

## **J. Micah Dickie**

### ***Partner***

Atlanta

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Email



### ***Service Focus***

- Litigation and Trials
- Workplace Safety and Catastrophe Management
- Counseling and Advice
- Mine Safety & Health

### ***Industry Focus***

- Agriculture
- Construction
- Education
- K-12 Institutions
- Manufacturing

### ***Overview***

Micah Dickie is a litigator in the firm's Atlanta office. As a member of the firm's Workplace Safety and Catastrophe Management Practice Group, Micah represents clients during safety and health inspections by the Occupational Safety and Health Administration (OSHA) and defends them during contested OSHA matters. To help avoid litigation, he counsels clients on best practices for mitigating the risk of workplace incidents and OSHA inspections. As a member of the firm's Education Practice Group, Micah provides school clients with advice on policy reviews, drafting of contracts, and practical solutions to employment issues.

Micah joined the legal profession after ten years of real-world experience managing and operating restaurants, owning and operating his own restaurant, and working as a packer in a distribution facility. These experiences allow Micah to quickly understand client needs and propose efficient solutions to workplace safety and employment issues.

Prior to joining Fisher Phillips, Micah practiced with the law firm of Buckley Beal, where he represented plaintiffs in an array of employment law and business law matters. At the start of his legal career, Micah served as a term law clerk for the Honorable Leslie J. Abrams Gardner in the U.S. District Court for the Middle District of Georgia. During law school, Micah served as an extern for the U.S. Department of Labor, Office of the Solicitor and the U.S. Merit Systems Protection Board. Micah also served as a member of the *Mercer Law Review* and was a finalist in the Hugh Lawson and Ruby R. Vale Interschool Corporate Moot Court Competitions.

Micah edits and publishes a quarterly newsletter *Focus on Safety* for the Georgia Association of Manufacturers and has been published in the Georgia Automobile Dealers Association e-newsletter.

## ***Recent Experience***

### **Experience**

- Obtained withdrawal of five Fed-OSHA serious citation items in addition to first offer by OSHA of 60% reduction in penalties and reclassification of one willful citation item to repeat after post-fatality citations issued involving hazardous substances, classified locations, respiratory protection, and hazard assessments
- Negotiated 30% penalty reduction and obtained withdrawal of speculative citation item related to powered industrial trucks and combustible atmospheres issued by Fed-OSHA for biopolymer manufacturer after OSHA conducted multiple inspections with multiple inspectors at facility
- Obtained grant of motion for protective order blocking attempts to depose out-of-state company CEO and obtained denial of opposing party's request for attorney's fees in litigation following a workplace fatality and subsequent Fed-OSHA citations involving flammable liquids, PPE, and powered industrial trucks
- Represented K-12 institution in response to failure-to-educate claims and negotiated favorable settlement
- Secured complete dismissal, affirmed on appeal, of whistleblower claim under 11(c) of the OSH Act for healthcare staffing agency after employee claimed termination for reporting alleged PPE shortages
- Successfully limited scope of Fed-OSHA inspection of medical device company following forklift accident and allegations of workplace exposure to toxic and hazardous substances, resulting in no citations to employer
- Obtained complete dismissal, affirmed on appeal, of whistleblower claim under 11(c) of the OSH Act for national manufacturer after employee claimed termination for reporting alleged safety issue related to combustible dust to management
- Assisted harvesting company in objecting to Fed-OSHA's production to third-party in response to FOIA request for company confidential commercial information that was produced to OSHA during past inspection

- Obtained dismissal of whistleblower claim under 11(c) of the OSH Act for allegedly reporting a workplace injury for distribution center
- Obtained dismissal of Fed-OSHA RRI complaint against automotive dealership that alleged improper COVID-19 mitigation efforts
- Successfully limited scope of Fed-OSHA inspection of biofuels producer and later obtained pre-contest reclassification or withdrawal of three out of four citation items issued by Fed-OSHA following flash fire-related fatality
- Successfully limited scope of Fed-OSHA inspection of long-term care facility following allegations of workplace exposure to respiratory hazards, resulting in no citations to employer
- Obtained complete dismissal, affirmed on appeal, of whistleblower claim under 11(c) of the OSH Act for forming fabrics manufacturer after employee claimed termination for reporting alleged air quality hazards
- Obtained complete dismissal of whistleblower claim under 11(c) of the OSH Act for restaurant chain after employee claimed termination for reporting alleged improper COVID-19 mitigation efforts
- Assisted in negotiating Fed-OSHA's withdrawal of seven serious citations during Fed-OSHA mandatory settlement conference resulting from two PSM inspections of food manufacturer
- Assisted in obtaining reclassification of guarding citation item by Fed-OSHA from repeat to serious for multinational food products corporation
- Assisted in negotiating over \$80,000 reduction in penalties during Fed-OSHA informal conference for national manufacturer
- Assisted in obtaining 50% reduction in penalties and reclassification of willful citation item during mediation with Fed-OSHA arising from fatality at multi-employer worksite and allegations of lack of fall protection
- Assisted metal fabricator in obtaining pre-contest 40% reduction in penalties and reclassification of repeat citation item under Fed-OSHA lockout/tagout standard
- Assisted electrical contractor in obtaining reclassification by Fed-OSHA of all citation items as other-than-serious after arc-flash fatality
- Assisted excavation company in obtaining 80% reduction in penalties from Fed-OSHA citations in exchange for financial audit and future training obligations
- Assisted construction company in obtaining over 70% reduction in penalties from Fed-OSHA citations in exchange for financial audit and future training obligations

## ***Credentials***

### **Education**

- J.D., 2016, magna cum laude, Mercer University School of Law

- B.A., 2012, cum laude, University of West Georgia

## Bar Admissions

- Georgia

## Court Admissions

- Georgia Supreme Court
- Georgia Court of Appeals
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Middle District of Georgia
- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Southern District of Georgia

## *Recognitions*

- Recognized in *The Best Lawyers in America*, Ones to Watch (2021 – 2025)

## *Affiliations*

### Professional Activities

- Pro Bono Partnership of Atlanta, Volunteer Attorney
- American Bar Association, Labor & Employment Law Section, Member
- Atlanta Bar Association, Member
- State Bar of Georgia, Labor & Employment Section, Member

## *Insights*

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INSIGHTS

03/11/25

### Frequently Asked Questions for Employers About OSHA (Updated for 2025)

Patrick W. Dennison, J. Micah Dickie, Nicholas S. Hulse, Todd B. Logsdon, Travis Vance, Kristin R.B. White

[Read more →](#)

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INSIGHTS

01/14/25

### Employers to Face Increased OSHA Penalties For 2025: How You Should Develop Your Workplace Safety Strategy for the New Year

J. Micah Dickie, Todd B. Logsdon, Kristin R.B. White

[Read more →](#)

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## Retail Workers Faced Record-High Fatalities in 2023, Spurred By Workplace Violence: 10 Steps You Can Take to Address Workplace Dangers

Brian Balonick, J. Micah Dickie

[Read more →](#)

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### NEWS

12/18/24

## Fisher Phillips Remains Steady With 25 Attorney Partnership Class

Wendy Baker, Lauren Bushman, Aaron Cargain , Tami Essis Culkar, Alex G. Desrosiers, J. Micah Dickie, Scott Fanning, Lauren Frisch, Stephen R. Gee, Kari E. Gibson, Gabrielle Giombetti, JonVieve D. Hill, Janet M. Himmel, Nicholas S. Hulse, R. Shane Kagan, Jennifer S. Kiesewetter, Vance O. Knapp, Eliza L. Lloyd, Mary Grace Miller, Ariella T. Onyeama, Erin Price, Jenna B. Rubin, Kelsey E. Schiappacasse, Erica G. Wilson, Danielle Krauthamer Zobel, John M. Polson

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### NEWS

12/17/24

## Fisher Phillips Elects 25 Attorneys to 2025 Partnership Class

Wendy Baker, Lauren Bushman, Aaron Cargain , Tami Essis Culkar, Alex G. Desrosiers, J. Micah Dickie, Scott Fanning, Lauren Frisch, Stephen R. Gee, Kari E. Gibson, Gabrielle Giombetti, JonVieve D. Hill, Janet M. Himmel, Nicholas S. Hulse, R. Shane Kagan, Jennifer S. Kiesewetter, Vance O. Knapp, Eliza L. Lloyd, Mary Grace Miller, Ariella T. Onyeama, Erin Price, Jenna B. Rubin, Kelsey E. Schiappacasse, Erica G. Wilson, Danielle Krauthamer Zobel, John M. Polson

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### EVENT

12/05/24

## A Guide to OSHA's Injury & Illness Recordkeeping Requirements

J. Micah Dickie

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### INSIGHTS

09/18/24

## FP Snapshot on Agriculture: How Federal OSHA's Proposed Heat Safety Rule Impacts Your Industry

J. Micah Dickie, Rebecca Hause-Schultz

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### NEWS

09/17/24

## Republished Insight: Frequently Asked Questions for Employers About the Occupational Safety and Health Administration

Patrick W. Dennison, J. Micah Dickie, Nicholas S. Hulse, Todd B. Logsdon, Travis Vance, Kristin R.B. White

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NEWS

09/12/24

## Fisher Phillips Attorney Discusses OSHA's New Injury Data Base

J. Micah Dickie

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EVENT

08/29/24

## OSHA Update

J. Micah Dickie

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