

FREKING & BETZ

ADVOCATES FOR WORKING PEOPLE



Randolph H. Freking

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Randy Freking, a founding partner of Freking & Betz, LLC, lives in Cincinnati with his wife, and they have four children. He is the managing partner of the midwest's largest law firm devoted primarily to the rights of employees, whether they are minimum wage workers or high level executives.

Mr. Freking is a frequent lecturer on employment law and has successfully represented many employees in trials in state and federal courts in Ohio and Kentucky since December, 1990, securing several million dollar plus jury verdicts.

Randy is Chair of the Cincinnati Employment Lawyers Association, has been recognized in every edition of "Best Lawyers in America" since 1994, has received "Super Lawyer" designations since its inception, has been one of the top 10 vote recipients in Ohio for the designation of "Super Lawyer" in 2006 through 2009 surveys of Ohio lawyers by Law and Politics Magazine, was recognized by Cincinnati Magazine as one of the most influential lawyers in Cincinnati in October, 2008, and has been recognized by Cincy Business Magazine as one of Cincinnati's "Leading Lawyers".

Mr. Freking also serves as a private mediator to resolve civil disputes whether they are employment, commercial, or other types of disputes. Randy has participated as an advocate in hundreds of mediations and received his formal mediation training at the University of Pepperdine College of Law's Strauss Institute in 2009.

Freking & Betz is based in Cincinnati and also has offices in Dayton, Ohio and Denver, Colorado. Randy is licensed to practice in Ohio, Kentucky, and Colorado.

LEGAL CAREER

Partner, Freking & Betz, Cincinnati, Ohio, (December, 1990 - Present)
Area of Practice Concentration: Employment Law, Litigation, Mediation
and Expert Witness Service
(Employment law practice limited to representation of employees)

Associate and Partner, Frost & Jacobs, Cincinnati, Ohio, (August, 1982 - December, 1990)
Area of Practice Concentration: Labor and Employment Law

RECENT AWARDS & RECOGNITION

"Best Lawyers in America" (Woodward-White), included in every edition since 1994.

No. 2 Lawyer in Ohio, Law and Politics Magazine, January, 2007.

One of Top Ten Lawyers in Ohio, Law and Politics Magazine, 2006-2009

Ohio "Super Lawyer", 2004-2011

Selected "Best of Class" by BESTOFUS.COM in Employment Law, 2006

Cincy Business Award, Top Labor/Employment Lawyer in Cincinnati, Ohio (Winter, 2005, February, 2006, January, 2007, January, 2011)

Fellow, College of Labor and Employment Lawyers, 1994 - present

Recipient, 2002 Community Service Award from "Workplace Fairness," a non-profit employee advocacy organization

Recipient, 2001 Volunteer Lawyer of the Year Award, Volunteer Lawyers for the Poor Foundation, Legal Aid Society (Awarded April, 2002)

Recipient, "Commander of the Launch Club Award," National Employee Rights Institute (December, 2000)

ARBITRATION / MEDIATION

Available as a mediator or arbitrator for parties involved in civil litigation or civil disputes. Formal mediation training at University of Pepperdine College of Law, Strauss Institute (2009)

Served as a mediator, United States District Court and in private mediations

Served as arbitrator, Hamilton County Court of Common Pleas

EXPERT WITNESS

Bialczak v. State of Ohio Department of Taxation (on behalf of Plaintiff)

Meyers v. Boggs, et al. (on behalf of Plaintiff)

Nafziger v. Scaccia, et al. (on behalf of Plaintiff)

JUDGE VERDICTS: PRO-PLAINTIFF

Wells v. City of Montgomery (FMLA retaliation) (with Kelly Mulloy Myers)

JURY VERDICTS: PRO-PLAINTIFF

Gideon v. Rite Aid (age discrimination) (with Jon Allison)

Maggard v. Cincinnati Marble and Granite (retaliation, age discrimination) (with Becky Ganis)

Ellert v. Chipotle Mexican Grill (FMLA retaliation) (with Sheila Smith)

Cieminski v. BP (breach of contract) (with Kelly Mulloy Myers)

Litton v. Talawanda School District (with Kelly Mulloy Myers and Becky Ganis)

Young v. Sears (FMLA retaliation) (with Kelly Mulloy Myers)

Edwards v. UC Surgeons (breach of contract) (with George Reul and Becky Ganis)

Dage v. Time Warner (disability discrimination) (with Kelly Mulloy Myers)

Imwalle v. Reliance Medical Products, Inc., et al. (retaliation) (with George Reul)

Jorling v. Habilitation Services, Inc., et al. (age discrimination/retaliation) (with Lisa Loring)

Thelen v. Siemens Energy and Automation (age discrimination with George Reul)

McCarty and Tricase v. MVD Communications (breach of contract) (with George Reul)

Bahar v. City of Cincinnati (retaliation) (with Kelly Mulloy Myers)

Higgins v. Moore (defamation)

Readnower v. General Ionics, (retaliation) (with Megan E. Clark)

Southerland v. Sycamore School District (sexual harassment, negligent retaliation) (with Mark Napier)

Ziegler v. Delta Airlines (age discrimination/ERISA violation)

Shoemaker v. Broadwing (breach of contract)

Gatch v. Milacron (age discrimination) (with Megan E. Clark)

Arnold v. The Merten Company, et al. (breach of contract) (with George M. Reul)

Steinhoff v. Hooters (sexual harassment)

Pelletier v. Rumpke (age discrimination) (with Kelly Mulloy Myers)

Kish v. Wal-Mart Stores, Inc. (retaliation) (with George M. Reul, Jr.)

Bucher v. Sibcy Cline (sex discrimination, sexual harassment)

Voegele v. City of Cincinnati (disability discrimination)

Mitchell v. AK Steel (disability discrimination) (with Sheila Smith)

Campbell v. Trans-Continental (disability discrimination)

Smith v. Glaxo Wellcome (gender, age discrimination) (with Sheila Smith)

Laug v. BIS (age discrimination) (with Kelly Mulloy Myers)

Violett v. Chi-Chi's Restaurants (retaliation, sexual harassment, breach of contract)

Kenyon v. OTL, Inc. (breach of contract, assault) (with Carrie Atkins Barron)

Skalka v. Fluor Daniel (age discrimination, breach of contract)

Conover v. Fluor Daniel (age discrimination, breach of contract)

Ponsock v. Fluor Daniel (breach of contract)

Balnites v. Fluor Daniel (breach of contract)

Pick v. General Electric (breach of contract)

Sacolick v. General Electric (gender, age discrimination)

Pulver v. Celestial Restaurant (retaliation, public policy, breach of contract)

Atkinson v. International Technegroup, Inc. (age discrimination, breach of contract)

Kadinger v. Wayne Chemical (age discrimination, breach of contract)

ARBITRATION AWARDS: PRO-PLAINTIFF

Schramm v. CitiGroup, Inc. (with Megan Clark)

Newman v. Tessa (breach of contract) (with Tod Thompson)

Underwood v. Procter & Gamble (ERISA) (with Tod Thompson)

CLASS ACTION AND COLLECTIVE ACTION COUNSEL

Gates, et al. v. Avon Products, Inc. (collective action/class action- plant closing, age discrimination) (settled April, 1995) (approved October, 1995)

Hunt, et al. v. General Electric (wage-hour violations) (settled) (class certification denied)

Bond, et al. v. Dayton Walther Corporation and USWA (100 plus plaintiffs) (plant closing) (settled as against Dayton-Walther)

Campbell v. International Paper, et al. (plant closing/failure to hire) (pending) (approx. 80 plaintiffs) (settled as against IP)

Leicht v. AutoZone (wage-hour violations) (class certified 2002) (settled)

Clevenger v. Mercantile Stores (ERISA) (settlement approved 2007) (local counsel with Doug Sprong and William Carr)

Richardson et. al., v. KPMG (local counsel) (settled)

Ranney v. American Airlines (pending)

SAMPLE ARTICLES/SPEECHES

“10 Deadly Sins by Employers to Make My Job Easier” (several occasions)

“Age Discrimination,” University of Cincinnati, Raymond Walters College (January, 2009)

Selecting Cases for Retaliation and Harassment Victims, National Employment Lawyers Association (October, 2008)

Case Selection, National Employment Lawyers Association (June 2008)

“Attorneys Fees”, ABA Midwinter Meeting (February, 2007)

Recent Sixth Circuit Decisions, CBA (January, 2007)

“Practicing Employment Law for Fun and Profit”, NELA 7TH Circuit Conference (February 20, 2006)

“Trial Issues and Preparation”, Cincinnati Bar Association (February 17, 2006)

“Preparing to Win: Advocating for the Employee”, Cleveland Employment Lawyers Association (December 9, 2005)

Panelist, Chase College of Law Employment Ethics Symposium (November 11, 2005)

“Job Related Issues” for Persons with Back Injuries, The Spine Institute at Christ Hospital (November 5, 2005)

“Trial Preparation - A Step by Step Approach,” Ohio Employment Lawyers Association Seminar (March 5, 2005)

“Why Discrimination Plaintiffs Should Be Entitled to Broad Discovery In Arbitrations,” American Bar Association Midwinter Meeting, (February,2005)

“Employment Law Dilemmas” FLSA (January 10, 2005)

“The Value of Expert Witnesses in Proving Damages - a Contrarian’s Viewpoint,” National Employment Lawyers Association Seminar (March 19-20, 2004)

“The Basics of Ohio and Federal Employment Law,” CLE Event for Volunteer Lawyers Project (October 14, 2003)

“Americans With Disabilities Act - Employment Issues and Employee Rights,” MS Center Presentation Christ Hospital (August 22, 2003)

“Representing Employees Successfully,” National Employment Lawyers Association (June 27, 2002)

“Employment Discrimination,” Potter Stewart Inn of court (November 9, 2002) (panel presentation)

“Trial Strategies,” Annual Ohio Employment Lawyers Association Seminar, (March 3, 2001)

“Defeating Motions For Summary Judgment,” Carl A. Warns Institute, University of Louisville (September 12, 2000)

“Sexual Harassment: Is Your Medical Workplace at Risk?” Cincinnati Bar Association & Academy of Medicine Seminar (March 16, 2000)

“Plaintiff’s Perspective Of Mediation: Mock Mediation - Penny v. Shaft Electronics,” American Bar Association Mid-Winter Meeting (February 19-20, 2000)

“This May be Arbitration, But I Object,” American Bar Association, Labor and Employment Law ADR Committee Mid-Winter Meeting (February 15, 2000)

“Ethics In Mediation,” American Bar Association Annual Convention, New York, NY (June 14, 2000); Labor and Employment Law ADR Committee Mid-Winter Meeting (February 14, 2000)

“Representing Employees Covered by Collective Bargaining Agreements,” American Bar Association Annual Meeting, August 11, 1999 (Panel Discussion Along With Management And Union Attorneys)

"Whose Public Policy Is It?," Cincinnati Bar Association, May 12, 1999

"Mediation of Employment Disputes," Annual Ohio Employment Lawyers Association Seminar, March 5, 1999

"Recent Developments in Employment Law", 10th Annual Corporate and Securities Law Institute Seminar, December 17, 1998

"Ohio Employment & Labor Law: Hot Topics for 1998," Valley Educational Institute, Ltd. Seminar, June 11, 1998

"The Use and Abuse of Discovery in ADEA Cases," National Employment Lawyers Association Seminar, November 14, 1997

"Mandatory Arbitration of Statutory Claims," 34th Annual Midwest Labor & Employment Law Conference, October 9, 1997

"Voir Dire: Does the Perfect Juror Really Exist?" Potter Stewart Inn of Court Presentation (September 16, 1997)

"Closing Arguments," Cleveland/Akron Employment Lawyers Association, September 12, 1997

"Reducing Your Workforce - Some Pitfalls," Valley Educational Institute, Ltd., Ohio Seminar, June 5, 1997

"Mandatory Arbitration of Employment Claims," Cincinnati Bar Association Labor and Employment Law Update, May 9, 1997 (with Carrie J. Atkins)

"Trial Tactics For Employment Cases," Ohio Employment Lawyers Association, March 1, 1997

"Employment Law Update" Young Lawyers Section, Cincinnati Bar Association, January 8, 1997

"Winning Age Discrimination Cases," Advanced Litigation Tactics & Procedures Seminar, November 3, 1996 (West Palm Beach, Florida)

"How To Ethically Market Legal Services," Solo/Small Firm Practitioners Seminar, November 1, 1996

"Closing Argument and Jury Instructions," CELA Sexual Harassment Workshop, October 5, 1996

"Voir Dire and Opening Statements," CELA Sexual Harassment Workshop, October 5, 1996

"Legal Implications of Downsizing, Restructuring & Reorganizations," Regional Employment Law Institute, September 20, 1996

"Legal Considerations-Age Discrimination-in Downsizings," 13th Annual University of Louisville, Carl A. Warns Labor and Employment Institute, June 6, 1996

"Disability Discrimination," Ohio State Bar Association Annual Convention, May 17, 1996

"Alternative Dispute Resolution of Employment Cases" (Panel Discussion), National Academy of Arbitrators 1996 Annual Meeting, March 22, 1996

"Harassment, Discrimination, Privacy: The Risks of Workplace Romance" (Mock Jury Presentation), Council on Education in Management's 1996 Personnel Law Update, March 14, 1996

"The Hardest Case I Ever Settled" (Panel Presentation), Potter Stewart Inn of Court, February 27, 1996

"Employee Relations and Employee Manuals," Cincinnati Bar Association, February 19, 1996

"Rights of the Sexually Harassed," University of Cincinnati Sexual Harassment Symposium, January 30, 1995

"Recent Developments in Employment Law," Corporate Counsel Seminar, Cincinnati Bar Association, April 21, 1995

"Trial of a Sexual Harassment Case - Closing Argument," Cincinnati Bar Association, February 10, 1995

"Employment Law Update," Cincinnati Legal Secretaries Association, June 6, 1994

"Health Care Issues in the Workplace" Cincinnati Bar Association, April 29, 1994

"How To Implement an Effective Policy Against Sexual Harassment," Cincinnati Bar Association Report, March, 1994 (co-authored with Deborah S. Adams)

"The Negligent Employer," Council on Education in Management's 1994 Personal Law Update, January 19, 1994

"Employment Law," Cincinnati Bar Association's "Legal Update", December 10, 1993

"Basic Employment Law," Brown Bag Series of Cincinnati Bar Association, October 6, 1993

"Recent Sixth Circuit Employment Law Decisions," Annual Sixth Circuit Employment and Labor Law Conference, September 23, 1993

"Americans with Disabilities Act," Council on Education in Management's 1993 Personnel Law Update, May 25, 1993

"American with Disabilities Act," Cincinnati Bar Association, April 29, 1993

Family and Medical Leave Act of 1993," Cincinnati Bar Association, April 26, 1993

"Employment Case Evaluation," Cincinnati Employment Lawyers Association, March 17, 1993

"Sexual Harassment: What Your Business Needs to Know," Rotary Club of Cincinnati, March 4, 1993

"Developments in Public Policy Discharge since Greeley v. Miami Valley Maintenance and Haynes v. Cincinnati Zoological Society" Cincinnati Bar Association, February 25, 1993

"Basic Employment and Labor Law," Cincinnati Bar Association's Practical Law Institute, November 22, 1992

"Sexual Harassment or Merely Rude Behavior - Mock Presentation" Council on Education in Management's 1992 Personnel Law Update, September 1, 1992

"The New Civil Rights Act," Council on Education in Management's 1992 Personnel Law Update, September 1, 1992

"Sexual Harassment: What your Business Needs to Know," Greater Chamber of Commerce, CISE Breakfast Forum, May 29, 1992

"Kentucky Employment at Will and Wrongful Discharge Update," Northern Kentucky Bar Association Seminar, February 28, 1992

"Americans with Disabilities Act: The Impact on the Rehabilitation Process," Bethesda Work Capacity Centers 1992 Lecture Series, February 20, 1992

"Kentucky Employment at Will and Wrongful Discharge Update," Northern Kentucky Bar Association Seminar, December 4, 1991

"Basic Employment and Labor Law," Cincinnati Bar Association's Practical Law Institute, November 20, 1991

"Increasing Employee Rights in the 1990's," Greater Cincinnati and Northern Kentucky Chapter of the American Payroll Association, March 21, 1991

"Recent Developments in Workers' Compensation Law," Cincinnati Bar Association, December 29, 1990

PROFESSIONAL ASSOCIATIONS / ORGANIZATIONS

Member, College of Labor & Employment Lawyers

Board Member, Ohio Association of Trial Lawyers, 2004-2006

Member, American Trial Lawyers Association

Member, Ohio Association of Justice

Master, Potter Stewart Inn of Court, 1993-1998; 2002-2006

Merit Selection Member, Committee for the Selection of United States Magistrate Judge (August, 2002 - January, 2003)

Chair, Cincinnati Employment Lawyers Association, 1993-Present

Co-Chair, American Bar Association Alternative Dispute Resolution Section Subcommittee on Professionalism and Ethics, 2000-Present

Board Member, "Workplace Fairness" (2005-2008)

Member, Cincinnati Bar Association Communications Advisory Committee, 1996 - 1998

Member, Ohio State Bar Association Task Force on Sexual Harassment, 1996 - 1998

Member, Cincinnati Bar Association Regional Employment Law Institute Planning Committee, 1996

Member, Cincinnati Bar Association Long Range Planning Communications Task Force, 1995-1996

Member, Cincinnati Bar Association Continuing Legal Education Advisory Committee, 1995-1996

Member, Cincinnati Bar Association, 1982-Present

Member, National Employment Lawyers' Association, 1992-Present

American Bar Association (Member, Labor Law and Employee Rights and Responsibilities Committees), 1992-Present

Ohio State Bar Association (Member, Labor Law Committee), 1983-Present

Cincinnati Bar Association (Past Chair, Individual Rights and Responsibilities Committee; Member, Labor Law Committee)

Cincinnati Bar Association Gender Fairness Task Force, 1994

Northern Kentucky Bar Association (Past Chair/Vice-Chair, Labor Law Committee)

PUBLICATIONS

Contributing Author and Editor, How Mediation Works (BNA Books 2004)

Publisher, SERB BULLETIN (Ohio Public Sector Bi-weekly Newsletter) (1987-2001)

Member, Lawyers Advisory Committee, Employee Rights and Employment Policy Journal (Chicago - Kent College of Law and National Employee Rights Institute) (1998-2002)

Editor, SIXTH CIRCUIT EMPLOYMENT AND LABOR LAW DIGEST (Monthly Newsletter) (1991-1994)

Contributing Editor, Employee Duty of Loyalty (BNA Books, 1995)

OTHER ACTIVITIES / TEACHING

Board Member, Southwestern Ohio Easter Seal Society
(May, 1987-May, 1993; November, 1994-2002)

Adjunct Professor, University of Cincinnati, "Employment and Labor Law" (Fall Quarter 1987 - 1996)

Adjunct Professor, University of Cincinnati, "Public Employment Bargaining"
(Winter Quarter 1987-1989)

Board Member, Birthright (2009-present)