



Nelson D. Cary

PARTNER

Columbus

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Washington

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Practice Areas

Employer Internal Investigations

Employment Counseling

Employment Litigation

Labor and Employment

Labor Relations

Litigation and Appeals

Education

Washington and Lee University
School of Law, J.D., *summa cum laude*, 1994, Order of the Coif

Albion College, B.A., *summa cum laude*, 1990, Phi Beta Kappa

Bar & Court Admissions

District of Columbia
Ohio

Nelson is a partner in the Vorys Columbus office and a member of the labor and employment group. He represents management in a broad range of labor and employment matters, including counseling employers on compliance with, and defending employers in litigation arising out of, the Family and Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), Title VII, Age Discrimination in Employment Act (ADEA), Fair Labor Standards Act (FLSA) and similar state laws. He also advises employers on union elections and unfair labor practice proceedings before the National Labor Relations Board (NLRB) and the Ohio State Employment Relations Board (SERB), negotiates union contracts (including project labor agreements (PLAs)), and defends labor contract arbitration proceedings. Nelson has experience advising clients with government contracts on the Service Contract Act (SCA), Davis-Bacon Act (DBA) and Ohio prevailing wage issues.

Career highlights include:

- Counseling employers of all sizes in the financial services, retail, social services, manufacturing and health care sectors on proactive legal compliance strategies and difficult employee relations issues
- Negotiating union contracts in the manufacturing, retail, health care and social services sectors
- Providing labor contract interpretation advice and arbitration representation for a large acute care hospital
- Obtaining employer victories in various labor arbitration matters in the public and private sector involving contract interpretation issues, discipline and deferred unfair labor practice charges
- Leading the HR for Community Bankers Program, which is co-sponsored by the [Ohio Bankers' League](#)
- Successfully obtaining jury verdicts for a security services contractor for the federal government in multi-plaintiff age discrimination lawsuit in federal court
- Assisting employers in many industries in regard to union organizing activity or election campaigns, including the recent defeat of a union organizing drive at a manufacturer

Virginia

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court for the District of Columbia

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio

U.S. District Court for the Eastern District of Virginia

U.S. District Court for the Western District of Virginia

Admitted to practice law only in the states listed above.

Industries

Financial Institutions

Health Care

Manufacturing

Retail and Consumer Products

Transportation and Logistics

Clerkships

The Honorable Jackson L. Kiser, formerly Chief Judge of the Western District of Virginia, 1994-1995

- Advising developers, expanding businesses and political subdivisions regarding Ohio and federal prevailing wage requirements, including those applicable to public/private partnerships
- Advising project owners on use of project labor agreements (PLAs) for major construction projects in Ohio
- Prosecuting and defending lawsuits regarding covenants not to compete and trade secrets and advising employers in connection with the drafting of such agreements
- Defending a Fortune 500 company in a multi-plaintiff race discrimination and racial harassment lawsuit in federal court
- Defending a mid-sized employer in a multi-plaintiff age discrimination claim in federal court arising from a reduction-in-force
- Defending an employer in a lawsuit brought by the United States Equal Employment Opportunity Commission alleging racial discrimination and racial harassment against multiple individuals
- Defending numerous single plaintiff employment discrimination claims

Nelson is a member of the Ohio Bar Association, the District of Columbia Bar, and is an associate member of the Virginia Bar Association. Nelson is also active in the Columbus Bar Association.

Nelson has spoken at numerous seminars on many topics, including updates on wage/hour, disability discrimination and FMLA updates; activity at the NLRB; the employment-at-will doctrine; employment agreements; managing difficult employees; and enforcing disciplinary action. He also has conducted training on union avoidance and positive employee relations, avoiding sexual harassment and other unlawful harassment, and conducting internal investigations.

Nelson is the former editor of the blog [Vorys on Labor](#). The blog focuses on traditional labor issues of interest to labor professionals in both the public and private sector.

Nelson received his J.D. *summa cum laude* from Washington and Lee University School of Law where he was a member of the Order of the Coif. He received his B.A. *summa cum laude* from Albion College where he was a member of Phi Beta Kappa.

Nelson clerked for the Honorable Jackson L. Kiser, formerly Chief Judge of the Western District of Virginia.

Nelson has served in leadership roles for The Breathing Association, including a term as chair and as a member of the Executive Committee. Nelson received the 2012 and 2018 Carrie Nelson Black Award in recognition of his service to the Association. In the past, Nelson has served as a member of the Board of Advisors for the Columbus Chapter of the National Association of Women Business Owners (NAWBO).

Honors & Recognitions

The Best Lawyers in America, Labor Law – Management “Lawyer of the Year,” 2024

The Best Lawyers in America, Employment Law – Management “Lawyer of the Year,” 2017

The Best Lawyers in America, Employment Law – Management, 2013-2017, 2019-2026; Labor Law – Management, 2013-2026; Litigation – Labor & Employment, 2013-2022, 2024-2026

Carrie Nelson Black Award, The Breathing Association, 2012, 2018