

Publications

Insurance Agents Held To Be Employees for ERISA Purposes

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FORC Journal of Insurance Law and Regulation

Tom Szykowny and Anthony Spina, partners in the Vorys Columbus office, co-authored an article for the *FORC Journal of Insurance Law and Regulation* (Vol. 28 Edition 3 - Winter 2017) titled "Insurance Agents Held To Be Employees for ERISA Purposes."

The article states:

"In August 2017, the United States District Court for the Northern District of Ohio (the Court) certified a class of 7,000 insurance agents (the Insurance Agents) who claimed they were misclassified as independent contractors by American Family Insurance (American Family). In Jammal v. American Family Insurance, the Court concluded that the Insurance Agents were in fact employees of American Family under the Employee Retirement Income Security Act (ERISA) because American Family retained sufficient control over them. The Court recognized the potential repercussions of its decision and expressly authorized American Family to file an immediate appeal with the Sixth Circuit Court of Appeals."

To read the entire article, visit the [FORC website](#).