



## Gilbert J. Tsai

### Partner

Gilbert represents employers in a variety of employment-related litigation matters, including single and multi-plaintiff discrimination claims, harassment claims, wrongful termination claims, and wage and hour disputes. He has also assisted employers defending against meal and rest period, and disability discrimination class actions. In addition, Gilbert has expertise in traditional labor law covering union negotiations, grievance arbitrations and unfair labor practice claims, and has handled proceedings before the National Labor Relations Board and other agencies.

Gilbert counsels employers regarding their personnel policies and decisions to ensure compliance with state and federal law. He has experience advising employers in all matters related to employment law, including employee handbooks, FMLA/CFRA and other medical leave policies, collective bargaining issues, drafting severance and release packages, reductions in force, employment agreements, and matters involving trade secrets and confidential information.

#### Publications

"California Court Rules That 'Reporting Time Pay' Owed Even If Employees Are Not Required to Physically Report To Work," *Labor & Employment Alert* (February 2019)

"NLRB General Counsel Provides Employer-Friendly Guidance on Work Rules," *Labor & Employment Law Alert* (June 2018)

"California Appellate Court Provides Another Potential Defense To 'Derivative' Wage Statement Claims," co-author, *Labor & Employment Law Alert* (May 2018)

"New Sexual Harassment Prevention Training Requirement For Local Agency Officials: FAQ & Compliance Tips ," co-author, *Labor & Employment Law Alert* (March 2017)

"A Year in Review: Notable Cases And New Laws For California Employers in 2016," co-author, *Labor & Employment Law Alert* (January 2016)

"Significant Cases and New Laws for California Employers in 2015," co-author, *Labor & Employment Law Alert* (January 2015)

#### San Francisco

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#### Firm Leadership

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Diversity & Inclusion Network

#### Practices/Industries

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Labor & Employment

Employment Class Actions

"A Favorable Light on FAAAA Preemption," co-author, *The Transportation Lawyer* (August 2014)

"The NLRB General Counsel's Decision To Name McDonald's As A Joint Employer Threatens To Change The Franchise Model," co-author, *Labor and Employment Law Alert* (July 2014)

"Significant National Labor Relations Board Decisions in December 2012," *Labor & Employment Law Alert* (January 2013)

### **Presentations**

"New Anti-Discrimination/Retaliation Obligations," co-speaker, Hanson Bridgett Labor & Employment Seminar (January 2016)

"Discrimination, Retaliation and Harassment Update Continued" and "Omnibus California Workplace Developments," co-speaker, Hanson Bridgett Labor & Employment Seminar (January 2015)

### **Honors & Awards**

Northern California Super Lawyers Rising Stars (2010-2017)

### **Professional Affiliations**

Asian Pacific Islander Legal Outreach, Board Member

American Bar Association

State Bar of California

### **Academic Distinctions**

Note and Comment Editor, *American University Law Review*

Legal Rhetoric Deans Fellow

### **Education**

J.D., *cum laude*, American University Washington College of Law (2006)

B.S., Cornell University (2001)

### **Admissions and Courts**

California

Gilbert J. Tsai  
Partner



U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Southern District of California

**Languages**

Mandarin Chinese