cases. In March 2013, she obtained a directed verdict in Ohio state court on a claim for national origin discrimination. The jury then returned a verdict in favor of the employer on the remaining claim for retaliation. This victory created a domino effect for the employer in which two plaintiffs in related cases voluntarily dismissed their cases and four other plaintiffs settled their cases on terms very favorable to the employer.

Angel is well regarded for her meticulous preparation and tenacious deposition skills. Her ability to develop critical evidence during deposition which severely weakens or eviscerates the plaintiff's claims has led to voluntary dismissals and/or the early resolution of numerous cases on terms advantageous for the employer.

Angel has secured dismissals through dispositive motions and prevailed in numerous state and federal courts on a variety of discrimination and workplace tort claims including:

- Obtaining summary judgment in West Virginia State Court in claims of sexual harassment and retaliation brought by a plaintiff who had voluntarily resigned her employment after being passed-up for promotion, which was affirmed on appeal by the Supreme Court of West Virginia.
- Obtaining summary judgment in race discrimination, disability discrimination and invasion of privacy claims brought by a current employee who believed a personality conflict with her direct supervisor was racially motivated.
- Obtaining dismissal of a retaliation claim made by an employee of a government contractor who could not show he engaged in any protected activity.
- Obtaining summary judgment on a failure to accommodate disability discrimination claim made by an employee who received the requested accommodations, but objected to the employer's delay in providing them, which had been due to the employee's extended absence from work.
- Obtaining summary judgment in a case alleging a variety of claims: race discrimination under Title VII and Ohio law, disability discrimination under the ADA and Ohio law, retaliation under the FMLA, violations of the Employee Retirement Income Security Act (ERISA), and age discrimination under the ADEA and Ohio law, brought by an employee who was terminated after she was unable to return to work after exhausting all approved medical leave; which was upheld on appeal by the Sixth Circuit Court of Appeals.
- Obtaining summary judgment in a case alleging disability discrimination, failure to accommodate disability discrimination, and aiding and abetting unlawful discrimination.

Angel is also a skilled trainer. She works with clients to develop and deliver training sessions on topics including workplace respect, discrimination/harassment/retaliation prevention, and diversity, equity, and inclusion, including unconscious bias. She is a frequent presenter at continuing legal education seminars and seminars designed for human resources professionals on a wide variety of labor and employment law issues.

In addition to her litigation and training work, Angel provides labor and employment counseling to clients in numerous sectors including energy, government contracting, manufacturing, healthcare, residential property management,

hospitality, and financial services. Her skills include workplace violence prevention issues, and she has successfully secured protection orders for employees impacted by threats of violence. Angel also has extensive experience leading workplace investigations, including fully remote investigations during the COVID pandemic.

In 2015, Angel began exploring her interest in alternative dispute resolution by completing a 16-hour mediation training course offered by Community Mediation Services of Central Ohio. She serves as a volunteer mediator for the U.S. District Court, Southern District of Ohio, where she has helped numerous parties resolve their disputes on mutually agreeable terms. She also previously served as an adjunct professor of appellate advocacy at the Ohio State University College of Law.

In law school, Angel was research editor of the *Ohio State Law Journal*. She was also a member of the best team in the Michael F. Colley Trial Competition.

Professional and Community Affiliations

- Member, Ohio State Bar Association
- Member, Columbus Bar Association
- Member, Delaware County Bar Association
- Member, EEO Section, American Bar Association
- Member, Human Resource Association of Central Ohio (HRACO)

Recognition

- Named, The Best Lawyers in America®, 2019-2025
- Recipient, George R. Berman Memorial Award, Outstanding Performance Moot Court Program, *Ohio State University College of Law*, 1997

Education

J.D., The Ohio State University Moritz College of Law, 1997

B.A., Columbia University, 1991

Bar Admissions

Ohio

Courts

U.S. Court of Appeals, 6th Circuit

U.S. District Court, Northern District of Ohio

U.S. District Court, Southern District of Ohio

Publications & Press

How To Identify Signs of Suicidal Behavior and Prevent Harm

Xpert HR

October 27, 2021

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Littler Press Release

August 19, 2021

Social and Political Issues and the Workplace – Implications for Employers

Littler Report

May 12, 2021

10 Ways Employers Can Guard Against Retaliation Claims

Law360

March 23, 2021

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Littler Press Release

August 20, 2020

Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year

Littler Press Release

August 15, 2019

Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers

Littler Press Release

August 15, 2018

Revisiting Your Sexual Harassment Policy During the #MeToo Uprising

Littler Insight

November 29, 2017

Turning the Cameras on Court TV: Does Televising Trials Teach Us Anything About Real Law?

58 Ohio St. L.J. 655

1997

Speaking Engagements

Workplace Violence Prevention in the Age of the "Active Shooter"

June 30, 2021

Workplace Violence Prevention in the Age of the "Active Shooter"

June 24, 2021

Understanding Diversity, Inclusion and Unconscious Bias in the Workplace

Client Presentation

April 2021, December 2020

Title VII Case Law Update: What You Need to Know to Stay on the Right Side of the Law

Human Resources Association of Central Ohio

October 14, 2020

2020 Hot Topics in Employment and Labor Law

Columbus, OH

February 26, 2020

2019 Hot Topics in Employment and Labor Law

Columbus, OH

February 21, 2019

Understanding, Preventing and Correcting Discrimination, Harassment and Retaliation

Client Presentation

June 20 & August 16, 2018

Conducting Investigations in the Aftermath of #MeToo

Central Ohio Association of Corporate Counsel

June 14, 2018

MeToo - Sexual Harassment Evidence: What Comes in and What Stays Out?

Advanced Labor Law Seminar, Ohio State Bar Association

May 24, 2018

Understanding, Preventing and Correcting Discrimination, Harassment & Retaliation

Healthlinx

May 3, 2018

2017 Littler Report

Human Resources Association of Central Ohio
July 13, 2017

Recognizing, Responding to and Preventing Discrimination and Harassment Complaints

Healthlinx
December 2016

The 2016 Littler Report, Employment Law Update 2016

Human Resources Association of Central Ohio
July 28, 2016

The Government's Crackdown on the Contingent Workforce and the Current Legal Distinctions Between Employees and Independent Contractors

Association of Corporate Counsel, Central Ohio Chapter
July 21, 2016

New Legal Standards Pose New Business Challenges: Navigating the Independent Contractor Classification Challenges and the New "Joint Employer Standard"

Direct Energy, Houston, Texas
December 2015, January 2016 and April 2016

Prevention of Workplace Harassment and Discrimination

Navidea, Dublin, OH
September 3, 2015

Working From Home in All Its Dimensions

Employment Law Update, Human Resources Association of Central Ohio
July 16, 2015

What Can Employers Do to Promote Employee Health? An Eye-Opening Look At Corporate Wellness Efforts

Human Resources Association of Central Ohio (HRACO), Columbus, OH
July 17, 2014

Conducting Effective Workplace Investigations

Battelle Memorial Institute
July 2014

Adapt, Armor and Avoid: Checkmating the Next Big Thing in Wage and Hour Litigation

Association of Corporate Counsel, Central Ohio Chapter
June 12, 2014

Best Practices to Avoid Liability When Hiring New Employees

Battelle Memorial Institute

July 2014

Workplace Ethics-How to Keep an Investigation Confidential When Everyone Wants to Know What's Going On

Human Resources Association of Central Ohio (HRACO), Columbus, OH

July 18, 2013

The EEOC's New Strategic Enforcement Plan-Critical Challenges Faced by Employers

Association of Corporate Counsel, Central Ohio Chapter

July 13, 2013

Retaliation and Whistleblowing: A New Firestorm of Rights and Responsibilities

Human Resources Association of Central Ohio (HRACO), Columbus, OH

April 25, 2012