



Earn 14 Hours MCLE Credit.  
Includes Legal Ethics, Elimination of Bias,  
and Competency Issues.

# **9<sup>TH</sup> ANNUAL ADVANCED WAGE & HOUR CONFERENCE AND 36<sup>TH</sup> LABOR AND EMPLOYMENT LAW SECTION ANNUAL MEETING**

**July 18-19, 2019**

**Millennium Biltmore Hotel, 506 S Grand Ave., Los Angeles, CA 90071**

# 9<sup>TH</sup> ANNUAL ADVANCED WAGE AND HOUR CONFERENCE

THURSDAY, JULY 18, 2019

8:15 a.m.–4:45 p.m. Registration Open

8:15 a.m.–9:00 a.m. Continental Breakfast

9:00 a.m.–10:30 a.m.

**1 The Annual Update: Everything You Needed to Know About Recent Wage-and-Hour Developments (1.50 Hours MCLE)**

Join our distinguished panelists as they provide key analysis of the most recent federal and state Supreme Court and Court of Appeals cases, as well as new legislation, and how these cases and new laws may impact the wage and hour litigation landscape.

**Moderator:** Theodora Lee, *Little Mendelson*

**Speakers:** Jannah Manansala, *Weinberg Roger & Rosenfeld*  
Lisa Brown, *GBG LLP*

10:30 a.m.–10:45 a.m. Break

10:45 a.m.–12:15 p.m.

**2 One Year Later: The Impact of Dynamex on Employee Classification (1.50 Hours MCLE)**

The California Supreme Court in *Dynamex Operations West, Inc. v. Superior Court* adopted the ABC test to determine employee classification for claims arising under the Wage Orders. The decision has had huge ramifications. Panelists will discuss the impact of the decision on workers and employers, questions left unanswered by *Dynamex*, and the next frontier in worker classification.

**Moderator:** Hina Shah, *Golden Gate University School of Law*

**Speakers:** Kevin F. Ruf, *Glancy Prongay & Murray LLP*  
Michele Maryott, *Gibson, Dunn & Crutcher*

12:15 p.m.–1:30 p.m.

**13 Luncheon: The Wage & Hour Ethics Trivia Game (1.00 Hour Legal Ethics)**

Learn ethics with wage and hour class action members and corporate witnesses, objectors, class settlements, and more, in a game show.

**Moderator:** Bryan Schwartz, *Bryan Schwartz Law*

1:45 p.m.–3:15 p.m.

**3 Judges Panel: Practical Tips for Litigating Wage and Hour Class Actions in State and Federal Court (1.50 Hours MCLE)**

A perennial Conference favorite, a panel of judges will provide tips to help litigants avoid obstacles when navigating the ever-changing waters of wage and hour class actions. They will also provide insights into the impact of recent developments in wage and hour and class action jurisprudence.

**Moderator:** Laboni Hoq, *Asian Americans Advancing Justice*

**Speakers:** Hon. William F. Highberger, *Los Angeles County Superior Court*  
Hon. Andre Birotte, Jr., *USDC, Central District of California*  
Hon. John S. Wiley, Jr., *California Court of Appeal*

3:15 p.m.–3:30 p.m. Break

3:30 p.m.–5:00 p.m.

**4 Hot Topics in PAGA Litigation (1.50 Hours MCLE)**

PAGA continues to occupy an ever-larger role in California wage and hour litigation. Our panel of leading PAGA trial and appellate attorneys will explain the shifting terrain, with a focus on how it affects practitioners. Specific PAGA issues to be discussed include: mandatory arbitration agreements after *Iskanian* and *Epic Systems*, discovery post-*Williams*, federal jurisdiction, administrative exhaustion and notice letters, PAGA settlement mechanics and considerations, and PAGA trials.

**Moderator:** Rachel Bien, *Outten & Golden, LLP*

**Speakers:** Yesenia Gallegos, *Fox Rothschild LLP*  
Larry Lee, *Diversity Law Group*

# 36<sup>TH</sup> LABOR AND EMPLOYMENT LAW SECTION ANNUAL MEETING

FRIDAY, JULY 19, 2019

8:15 a.m.–5:15 p.m. Registration Open

8:00 a.m.–8:45 a.m. Continental Breakfast

8:45 a.m.–10:30 a.m.

**5 The Good, The Bad & the Ugly—A Review of Recent Employment Law Cases (1.75 Hours MCLE)**

In this fast-paced discussion, Anthony J. Oncidi and Andrew H. Friedman will reprise their annual review of recent employment law cases with an emphasis on those cases of most utility to the employment practitioner whether plaintiff, defense or neutral.

**Speakers:** Andrew H. Friedman, *Helmer Friedman LLP*  
Anthony J. Oncidi, *Proskauer Rose LLP*

10:30 a.m.–10:45 a.m. Break

10:45 a.m.–11:45 a.m.

Concurrent Sessions

**6 Supporting Transgender Employees: Legal Update and Practical Guidance for Creating Inclusive Workplaces (1.00 Hour Elimination of Bias)**

Transgender people are increasingly visible in the workforce. Under new law, the FEHA mandates employers to train employees about gender identity and inclusion. In this panel, experts on best practices for transgender inclusion in the workplace will provide updates on the law, discuss best practices for training and give their perspectives on developing an inclusive work environment.

**Moderator:** Amy Oppenheimer, *Law Offices of Amy Oppenheimer*

**Speakers:** Ilona Turner, *Turner Dispute Resolution*  
Michaela Mendelson, *TransCanWork*

**7 Understanding the World of Leaves of Absences (1.00 Hour MCLE)**

California leave laws impose various obligations on employers to provide employees with paid or unpaid time off. The myriad of applicable laws makes compliance a challenge. In this program, panelists will discuss the various leave of absences impacting California employers and employees, their interaction and both employee and employer's rights, duties, and obligations.

**Moderator:** Maribel Hernandez, *The Save Mart Companies*

**Speakers:** Adam Fiss, *Littler Mendelson P.C.*  
Sandra Muñoz, *Law Offices of Sandra C. Muñoz*

12:00 p.m.–1:15 p.m.

**14 Lunch Keynote: The FEHA at 60 (0.75 Hour MCLE)**

DFEH Director Kevin Kish will discuss how the Fair Employment and Housing Act (originally the Fair Employment Practices Act) has grown and evolved over the past 60 years. He will also address emerging trends as we look to the future.

**Speaker:** Kevin Kish, Director, *Department of Fair Employment and Housing*



**1:30 p.m.–2:30 p.m.**  
**Concurrent Sessions**

**8 The Other Bar (1.00 Hour Competency Issues)**

Identifying chemical dependency and other issues affecting competence and mental stability; resources available; workplace relationships; interventions, helping people get well, and improving the workplace. Saving lives, families and careers.

**Moderator:** Joseph Ortiz, *Best Best & Krieger*

**Speakers:** Gregory Dorst, *The Other Bar*  
James Heiting, *Heiting & Irwin*

**9 Looking Forward/Looking Back—2019 Employment Legislation (1.00 Hour MCLE)**

How will California employment legislation be affected by a new Governor and even stronger Democrat majority in Sacramento? A top plaintiff-side attorney and the General Counsel of the CalChamber look back at 2018 legislation and look forward to pending 2019 legislation.

**Moderator:** Michael Robbins, *EXTTI Incorporated*

**Speakers:** Gina Browne, *Feldman Browne Olivares*  
Erika Frank, *CalChamber*

**2:30 p.m.–2:45 p.m. Break**

**2:45 p.m.–3:45 p.m.**  
**Concurrent Sessions**

**10 Panel Discussion on Recent NLRB Decisions and Initiatives (1.00 Hour MCLE)**

This panel will address significant decisions by the NLRB under the Trump Administration that change the landscape of federal labor law. Recent developments include independent contractor misclassification; new limitations on protected concerted activities; the interplay between lobbying expenses and union dues; developing legal standards for joint employment; and employees' use of employer's communication systems for non-work purposes.

**Moderator:** Thomas Lenz, *Atkinson, Andelson, Loya, Ruud & Romo*

**Speakers:** Harry I. Johnson, III, *Morgan Lewis & Bockius*  
Brian Gee, *NLRB, Region 31 (West Los Angeles)*  
Julie Gutman-Dickinson, *Bush Gottlieb*

**11 California's New Rules of Professional Conduct and Their Potential Impact on Employment Law Practices (1.00 Hour Legal Ethics)**

On November 1, 2018, 69 new Rules of Professional Conduct replaced the 46 Rules that had previously governed attorney conduct in California. This comprehensive overhaul includes major changes and is intended to establish clear and enforceable disciplinary standards. Hon. Lee Smalley Edmon, Presiding Justice, California Court of Appeal, 2nd Appellate District, Div. 3 and Prof. Kevin Mohr provided leadership in the revision process and are uniquely suited to help educate Section members understand their evolving obligations under this new system.

**Moderator:** Carl Botterud, *Botterud Law & Mediation*

**Speakers:** Justice Lee Smalley Edmon, *California Court of Appeal*  
Prof. Kevin Mohr, *Western State College of Law*

**3:45 p.m.–4:00 p.m. Break**

**4:00 p.m.–5:30 p.m.**

**12 The Secret of My Success: Insights from Top Trial Lawyers (1.5 Hours MCLE)**

Some plaintiff-side employment attorneys routinely score seven-figure verdicts, while some management attorneys regularly obtain defense verdicts. How do they do it? You'll find out in this seminar, where four ace trial lawyers will discuss how they work and will share some of the lessons they have learned from experience. This will not be your typical success stories panel, as we hope you will take away ideas that will help you in your next trial.

**Moderator:** Ramit Mizrahi, *Mizrahi Law, APC*

**Speakers:** Nathan Goldberg, *Allred, Maroko & Goldberg*  
Lawrance Bohm, *Bohm Law Group, Inc.*  
Linda Savitt, *Ballard Rosenberg Golper & Savitt LLP*  
Lynne Hermle, *Orrick, Herrington & Sutcliffe*

# GENERAL INFORMATION

## CONFERENCE INFORMATION

Conference materials will be available online prior to the conference and provided on a USB at the conference. Wi-Fi will **not** be available inside the conference rooms.

**PRINTED MATERIALS WILL NOT BE PROVIDED.** Should you prefer to reference printed materials during the conference, please feel free to access the online information and print out the materials prior to the conference.

## ON-SITE REGISTRATION:

Onsite registration will be on a space available basis. Call to confirm space availability.

## CANCELLATIONS/REFUND POLICY:

Cancellations and requests for refunds must be received in writing no later than Wednesday, July 10, 2019 and are subject to a \$25 service charge. Refunds will not be available after Wednesday, July 10, 2019.

## SPECIAL ASSISTANCE:

For special assistance please call (916) 516-1748.

## QUESTIONS:

For registration information please call (916) 516-1757. Telephone registrations will not be accepted. For program content and/or Section information please call (916) 516-1748.

## PHOTO RELEASE:

This event may be recorded. By attending this event, you consent to be photographed, filmed, and/or otherwise recorded, and to any use, by the CLA, of your likeness, voice, and name in any and all media, including social media. If you do not want your name or photo to be used, please let us know in advance. We cannot, however, honor requests to opt out of the use of your image or voice if you choose to ask a question during one of the event sessions.

## MCLE:

The California Lawyers Association is an approved State Bar of California MCLE provider.

Register online at [www.CALawyers.org/labor-and-employment-law](http://www.CALawyers.org/labor-and-employment-law)

## HOTEL INFORMATION

All programs and events will be held at the Millennium Biltmore Hotel, 506 S Grand Ave., Los Angeles, CA 90071. A limited number of rooms have been blocked at a special Conference rate of \$205/night (single occupancy). **The deadline to reserve a hotel room is Friday, June 21, 2019.**

To reserve your room online, head to the Labor and Employment Law Section page: [www.CALawyers.org/labor-and-employment-law](http://www.CALawyers.org/labor-and-employment-law).

To reserve your room by phone: (213) 612-1575 and mention code: 1907LEWHAM

## SCHOLARSHIPS

The Labor and Employment Law Section of the California Lawyers Association is committed to encouraging the representation of persons of color, women, the LGBTQ community, people with disabilities, other underrepresented groups and those who work in the area of public service.

As such, the Labor and Employment Law Section has committed to provide a full scholarship to those persons who have traditionally been underrepresented in our field in order to become familiar with the Labor and Employment Law Section and to encourage their membership and association.

Obtain an application on the Labor and Employment Law Section webpage. Scholarships only cover registration fees and not travel expenses. Applications are due by July 1, 2019 to Jinny Kim ([jkim@legalaidatwork.org](mailto:jkim@legalaidatwork.org)).

# REGISTRATION FORM AND INFORMATION

## 9TH ANNUAL ADVANCED WAGE & HOUR CONFERENCE / 36TH LABOR AND EMPLOYMENT LAW SECTION ANNUAL MEETING

July 18-19, 2019 · Millenium Biltmore Hotel, Los Angeles, CA

Bar Number: \_\_\_\_\_  
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Firm Address: \_\_\_\_\_  
City, State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

(required for confirmation)

Check here if you do not want your information to be released.

### REGISTRATION FEES

#### Full-Conference:

- \$495 Section Member
- \$590 Non-Section Member\*

#### 1-Day Conference:

- \$295 Section Member
- \$390 Non-Section Member\*

*Non-Section member fee includes \$95 enrollment in the Labor and Employment Law Section for 2019.*

There is a \$50 increase for onsite registrations.

### TICKETED EVENTS

- 13** \$25 **Thursday, July 18:** Wage & Hour Conference Trivia Luncheon  
*Select One Meal:*
  - Chicken
  - Vegetarian
- 14** \$25 **Friday, July 19:** Annual Meeting Lunch Keynote: The FEHA at 60  
*Select One Meal:*
  - Fish
  - Vegetarian

Amount to be Enclosed/To Be Charged.

Total: \$ \_\_\_\_\_

**Deadline:** In order to pre-register, your form and check, payable to the **California Lawyers Association**, or credit card information, must be received by Wednesday, July 10, 2019.

**Register Online:** [www.calawyers.org/labor-and-employment-law](http://www.calawyers.org/labor-and-employment-law)

**Mail To:** Program Registrations  
California Lawyers Association  
400 Capitol Mall Way  
Suite 650  
Sacramento, CA 95814

**Email To:** Program Registrations@CALawyers.org. In order to email your registration, credit card information is MANDATORY. Photocopies of checks will **NOT** be accepted.

#### CREDIT CARD INFORMATION (VISA/MASTERCARD ONLY)

I authorize the California Lawyers Association to charge my program registration to my VISA/Mastercard account. *No other card will be accepted.*

Account Number: \_\_\_\_\_  
(VISA/Mastercard only)

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**Please include the Course Selector with your registration form, if you are mailing.**

# COURSE SELECTOR

Please include Course Selector with your registration form, if you are mailing.

## 9th Annual Advanced Wage and Hour Conference Thursday, July 18, 2019

9:00 a.m.—10:30 a.m. (Plenary Session)

- 1 The Annual Update: Everything You Needed to Know About Recent Wage-and-Hour Developments

10:45 a.m.—12:15 p.m. (Plenary Session)

- 2 One Year Later: The Impact of *Dynamex* on Employee Classification

1:45 p.m.—3:15 p.m. (Plenary Session)

- 3 Judges Panel: Practical Tips for Litigating Wage and Hour Class Actions in State and Federal Court

3:30 p.m.—5:00 p.m. (Plenary Session)

- 4 Hot Topics in PAGA Litigation

## 36th Labor and Employment Law Section Annual Meeting Friday, July 19, 2019

8:45 a.m.—10:30 a.m. (Concurrent Session)

- 5 The Good, The Bad & the Ugly—A Review of Recent Employment Law Cases

10:45 a.m.—11:45 a.m. (Concurrent Sessions)

- 6 Supporting Transgender Employees: Legal Update and Practical Guidance for Creating Inclusive Workplaces (1.00 Hour Elimination of Bias)

- 7 Understanding the World of Leaves of Absences

1:30 p.m.—2:30 p.m. (Concurrent Sessions)

- 8 The Other Bar (1.00 Hour Competency)
- 9 Looking Forward/Looking Back—2019 Employment Legislation

2:45 p.m.—3:45 p.m. (Concurrent Sessions)

- 10 Panel Discussion on Recent NLRB Decisions and Initiatives
- 11 California's New Rules of Professional Conduct and Their Potential Impact on Employment Law Practices (1.00 Hour Legal Ethics)

4:00 p.m.—5:30 p.m. (Plenary Session)

- 12 The Secret of My Success: Insights from Top Trial Lawyers



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**9<sup>TH</sup> ANNUAL ADVANCED  
WAGE AND HOUR  
CONFERENCE PLANNING  
COMMITTEE**

**Chair:**  
Theodora Lee

**Vice Chair:**  
Glenn Danas

**Members:**  
Rachel Bien  
Aaron Cole  
Monica Guizar  
Laboni Hoq  
Ireneo Reus  
Kristianne Seargeant  
Alexandra Stathopoulos

**36<sup>TH</sup> LABOR AND  
EMPLOYMENT LAW  
SECTION ANNUAL MEETING  
PLANNING COMMITTEE**

**Chair:**  
Jinny Kim

**Vice Chair:**  
Scott Stillman

**Members:**  
Carl Botterud  
Andrew Friedman  
Maribel Hernandez  
Phil Horowitz  
Christy Kwon  
Thomas Lenz  
Ramit Mizrahi  
Amy Oppenheimer  
Joseph Ortiz  
Michael Robbins

