

4 Employer Lessons From Perez V. Lear Corp.

By Matthew Thomas Deffebach | July 13, 2016

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The ongoing litigation between the secretary of labor and Lear Corp. has generated a number of headline-worthy updates, cumulatively creating an interesting lesson book for employers dealing with occupational safety and health whistleblower claims under Section 11(c) of the Occupational Safety and Health Act. The case has not yet been fully litigated but has offered a number of tips. Four lessons to be learned so far are: (1) an employee's potential wrongdoings will not waive the employer's obligations under Section 11(c); (2) the secretary of labor may seek injunctive relief before concluding a Section 11(c) investigation; (3) individual managers can be on the hook for Section 11(c) claims; and (4) Section 11(c) claims are on the rise.

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