

# OEA TALKING POINTS:

## Campaign 2024: The Ohio Supreme Court

### Why the Ohio Supreme Court matters to educators:

- The Ohio Supreme Court (OSC) decides property tax valuation and school funding, labor and employment disputes, safety protocols and procedures, immunity regarding personal injury claims, worker compensation issues, juvenile delinquency issues, etc.
- Education is becoming increasingly litigious as politicians make education more political. We need justices that support workers' rights and educators.
- The constitutionality of Ohio's private school voucher system, which diverts a billion dollars a year away from public schools that serve nearly 90% of Ohio's students, has been called into question. We need a fair-minded Supreme Court to hear this case as **opposed to one that rules that it is unreasonable for consumers to expect boneless chicken wings to be boneless.**
- As a union of educators, we need a Supreme Court that upholds the rule of law, reasonably interprets ambiguous statutes, respects the will of the people, and doesn't entertain radical and extreme legal theories.
- With the defeat of Issue 1 last August and redistricting reform on the ballot this Nov. 5th, we need a Supreme Court that will respect the will of the people and not become embroiled in efforts to undermine the checks and balances we have in Ohio's constitution.
- Ohio law is very clear on the instances in which a school district can appeal an arbitration decision to a civil court. We need justices who uphold these statutes to protect members' jobs, to arbitrate cases effectively, and not entangle the union in needless, redundant, and expensive litigation when school districts don't like arbitration outcomes.
- Rank-and-file OEA members screened candidates on their stances regarding collective bargaining, tenure, personnel files and public records requests, circumstances in which arbitration can be overturned, and the court's role in legislative redistricting.

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## A little about the recommended candidates:

- **Justice Michael P. Donnelly** attended public school and has represented workers in medical malpractice and worker's compensation cases. He is currently on the Supreme Court and is seeking re-election.
- **Justice Melody Stewart** attended public school and specialized in criminal law, criminal procedure, ethics and professional responsibility, legal research, and writing. She is currently on the Supreme Court and is seeking re-election.
- **Judge Lisa Forbes** is seeking an election in the Supreme Court. She attended public school, as did her children. Her areas of specialty include the Ohio Consumer Sales Practices Act, class actions, employment discrimination claims (federal and state), mortgage fraud, claims of lender liability, petition power under the Ohio Constitution and Ohio statutes, the extent of Ohio's Home Rule authority, contract, tortious interference with contract and/or business relationships, restrictive covenants, fraud, negligent credentialing, trademark and more.
- **Justices Donnelly and Stewart** dissented in the Dillon Decision in which the other Justices overturned 25 years of precedent. Previously, workers injured on the job could continue to draw workers' compensation benefits while contesting doctors' diagnoses of achieving maximum medical improvement without risk of repayment. Under the Dillon Decision, workers who fail to overturn the doctor's decision on attaining maximum medical improvement through hearings at the Industrial Commission are now required to pay back all of funds they received during the appeal period to Workers' Compensation.