

Travis W. Vance

Regional Managing Partner

Charlotte

t: 704.778.4164

f: 704.334.9774

Email



Service Focus

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

Industry Focus

- Energy
- Retail
- Healthcare
- Manufacturing
- Hospitality
- Sports
- Transportation and Supply Chain

Trending

- COVID-19/Vaccine Resource Center

Overview

Having spoken on three continents (including Europe and Africa) on workplace safety issues, and defended employers in over 65 trials and appellate oral arguments in 22 states, Travis Vance is a go to lawyer when defending an OSHA inspection or responding to a catastrophic event. His active workplace safety practice includes defending over 1000 OSHA and MSHA inspections in 48 states, as well as arguing appellate matters in the 2nd, 4th, 5th, and D.C. Circuit Courts of Appeals.

Having gained a reputation as a professional and aggressive advocate for his clients, Travis has emerged as a thought leader in the field of workplace safety. His writing and interviews are followed closely by experts in the safety arena and have been featured in premier publications such as *Inc.*, *Bloomberg Law*, *San Francisco Chronicle*, *Fort Worth Star-Telegram*, *McClatchy DC Bureau*, *The Washington Post*, *EHS Today*, *Forbes*, and *The Wall Street Journal*.

Travis is a regional managing partner in the firm's Charlotte office. He has tried matters across several industries and various subject matters, including employment litigation, business disputes and matters prosecuted by the Mine Safety and Health Administration (MSHA) and Occupational Safety and Health Administration (OSHA). He uses unique or outside-the-box approaches to counsel employers and owners on all aspects of employment law and the development of preventive policies and procedures to avoid employment and workplace safety-related claims. Travis handles litigation in both federal and state courts as well as claims pending with state and federal agencies including the Equal Employment Opportunity Commission (EEOC), MSHA, OSHA, and the U.S. Department of Labor (USDOL).

Travis has also assisted clients in safety and OSHA/MSHA matters pending in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Vermont, Washington, West Virginia, Wisconsin, and Wyoming.

Known for his dynamic and engaging speaking style, Travis receives several requests each year to speak on safety related topics throughout the country. His popular interactive presentation entitled "What to Do When OSHA Knocks," which walks attendees through an OSHA inspection, with the audience steering the direction of the presentation as it responds to several questions presented throughout the talk, is frequently requested and has received numerous exceptional reviews.

Travis is "AV" Peer Review Rated by Martindale-Hubbell, and was selected as one of the Legal Elite by *Virginia Business Magazine* in 2011, 2012, 2013 and 2014. In 2014, Travis was honored as one of the "10 Under 40" by *The Daily News Record* in Harrisonburg, VA. Each year the publication honors 10 rising business stars under the age of 40 in the Shenandoah Valley, Virginia area. This honor was bestowed largely due to Travis' development of the Valley Business Keynote, the Shenandoah Valley's largest and premiere leadership development event.

Recent Experience

Experience

- First chair in the seminal NC OSHA case *Commissioner v. Harris Teeter*, where the hearing examiner dismissed all 27 citations after NC OSHA inspectors destroyed handwritten notes,

depriving the employer of due process. This landscape changing decision revealed a practice of the agency that had in place for more than two decades.

- Achieved deletion of OSHA citation issued to host national tire company following fatality of contractor.
- Negotiated vacation of all OSHA citations relating to accident at issue following fatal maintenance/service accident.
- OSHA deleted all citations relating to fatal fall from scaffolding at national fuel company facility.
- Successfully defended employer with two fatalities in the span of a week in inspections with no resulting citations.
- Negotiated deletion of citation against nationwide construction company arising under Washington state's nondelegable duty doctrine.
- Obtained deletion of MSHA citation for alleged lack of training cited against national rental company.
- Obtained dismissal prior to contest of hazard communication citation issued against national chemical company.
- Convinced the Secretary of Labor to vacate all 23 citation items related to COVID-19 prior to trial, thereby helping the client preserve its business relationship with a host hospital.
- After trial, persuaded the administrative law judge to vacate a general duty clause citation stemming from a fatality in Alabama involving an employee who was trapped in the rear hatch of a hydrovac truck. This outstanding result preserved millions of dollars of business for the client given the circumstances of the underlying incident.
- Avoided citations against a client general contractor after a subcontractor's fatality at a construction worksite in downtown Philadelphia. Citations were issued to other parties, but not to the Fisher Phillips client, after the firm successfully argued that OSHA's multi-employer policy could not be used against to cite the general contractor. This was a tremendous result in this high-profile matter, preserving the client's multi-million-dollar contract.
- Defeated four serious OSHA citations issued after fall during construction project at national museum on Capitol Mall
- Obtained complete defense verdict and deletion of all citations following trial of citations issued after amputation at food processing facility
- Successfully negotiated the complete withdrawal of two serious citations issued after 30 foot fall at national chemical manufacturer's facility in Tennessee
- Achieved complete dismissal of two serious citations issued under OSHA's multi-employer doctrine on construction site in Connecticut
- Negotiated vacation of all citations issued following forklift accident in North Carolina

- Avoided any citations following high-profile accident involving a designated drill rig in downtown Philadelphia
- Obtained completed dismissal of all citations following multi-employer inspection at client site in Iowa
- Obtained completed dismissal of fall protection citation for large Midwestern roofing contractor
- Successfully achieved deletion of citation concerning alleged failure to provide lock-out tag-out training to staffing agency third-party
- Achieved dismissal of machine guarding citation on multi-million dollar construction project in South Carolina
- Successfully obtained complete dismissal of two fall protection citations after injured worker of subcontractor fell approximately 30 feet from fixed ladder
- Obtained rare directed verdict in matter where client was cited after a forklift accident led to employee injuries
- Successfully obtained the complete dismissal of an OSHA citation issued after a fatal accident occurring at an internationally-known theme park.
- Prevailed in major accident-related claim where OSHA issued a general duty clause citation concerning the use of a winch; the citation was vacated.
- Assisted a client with issues concerning the first ever COVID-19 related death in the United States.
- Obtained withdrawal of OSHA citation relating to work performed near energized power lines on behalf of national construction company, in matter involving non-fatal electrocution of workers
- Successfully argued that NC-OSHA lacked jurisdiction in matter where it attempted to expand an inspection arising from fatal fall involving self-employed contractor
- Successfully argued that Fed-OSHA lacked jurisdiction on a Navajo Indian Reservation and obtained complete dismissal of two citations issued to client while performing construction work on the reservation
- Prevailed and obtained completed dismissal of Surface Transportation Assistance Act (STAA) retaliation claim where truck driver claimed he was terminated due to the filing of a previous STAA claim
- Prevailed on appeal in whistleblower claim under the Food Safety Modernization Act where plaintiff failed to comply with appeal statute, a result never previously obtained under the statute at issue
- Obtained complete dismissal of 6 citations issued to two employers by Tennessee OSHA following an inspection concerning alleged hazard communication violations
- Prevailed at trial concerning two assembly/disassembly crane OSHA citations, resulting in complete dismissal of both alleged violations

- Established NC OSHA's policy on the expansion of inspections in North Carolina after successful negotiation of 100% penalty reduction (over \$30,000), and elimination of all citations, following an improperly expanded inspection by NC OSHA
- Obtained settlement during trial of highly contested MSHA discrimination matter where MSHA reduced proposed penalty by 95%
- Successfully defended OSHA inspection of marina where two employees suffered serious burn injuries requiring transport to national burn center, resulting in no citations or penalties
- Assisted with matter on appeal where OSHA withdrew its unprecedented request for a 30-day extension to its statutory six month inspection period
- Represented electrical contractor in matter where client was awarded sanctions against state OSHA plan for discovery violations
- Negotiated complete dismissal of citations in two pending matters against staffing agency that was cited for alleged hazards at host employer's worksites
- Assisted client with high-profile PSM OSHA inspection involving six inspectors following ammonia leak, resulting in no penalties
- Obtained summary judgment in age discrimination matter where claimant's lowest demand exceeded \$450,000
- Became first attorney in the country to challenge Fed-OSHA's 2016 penalty increases
- Obtained complete dismissal of 110(c) claim brought by MSHA against individual supervisor following serious accident at client's rock quarry
- Successfully defeated electrical hazard citation following fatality at a major university, obtaining a complete dismissal of OSHA's claim
- Successfully defended two individual supervisors against 110(c) claims and associated substantial penalties following tragic accident at open pit mine
- Achieved successful trial result in claim brought by MSHA alleging negligence by client for failing to train employees; "no negligence" finding was entered
- Obtained complete dismissal of OSHA citations issued against national construction firm arising from work on high-profile military base
- Achieved 100% penalty reduction for regional poultry company for citations arising from emphasis program inspection at its feed mill
- Helped obtain complete dismissal of multi-employer citation against cattle ranching company
- Obtained complete dismissal of a general duty clause citation involving a fatality a protein-conversion shipping dock
- Obtained over 50% penalty reduction on 6th day of highly contested trial for poultry company in matter where union had obtained party status

- Negotiated over 90% penalty reduction in matter involving fatality at food processing facility
- Negotiated a nearly 50% penalty reduction for food processing company following ammonia explosion resulting in over \$5M in damages/lost profits
- Reached favorable settlement in matter concerning combustible dust at client's feed mill, based on OSHA's failure to properly document its claim; this result led, in part, to OSHA adopting a revised procedure concerning documenting combustible dust claims

Credentials

Education

- J.D., 2007, University of South Carolina School of Law
- B.A., 2004, cum laude, University of the South

Bar Admissions

- North Carolina
- South Carolina
- Tennessee
- Virginia
- West Virginia

Court Admissions

- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. District Court for the District of South Carolina
- U.S. District Court for the Eastern District of North Carolina
- U.S. District Court for the Eastern District of Tennessee
- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the Middle District of North Carolina
- U.S. District Court for the Northern District of West Virginia
- U.S. District Court for the Southern District of West Virginia

- U.S. District Court for the Western District of North Carolina
- U.S. District Court for the Western District of Virginia
- U.S. Tax Court
- Supreme Court of the United States

Recognitions

- *Chambers USA*, Occupational Safety and Health (2023-2024)
- Recognized in *The Best Lawyers in America* (2022-2025)
- Employment Law Power List, *North Carolina Lawyers Weekly* (2021)
- AV Rated, Martindale Hubbell
- *Super Lawyers Rising Star*, 2017
- Elected by peers to Virginia's Legal Elite by *Virginia Business Magazine* (Young Lawyers; 2011-2014)
- 10 Under 40, *Shenandoah Valley Business Journal* (2014)

Affiliations

Professional Activities

- Board of Directors, Blue Ridge Safety Association (2014- present)
- Board of Directors, Shenandoah Valley Builders Association (2014-2017)
- Virginia Association of Defense Attorneys
- Defense Research Institute
- South Carolina Defense Trial Attorneys Trial Academy

Community Activities

- Board of Directors, United Way of Harrisonburg & Rockingham County (2014-2015)
- Co-Director, District 7570 Conference, Rotary International (2017)
- District Membership Committee, Rotary International (2014-2015)
- Member, President, Rockingham County (VA) Rotary Club (2013-2014)
- Founder/Organizer, Valley Business Keynote Speaker Event
- Co-founder of the Columbia (SC) Attorney Basketball League, which was formed to help raise funds for Epworth Children's Home. The basketball league was featured in a May 2010 edition of The State (SC) newspaper and on a national legal website.

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 →](#)

INSIGHTS

02/05/25

Government's Shredding of Key Documents Leads Judge to Dismiss North Carolina Safety Case – Possible Relief for Your Business?

Mitchell Anderson, David Klass, Curtis G. Moore, Travis Vance

[Read more →](#)

EVENT

12/10/24

What to Expect from OSHA Under the New Trump Administration

Todd B. Logsdon, Kristin R.B. White, Travis Vance

[Read more →](#)

INSIGHTS

10/08/24

FP Flash Survey Reveals Half of Employers Don't Test Applicants for Cannabis: 7 Biggest Employer Takeaways

Travis Vance, Todd B. Logsdon, Kristin R.B. White

[Read more →](#)

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

[Read more →](#)

NEWS

06/10/24

Fisher Phillips Earns Top Rankings Again as a Leading Firm in Labor and Employment Law by Chambers USA

Edwin G. Foulke Jr., Andrew J. Sommer, Travis Vance, Kristin R.B. White, Danielle Hultenius Moore, Jocelyn Campanaro, Micah Dawson, Todd A. Fredrickson, Angelica M. Ochoa, Steven M. Bernstein, Suzanne K. Bogdan, Charles S. Caulkins, Christine E. Howard, Jeffrey E. Mandel, Cathy M. Stutin, Michael P. Elkon, Shanon R. Stevenson, Terri R. Stewart, Laurel K. Cornell, Raymond C. Haley III, Emily N. Litzinger, Todd B. Logsdon, Craig P. Siegenthaler, Megan Reese U'Sellis, Michelle I. Anderson, Edward F. Harold, Timothy H. Scott, David W. Erb, Daniel E. Farrington, Joseph W. Ambash, William E. Altman, Gregory V. Murray, Barbara Jean D'Aquila, Steven R. Cupp, Gregory D. Ballew, J. Randall Coffey, James R. Holland II, Brian J. Finucane, Melody L. Rayl,

David B. Dornak, Scott M. Mahoney, Mark J. Ricciardi, Kathleen McLeod Caminiti, Rosemary S. Gousman, Michael R. Marra, David Klass, Richard A. Millisor, Clarence M. Belnavis, Todd A. Lyon, Michael P. Avila, Nan Sato, Christopher P. Stief, William D. Wright, Michael D. Carrouth, C. F. W. Manning II, Stephen C. Mitchell, J. Hagood Tighe, David S. Jones, Greg Grisham, Jeff Weintraub, Stephen J. Roppolo, Teresa Valderrama, Theresa M. Connolly, Davis C. Bae, Ralph Hua, Radhika Mehta, Suzanne Kelly Michael

[Read more →](#)

INSIGHTS

05/31/24

Workplace Law Update: 10 Essential Items on Your June To-Do List

Sheila M. Abron, Steven M. Bernstein, Amanda M. Blair, Kathleen McLeod Caminiti, Melissa Camire, Michael D. Carrouth, Jessica D. Causgrove, J. Micah Dickie, Benjamin Dudek, Usama Kahf, Anne Yarovoy Khan, Vance O. Knapp, Matthew R. Korn, Todd B. Logsdon, Emily N. Litzinger, Todd A. Lyon, Richard R. Meneghello, Karen L. Odash, Alden J. Parker, Deniz Uzel Reilly, Robin Repass, Andria Lure Ryan, Jennifer B. Sandberg, J. Hagood Tighe, Travis Vance, David J. Walton, Melanie L. Webber, Erica G. Wilson

[Read more →](#)

INSIGHTS

05/14/24

Frequently Asked Questions for Employers About OSHA's New Final Rule on "Walkaround" Inspections

Steven M. Bernstein, Michael D. Carrouth, J. Micah Dickie, Todd B. Logsdon, Todd A. Lyon, Robin Repass, Travis Vance

[Read more →](#)

INSIGHTS

05/03/24

Workplace Law Update: 12 Essential Items on Your May To-Do List

Sheila M. Abron, Brian Balonick, Steven M. Bernstein, Risa B. Boerner, Raeann Burgo, Kathleen McLeod Caminiti, Melissa Camire, Michael D. Carrouth, Jessica D. Causgrove, J. Randall Coffey, Jonathan Crook, Leanne Lane Coyle, Alex G. Desrosiers, J. Micah Dickie, Benjamin M. Ebbink, Michael P. Elkon, Rick Grimaldi, Matthew Guerrero, Edward F. Harold, Usama Kahf, Braden Lawes, Aymara Ledezma, Emily N. Litzinger, Todd B. Logsdon, Todd A. Lyon, Richard R. Meneghello, Jacklin Rad, Deniz Uzel Reilly, Robin Repass, Jeffrey Shapiro, Christopher P. Stief, J. Hagood Tighe, Joshua D. Nadreau, Travis Vance, David J. Walton, Melanie L. Webber, Robert Yonowitz

[Read more →](#)

EVENT

04/16/24

OSHA Issues Final Rule Allowing Union Walkthroughs of Union and Non-Union Worksites: A Discussion of Your Rights

Travis Vance, Michael D. Carrouth, Todd B. Logsdon, Robin Repass

[Read more →](#)

[View All →](#)

