Aaron R. Gelb

Chair, Midwest Practice
Co-Managing Partner

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Chicago, Illinois



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Aaron Gelb

"Aaron is extraordinary in terms of his mastery of an otherwise difficult area of the law. He knows it inside and out."

Aaron R. Gelb is one of Conn Maciel Carey's co-managing partners. Based in Chicago, Aaron leads the firm's Midwest OSHA Defense Team, which includes eight OSH-focused lawyers in Illinois, Michigan, and Ohio who regularly advise and represent employers in relation to inspections, investigations, and enforcement actions involving federal OSHA and state OSH programs, while managing a full range of litigation against OSHA. Aaron also litigates EEO matters in federal and state courts (having tried several cases to verdict) and defends employers before the EEOC and fair employment agencies across the country.

Recognition & Awards

- "Band 2" Ranked Attorney in Occupational Safety and Health, Chambers USA – Nationwide (2023 – Present)

Speaking Engagements

Aaron is frequently asked to speak about a variety of workplace safety and health topics to audiences across the country. Although his practice is national in scope, Aaron focuses his efforts on educating safety professionals, operations leaders, business owners and executives in the Midwest, regularly presenting in Illinois, Indiana, Iowa,

Kansas, Nebraska, Ohio, and Wisconsin.

A long-time member of the Illinois Manufacturers Association, Aaron serves as the exclusive workplace safety and health educator for the IMA's members, presenting quarterly webinars and organizing weekly in-person and online events each year during Safety Month (June). Having worked extensively with each and every one of OSHA's Area Offices in Illinois, Aaron regularly hosts panel discussions and presentations that include Area Directors, Assistant Area Directors, and Compliance Assistance Specialists. Aaron is currently working with the IMA and OSHA to educate food manufacturers about the agency's Local Emphasis Program focused on food manufacturing.

Recent events and organizations include:

- American Bar Association OSH Committee Midwinter Meeting
- American Foundry Society
- American Transportation Association's Safety & Security Seminar
- Grain and Feed Association of Illinois Annual Meeting
- Grain Elevator and Processing Society (GEAPS)
- Hospitality Law Conference
- International Liquid Terminals Association (ILTA)
- National Grain and Feed Association
- National Meat Institute Environment, Labor & Safety Conference
- National Safety Council OSH Network
- Midwest Food Products Association Safety Conference
- Precision Metalforming Association Annual Meeting
- Truck Trailer Manufacturers Association

Aaron also frequently presents on a variety of topics for the firm's **OSHA Webinar Series** and **Labor & Employment Webinar Series**.

Affiliations

- Illinois Manufacturers Association
- Chemical Industry Council of Illinois
- Grain and Feed Association of Illinois
- Midwest Food Producers Association
- National Grain and Feed Association

Education

- University of Texas School of Law, J.D. 1995
- University of Chicago, B.A., 1992

Admissions

- Illinois
- U.S. Court of Appeals for the District of Columbia Circuit

- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Columbia
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Northern District of Illinois Trial Bar
- U.S. District Court for the Northern Districts of Indiana
- U.S. District Court for the Southern District of Illinois
- U.S. District Court for the Southern Districts of Indiana
- U.S. Eastern and Western Districts of Texas

Experience

- Over the course of five years, Aaron represented a food manufacturer in a series of inspections resulting from amputations, employee complaints, and referrals, as well as multiple OSHA-initiated follow-up inspections. After negotiating a settlement that resulted in the employer exiting the Severe Violator Enforcement Program (SVEP) despite fines exceeding $500,000, Aaron managed a hospitalization inspection resulting in a modest fine, led the defense of a subsequent repeat citation through mandatory proceedings that resulted in OSHA reducing the penalty by 75% and deleting multiple machine safety and PIT citations. Throughout this period, Aaron has worked hand-in-hand with the Company's EHS team as they prepare to apply for VPP status in the near future.
- Aaron developed short and long-term strategies for mandatory settlement proceedings, leading negotiations that resulted in several manufacturing and grain handling employers exiting from SVEP less than a year after they had been placed in the program. He also secured, at mandatory settlement proceedings, an 85 percent reduction of a six-figure fine resulting from a series of failure to abate citations issued to a small manufacturing company after the employer failed to submit timely notice of contest.
- Aaron has extensive experience representing employers in the agricultural field, with a particular emphasis on grain handling operations. In the last 5 years alone, he has managed inspections in the Midwest involving three amputations and two engulfment incidents during grain bin entries, as well as fatalities involving falls from heights and electrocutions. Aaron has presented on grain bin enforcement priorities at the annual meeting of the Grain and Feed Association of Illinois and on related safety issues for the National Grain and Feed Association. Additionally, Aaron has handled Ag-related inspections in Florida, Indiana, Kansas, Ohio, and Wisconsin.
- Managed inspections into fatalities and catastrophes involving employers in food manufacturing, chemical processing, logistics, foodservice distribution, and grain handling industries. On multiple occasions, Aaron has been retained by employers seeking a second opinion with respect to their citation contest strategy and has similarly been asked to serve as co-counsel by lead litigation counsel in cases where OSHA experience is deemed necessary.
- Recognized as a thought leader with respect to machine safety (lockout/tagout and machine guarding), Aaron

has given presentations on the topic at meetings of the National Safety Council at the request of Rich Fairfax and annually at the Chicagoland Safety Conference, along with a wide range of manufacturing associations. He also serves a key role in an ongoing client initiative focused on modernizing a manufacturer's hazardous energy control program, working closely with subject matter experts.

- Retained by a large hospital system after a state occupational safety and health agency issued a "series" citation accompanied by a $10,000 penalty attributed to an allegedly insufficient workplace violence prevention program, Aaron convinced the agency to reclassify the citation to "other-than-serious" and rescind the entire penalty amount.
- Secured complete defense verdict on Title VII race discrimination and retaliation claims after two-week jury trial in Northern District of Indiana and obtained post-trial judgment in favor of employer, vacating jury verdict in favor employee on FMLA retaliation claim, following one-week trial in Washington, D.C. Negotiated favorable settlement on behalf of employer after jury failed to render verdict following three-week military status (USERRA) discrimination trial in federal court in Tennessee. Successfully tried sexual harassment, age discrimination, and retaliation claims before administrative judges and arbitrators resulting in all claims being dismissed without any damages being awarded.
- Committed to giving back, Aaron works with the Lawyers' Committee for Civil Rights and accepts appointments from the Northern District of Illinois to represent pro se litigants in settlement conferences as part of the Court's Settlement Assistance Program for Pro Se Litigants.