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THE INTERVIEW

ELLEN S. SIMON

Of counsel

McCarthy, Lebit, Crystal and Liffman

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It's been more than a decade since Democrats controlled Congress, and the new leadership in Washington could bring with it some adjustments to

employment law.

Not only have Democratic leaders and the president professed a desire to pass a federal minimum wage hike, Washington policymakers may also have their sights set on a number of other changes that could reverberate through the American work force and its employers.

Attorney Ellen S. Simon, who splits her time between Cleveland and her home in Sedona, Ariz., has a perspective on legislative issues that few other lawyers do; Ms. Simon vied in November as the Democratic candidate for the

congressional seat in Arizona's 1st District. She lost her bid with 43% of the vote to Republican incumbent Rick Renzi's 52%.

Besides being a former congressional candidate, Ms. Simon, founding partner of the Simon Law Firm in Cleveland, is considered by some to be an expert on employment law and civil rights law. "I was practicing employment law when there was no such thing as employment law," said Ms. Simon, who has been practicing law nearly 30 years.

The National Law Journal in 2001 named Ms. Simon one of the

country's leading litigators.

She recently joined the law firm of McCarthy, Lebit, Crystal and Liffman as of counsel. In the closing days of 2006, Ms. Simon shared her thoughts on what important employment legislation Americans may expect in 2007 and beyond from the new party in charge.

Q Ohioans recently passed a statewide minimum wage increase (\$5.15/hour to \$6.85/hour). Do you think a raise in the federal minimum wage (a possible \$5.15/hour to \$7.25/hour) is going to be the first piece of employment legislation to be passed by the new Congress?

A I do. Raising the minimum wage is certainly a priority of the new Democratic Congress. The chances are excellent for passage. It will take hard work from Speaker Nancy Pelosi, but she will be pressing forward for the new minimum wage.

Q What other issues do you see as major items that the Democrats will be likely to tackle that would affect U.S. employees and employers?

A I'm sure comprehensive immigration reform is certainly a high priority for the new Congress as it's such an important issue nationally.

Q Do you expect any progress on health care issues?

A I do believe that it is one of the priorities of a Democratic Congress that we have access to health care for all Americans. There's not a consensus on exactly how that will be accomplished. There are many plans and many good ideas, but there's no comprehensive plan yet. It's certainly a priority, though.

We don't know if it's going to be an expansion of programs and policies we already have in place or something new entirely. Some people have suggested that health care reform will be accomplished on a state-by-state basis with a partnership with the federal government.

Some people have suggested that it will be a partnership between the private sector, the federal govern-



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Ellen S. Simon, of counsel at McCarthy, Lebit, Crystal and Liffman, predicts the newly Democratic Congress will pass a federal minimum wage hike as one of its first orders of business.



ON THE WEB For more answers from Ms. Simon on immigration reform and potential legislative priorities, visit www.CrainsCleveland.com/EllenSimon.

ment and the state government. There are a lot of plans out there. Some states like Massachusetts have found a way to provide health care for all of their residents.

Each state is unique and each state may have to address their needs separately and formulate a plan that fits their state with some assistance from the federal government and the private sector. ...

Employers would probably play a big role in that, but employers right now are heavily burdened under our current system, and it doesn't seem fair that employers should have to play a role in terms of having a more significant burden than they already have now. It's causing us to lose jobs in America. We need reform that will help both employees and employers.