



Lisa M. Pooley

Partner

Lisa has been representing public and private sector employers with respect to labor and employment issues for more than two decades. She has substantial employment litigation experience in state and federal courts, as well as in administrative proceedings and labor arbitrations. Lisa regularly defends employers in single-plaintiff and multiple-plaintiff lawsuits involving claims of wrongful termination and employment discrimination, with particular emphasis in disability and gender discrimination cases. Lisa also represents clients in other employment-related litigation, including cases alleging whistleblower retaliation, breach of contract, fraud, defamation, and misappropriation of trade secrets.

Lisa also has extensive experience defending wage-and-hour class actions in state and federal courts and is well versed in meal and rest period claims under the California Labor Code, as well as representative and collective actions brought under California's Private Attorneys General Act and the federal Fair Labor Standards Act.

Lisa also has substantial appellate experience in the California Courts of Appeal and the Ninth Circuit, including recent victories affirming a state court summary judgment and affirming a federal court dismissal. She also has represented public employers in civil writs and mandate proceedings.

Using her broad experience and expertise, Lisa also regularly counsels clients on an array of employment matters, including developing appropriate personnel policies and procedures, implementing progressive discipline and termination decisions, managing leaves of absence, providing disability accommodations, and wage-and-hour issues.

Representative Work

Class Actions. Defended and successfully negotiated favorable settlements of several meal and rest period class actions in both state and federal courts.

Disability Discrimination Victory. Obtained complete dismissal of all disability discrimination claims against private concrete company by former employee through summary judgment motion. The judgment was affirmed by the California Court of Appeal in an unpublished decision.

Pottenger v. Potlatch Corp. Obtained complete dismissal of age

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Practices/Industries

Labor & Employment
Litigation & Dispute Resolution
Class Actions
Employment Class Actions

discrimination, defamation and intentional infliction of emotional distress claims against private company by former senior executive through summary judgment motion. The dismissal was upheld by the Ninth Circuit in a published opinion.

Publications

"Reminder: Minimum Wage Increases Effective January 1, 2019," co-author, *Labor & Employment Alert* (November 2018)

"Employer Obligations Regarding Post-Offer Medical Examinations," *Labor & Employment Alert* (September 2018)

"California Legislature Clarifies Salary History Ban And Equal Pay Statute," *Labor & Employment Alert* (July 2018)

"New FEHC National Origin Discrimination Regulations," co-author, *Labor & Employment Law Alert* (July 2018)

"*Janus v. AFSCME*: SCOTUS Rejects Mandatory Agency Fees For Public Sector Employees," co-author, *Labor & Employment Alert* (June 2018)

"Employers Win This Round: CA Court of Appeal Upholds Employer's Rounding Policy," co-author, *Employment Class Action Alert* (June 2018)

"Reminder: Minimum Wage Increases And San Francisco's Parity In Pay Ordinance Effective," *Labor & Employment Alert* (June 2018)

"New Test For Independent Contractors," co-author, *Labor and Employment Alert* (May 2018)

"Employers Cannot Rely On Prior Salary To Justify Wage Differential In Equal Pay Act Cases," co-author, *Labor and Employment Alert* (April 2018)

"NLRB Reverses Course On Joint Employer And Employee Handbook Standards," co-author, *Labor and Employment Alert* (December 2017)

"Reminder: Minimum Wage Increases Effective January 1, 2018," co-author, *Labor and Employment Alert* (December 2017)

"Reminder: Employers Face Liability For Sexual Harassment Committed By Non-Employees," co-author, *Labor & Employment Alert* (November 2017)

"On The Horizon: New California Employment Laws for 2018," co-author, *Labor & Employment Alert* (October 2017)

"Hiring Alert: Governor Signs New Laws Restricting Use of Criminal Histories And Prohibiting Salary Inquiries," co-author, *Labor & Employment Alert* (October 2017)

"Gender Discrimination At The Forefront: New Transgender Identity And Expression Regulations And Court Guidance Regarding Sexual Orientation Discrimination," co-author, *Labor & Employment Law Alert* (June 2017)

"How to Comply with California's New Criminal History Regulations," *The Recorder* (June 2017)

"California Employers Must Comply With New Criminal History Regulations," co-author, *Labor & Employment Law*

Alert (June 2017)

"The "Rest" Of The Story: California Supreme Court Clarifies The Obligation To Provide Rest Days To Employees," co-author, *Labor & Employment Alert* (May 2017)

"Court Affirms That Healthcare Employees Working 12+ Hour Shifts Can Waive One of Their Two Meal Periods," co-author, *Labor & Employment Law Alert* (March 2017)

"Your Background Check Documents May Be At Risk Under A New Ninth Circuit Ruling," co-author, *Employee Benefits Law Alert* (January 2017)

"Court Issues Preliminary Injunction Blocking Immediate Implementation of New Federal Overtime Rules," co-author, *Labor & Employment Law Alert* (November 2016)

"A Glimmer Of Hope For Employers In "Associational" Reasonable Accommodation Cases," co-author, *Labor & Employment Law Alert* (September 2016)

"After Almost 20 Years, The EEOC Has Issued New Guidelines On Retaliation," co-author, *Labor & Employment Law Alert* (September 2016)

"Employers Scramble To Comply With New DOL Minimum Wage And Employee Polygraph Protection Act Posting Requirements," *Labor & Employment Law Alert* (August 2016)

"Federal Court Blocks DOL's 'Persuader' Rule," *Labor & Employment Law Alert* (June 2016)

"New Law Should Limit Disability-Access Litigation in California," co-author, *Labor & Employment Law Alert* (May 2016)

"The Defend Trade Secrets Act Opens Federal Courts To Claims Of Misappropriation Of Trade Secrets," co-author, *Labor & Employment Law Alert* (May 2016)

"NLRB Continues To Eviscerate Workplace Civility Policies In New Handbook Decision," co-author, *Labor & Employment Alert* (May 2016)

"San Francisco Delivers New Paid Parental Leave," co-author, *Labor and Employment Law Alert* (April 2016)

"Employers May Be Obligated To Provide Suitable Seating To Employees," co-author, *Labor and Employment Law Alert* (April 2016)

"Employers May Be Required To Provide Reasonable Accommodation To Employees 'Associated' With Someone With A Disability," co-author, *Labor and Employment Law Alert* (April 2016)

"Expanded Reporting Obligations For Private Employers Under DOL's "Persuader" Final Rule," co-author, *Labor & Employment Law Alert* (March 2016)

Presentations

"New Year, New Focus on Recruiting Issues: Lessons from 2017 on Discrimination, Harassment, and Retaliation," Hanson Bridgett Labor & Employment Seminar (January 2018)

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

Labor and Employment Seminar for large health care client (February 2014)

"Interviewing Job Candidates: What You Legally Can And Can't Ask," HR Training Center (July 2010)

"Interviewing Job Candidates: What You Legally Can And Can't Ask," Employer Resource Institute (July 2010)

Press

"California's New Contractor Test Will Impact the Gig Economy," SHRM (May 2018)

Professional Affiliations

Bar Association of San Francisco, Labor and Employment Section

State Bar of California, Labor and Employment Section

California Employer Advisor, Employer Resource Institute, Editorial Review Board

Judicial Clerkships

Extern to the Honorable Sandra Brown Armstrong, United States District Court, Northern District of California (1992)

Education

J.D., *summa cum laude*, University of San Francisco School of Law (1993)

B.A., University of California, Santa Barbara (1984)

Admissions and Courts

California

U.S. Court of Appeals for the Ninth Circuit

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

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 Southern District of California