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Meyer v. United Parcel Service

Frost Brown Todd won a case for UPS in front of the Ohio Supreme Court, which issued a decision on June 2, 2009, that limits the scope of age discrimination claims in Ohio. In Ohio, an employee can pursue a civil action for age discrimination under three sections of the anti-discrimination statute. The Court ruled that an Ohio age discrimination claim filed under the general language of R.C. 4112.99 is subject to the more specific, substantive provisions on age discrimination in R.C. 4112.02 and 4112.14. *Meyer v. United Parcel Service*, 2009-Ohio-2464.

The Court's decision is very favorable for employers in Ohio and settles some – but not all – of the confusion that existed regarding how Ohio courts should apply Ohio's unique statutory framework regarding age discrimination claims. Notably, Frost Brown Todd attorneys, Kasey L. Bond and Eugene Droder III, represented United Parcel Service through the appeal.

Of particular importance to employers, the Court held that a discharged employee is barred from pursuing an action for age discrimination under Ohio's anti-discrimination statute when the employee's discharge was upheld through arbitration. Although the Supreme Court declined to rule on the interplay of the various statutes of limitation for the three sections, the Court's ruling gives favorable guidance to lower courts on this issue.

Justice Robert R. Cupp authored the Court's 6-1 decision. Justice Paul E. Pfeifer dissented from the opinion.

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