

Richard E. Hepp

PARTNER

(216) 831-0042

rhepp@meyersroman.com

As a partner in our Labor and Employment practice group, Richard “Rick” Hepp provides strategic advice on all areas of employment law with the goal of identifying pragmatic solutions that align with business priorities. He has considerable experience working with manufacturers, skilled nursing and long-term care facilities, medical and dental providers, staffing companies, logistics and freight brokerage companies, cannabis manufacturers and retailers, construction companies, and food manufacturers.

Rick focuses his practice on defending management-side clients in federal, state, administrative, and arbitration proceedings related to discrimination and hostile work environment claims, noncompetition and trade secret rights enforcement, wage-and-hour claims, independent contractor misclassification, joint-employer issues, health and safety compliance, ERISA, and workers’ compensation. Rick also focuses on business-related immigration, including procuring authorization for employees to work in the United States and overseas, performing Form I-9 audits, and responding to immigration enforcement raids.

Results

Secured a complete defense verdict in arbitration against claims of unpaid overtime by a remote, on-site ATM technician by proving that the employer’s policies and practices appropriately paid for all time worked, provided the technician followed company policy and reported all time worked.

Secured a complete defense verdict in a jury trial against a claim for workers’ compensation benefits by proving that the employee’s injury was degenerative in nature, based on expert testimony and facts surrounding the alleged workplace accident while working at a nursing home.

Practice Areas

Business Immigration
Labor & Employment
Civil & Commercial
Litigation
Occupational Safety &
Health
Workers’ Compensation
Mediation

Education

J.D., magna cum laude,
Cleveland State University

M.S., journalism,
Northwestern University

B.A., government, Lehigh
University

Credentials

Admitted to practice in
U.S. Court of Appeals, Sixth
Circuit, US. Court of
Appeals, District of
Columbia, U.S. District
Court, Northern and
Southern Districts of Ohio,
and all Ohio state courts

Member, Cleveland
Metropolitan Bar
Association Member

Results

Secured a complete defense verdict in arbitration against claims of age and disability discrimination by proving that the employer had legitimate, non-discriminatory reasons for discharging the employee.

Defended a logistics provider in federal court against claims of misclassification of independent contractor drivers and overtime violations brought by the U.S. Department of Labor, resulting in a settlement that permitted the company to continue its classification business model after the court denied the U.S. Department of Labor's summary judgment motion.

Obtained substantial relief for a manufacturer after a competitor poached two veteran employees subject to restrictive covenants, including the termination of one of the employees, an extension of certain non-solicitation provisions, and protection of trade secrets and other proprietary information.

Obtained denial of a preliminary injunction and dismissal of a lawsuit brought by a former employer seeking to enforce restrictive covenants against a former employee and new employer after the court held that the former employee's new position was not competitive.

Represented numerous health care providers, including hospitals, nursing homes, home health agencies, dental service organizations, and solo practices, related to claims of discrimination, wage and hour violations, misclassification, OSHA investigations, OSHA retaliation charges, breach of contract, leave, and restrictive covenants.

Procured various visas, including B visas for business travel and truck drivers, E-2 visas for investors seeking to establish businesses in the United States, H-1B visas for professionals with bachelor's degrees and master's degrees, H-2B visas for short-term and seasonal workers, L-1 visas for executives and managers transferring from overseas operations to the United States, TN visas for Canadian and Mexican professionals, and Legal Permanent Resident visas.

Delivering practical and creative solutions since 1995

Professional and Civic Involvement:

- Member, LawPact®
- Advisory Board member, Cleveland Central Catholic High School
- President, Lehigh University Alumni Club for Northern Ohio

Recognition and Honors:

- Best Lawyers in America®, Ones to Watch, Labor and Employment, 2021-2025
- Ohio Super Lawyers®, Employment Litigation Defense, 2017, 2018, 2021, 2023

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