



Sandra L. Rappaport

Partner

Sandy has been practicing labor and employment law for more than twenty-five years, and is well versed in all aspects of the practice. She has litigated on behalf of employers in federal and state court cases involving wage and hour issues, discrimination and harassment claims, disputes over unfair competition and trade secrets, whistleblowing claims, and more. She frequently also handles litigation on behalf of employers in labor arbitrations and in proceedings before quasi-judicial agencies including the Equal Employment Opportunity Commission, the California Department of Fair Employment and Housing, the Division of Labor Standards Enforcement, the National Labor Relations Board and the Department of Labor. Her complex litigation experience is vast as well, having led teams in the successful defense of federal and state class actions involving overtime, on-call time, meal/rest breaks, and business expenses, to name a few.

Due in large part to her extensive labor and employment litigation experience, Sandy provides effective and trusted counsel to employers that helps to avoid litigation, on all matters having to do with employees. She regularly consults regarding the full panoply of employment concerns, such as wage and hour issues, managing leaves of absence, union relations, protection of trade secrets, and compliance with disability and family leave laws. She also leads teams in employment compliance audits, negotiates and drafts various agreements between employees and employers, and works with her clients to develop workable and defensible personnel practices and procedures.

Publications

"Important Update to the COVID-19 Emergency Temporary Standards," Labor & Employment Law Alert (June 2021)

"EEOC Issues May 28 Updated FAQs For Employer COVID-19 Vaccination Programs," Labor & Employment Law Alert (June 2021)

"California Employers Face New COVID-19 Supplemental Paid Sick Leave Requirement," Labor & Employment Law Alert (March 2021)

"New California Labor Laws to Look Out For in 2021," co-author, *BenefitsPRO* (December 2020)

"New California Family Rights Act: State Family Care and Medical Leave Expanded," co-author, Labor & Employment Law Alert (October 2020)

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Firm Leadership

Management Committee, Member
Women's Impact Network, Member

Practices/Industries

Labor & Employment
Litigation & Dispute Resolution
Class Actions
Food and Beverage
Employment Class Actions

"California Issues New COVID-19 Employer Playbook for a Safe Reopening," co-author, *Labor & Employment Law Alert* (July 2020)

"Employer Notice: Families First Coronavirus Response Act Becomes Law," co-author, *Labor & Employment Law Alert* (March 2020)

"California Supreme Court Weighs in on Rest Day Policies," *The Recorder* (May 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)

"Class Cert. Challenges For Meal Period Premium Claims," *Law 360* (April 2017)

"Additional hurdles for nonexempt employees on commission," *Daily Journal* (April 2017)

"Give Me a (Paid) Break: Compensating Piece Rate and Commissioned Employees for Rest Breaks and Non-Productive Work Time," co-author, *Labor and Employment Law Alert* (March 2017)

"New California Laws 2015 - AB 1897: 'Client employers' share with 'labor contractors'," *The New California Laws supplement to the Daily Journal* (January 2015)

"Roundtable: Labor & Employment," co-author, *California Lawyer* (December 2014)

"Governor Signs New Paid Sick Leave Law: Healthy Workplaces, Healthy Families Act of 2014 [AB 1522]," co-author, *Labor and Employment Alert* (September 2014)

"Confidentiality In The Workplace As Retaliation?" co-author, *Labor and Employment Alert* (August 2012)

"California Employment Law Answers" and "California Wage & Hour Advisor," both published by *Employer Resource Institute, Editorial Advisory Board*

"How to Prevent Off-the-Clock Work," *California Employment Law Update* (December 2010)

"7 Deadly Timeclock Sins," *California Employer Daily* (December 2010)

"Sexual Harassment Training in California: Considerations in Complying With Government Code § 12950.1," co-author, *California HR Decision Support Network, BNA* (February 2010)

"A Hiring Tip That Can Keep You Out of Court," *California Employer Advisor* Link provided with the permission of Employer Resource Institute (November 2008)

"Splitting Up Meal Breaks: A Bad Idea," *California Employer Advisor* Link provided with the permission of Employer Resource Institute (September 2008)

"Resident Employees Not Entitled to On Call Pay," *California Apartment Association News* (2008)

"Customer Tips About Employee Drug Use—What To Do?" *California Employment Law Answers* (August 2008)

"Independent Contractors: What Do I Do with My 1099 Contractor Who Performs Employee Work but Doesn't Want to Become an Employee?" *California Employment Law Answers* (July 2008)

"Age Discrimination: We Have a Five-Year Training Program; Can We Hire Only Younger People?" *California Employment Law Answers* (June 2008)

"Discrimination: Can We Require New Hires to Speak English?" *California Employment Law Answers* (February 2008)

"Drugs and Alcohol: Can We Implement a Random Drug Testing Policy?" *California Employment Law Answers* (October 2007)

"Probationary Periods: How Do Probationary Periods Affect Employers' Legal Rights?" *California Employment Law Answers* (October 2007)

"Technology: Can We Prevent Our Employees from Putting Up a Company Website Just for Employees?" *California Employment Law Answers* (September 2007)

"Theft: Can We Deduct the Cost of a Loss from the Whole Team?" *California Employment Law Answers* (January 2007)

"Hiring: Do We Need to Wait Until All Checks Are Complete to Make an Offer of Employment?" *California Employment Law Answers* (November 2006)

"Employee Theft: Do We Have to Pay a New Employee Who Stole From Us?" *California Employment Law Answers* (September 2006)

"Background Checks: Can We Refuse to Hire Someone with a DUI?" *California Employment Law Answers* (July 2006)

"Absences: When Exempt Employees Exhaust Their Sick Leave but Don't Return to Work, What Should We Do?" *California Employment Law Answers* (July 2006)

"Training: We've Done Our Sexual Harassment Training; What Other Types of Harassment Training Do We Need?" *California Employment Law Answers* (March 2006)

"Meal Periods: Can We Force Workers to Work Through Them?" *California Employment Law Answers* (November 2005)

"Workplace Privacy: Can an Employer Open an Employee's Mail?" *California Employment Law Answers* (October 2005)

Presentations

"New Employment Laws for 2021," 2021 Annual Labor & Employment Webinar (January 2021)

"Be Careful in California: 10 Labor Laws You May Not Realize You're Breaking," USLAW NETWORK Worldwide Virtual Retreat: Labor and Employment Home Field Advantage (September 2020)

"The Employment Law Horizon: Hot Topics and Trends In The COVID-19 World," co-presenter, USLAW Women's Connection Celebration Update (July 2020)

"New Employment Laws in Response to Pandemic," Finance, Administration & Operations Group Webinar (April 2020)

"COVID-19 HR Implications," co-speaker, USLAW and American Bus Association Webinar (April 2020)

"Coronavirus: Key Issues for Employers," co-presenter, Hanson Bridgett Labor & Employment Webinar (March 2020)

"New Employment Laws for 2020," co-presenter, Hanson Bridgett 2020 Labor & Employment Seminar (January 2020)

"Employment Law Hot Topics," USLAW Fall Client Conference (September 2019)

"#Me Too Part II – Time's Up?," USLAW Women's Connection (June 2019)

"What's Reasonable When Employers Are Asked To Provide Accommodations Under the ADA or PDA?," USLAW Webinar (February 2019)

"What's Reasonable When Employers Are Asked To Provide Accommodations Under The ADA or PDA?" USLAW Employment Law Exchange (April 2018)

"Pregnancy-Based Leave, Accommodation, And Other State And Federal Compliance Obligations Explained," co-presenter, CALPELRA 2017 Conference (December 2017)

"Navigating Employee Leaves," USLAW Fall Client Conference (September 2017)

"Addressing Labor & Employment Issues in California," speaker, Hanson Bridgett, Warner Norcross and Klinedinst PC webinar (June 2017)

USLAW Employment Law Exchange, chair & speaker (May 2017)

"USDOL Update on the New Regulations," USLAW Client Conference (September 2016)

"California Paid Sick Leave Act Recap and Amendments" and "California's Fair Pay Act," Hanson Bridgett Labor & Employment Seminar (January 2016)

"Pregnancy-Based Leave, Accommodation and Other State and Federal Compliance Obligations Explained," 10th Annual California Employment Law Update (October 2015)

"Sick Leave – Are You Ready?," The Volunteer Center of the East Bay (April 2015)

"AB1522 – New Sick Leave Rules," California County Payroll Managers Spring Meeting (April 2015)

"Human Resources: Legal Strategies for Seniors Housing and Skilled Nursing Operators," NIC Capital & Business Strategies Forum (April 2015)

"California Paid Sick Leave" and "Joint Employer Developments," Hanson Bridgett Labor & Employment Seminar (January 2015)

"Angry Parent or Effective Boss? Managing Employees' Performance and Dealing with Disciplinary Issues,"

Volunteer Center of the East Bay (November 2014)

"2014 Employment Law Update," Volunteer Center of the East Bay (February 2014)

"New Wage Obligations," and "New Guidance for 'Employers' of Unpaid Workers," Hanson Bridgett Labor & Employment Seminar: 2014 Employment Law Update (January 2014)

"When Is An Intern An Employee? Or Answers To Classification Questions That (Should) Keep You Up At Night," Volunteer Center of the East Bay (October 2013)

"Smart, Effective Practices for Hiring and Retaining Star Employees," California Employer Resources, California Employment Law Update (November 2012)

"Employment Law Tips for Public Works Agencies," American Public Works Association, Northern California Chapter (November 2012)

"Five HR Tips for Public Works," American Public Works Association, Northern California Chapter (March 2012)

"California HR Laws 101: The Legal Basics Every California Employer Must Know," Employer Resource Institute (October 2011)

"Write Legal Job Descriptions and Avoid Costly ADA/FLSA Related Litigation," Center For Competitive Management (February 2011)

"What CEOs Need to Know Before Hiring Their Next Employee," ExecSense Webinar (January 2011)

"Discrimination Claims in California—What's Different and Unique," Bureau of National Affairs (December 2010)

"Prevent Off-the-Clock Work and Time Thievery," California Employment Law Update (November 2010)

"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)

"When Deep Pockets Have Holes: Litigation with Financially Distressed Employers," San Francisco Bar Association, Labor and Employment Section Annual Conference (February 2010)

"Hands-On Job Descriptions: How to Correctly Designate Workers as Exempt or Nonexempt," ERI California Employment Law Update (November 2009)

"Hands-On Job Descriptions: How to Correctly Designate Workers as Exempt or Nonexempt," BLR National Employment Law Update (October 2009)

"Hiring: Six Key Pre-Hire Mistakes to Avoid; How to Hire Smart and Avoid Lawsuits," Employer Resource Institute (July 2009)

"Hiring: Six Key Pre-Hire Mistakes to Avoid; How to Hire Smart and Avoid Lawsuits," Business & Legal Reports (July 2009)

"Family and Medical Leave: What California Employers Need to Know—and Do—About the Sweeping New FMLA

Regs," Employer Resource Institute (March 2009)

"Hiring and Interviewing Soup to Nuts: How To Attract and Select the Best Candidates, Effectively and Legally," co-speaker, Employer Resource Institute (November 2008)

2007 California Employment Law Update (December 2007)

"Family and Medical Leave: How to Handle Leave Requests Effectively and Reduce Your Legal Risks" (October 2007)"

"Solving Paid-Time-Off Problems in California" California Employer Advisor (June 2007)

"Terminating Employees in California Without Getting Sued: How to Minimize Your Risks of Employee Lawsuits" California Employer Advisor (February 2006)

"Privacy and the Workplace: Monitoring and Testing Employees Legally" California Employer Advisor (March and July 2005)

Press

"KNX In Depth: Confusion Over California Reopening Rules And Mask Rules At Work," KNX 1070 NEWSRADIO (June 2021)

"Regulators back down from new California workplace mask rules," The Mercury News (June 2021)

"Santa Clara County's order mandates businesses track the COVID-19 vaccination status of employees," KQED News (June 2021)

"Solano County Unlikely to Follow Santa Clara Business Requirements Order," Vallejo Times-Herald (May 2021)

"Santa-Clara County's New COVID Order Surprises Business Owners," The Mercury News (May 2021)

"Bay Area Employers Wait and See on Mandatory COVID Vaccines," The Mercury News (May 2021)

"California Employers Getting Hit Hard Again with New 2021 Employment and Labor Laws," California Globe (December 2020)

"How Far Will Uber Take its New Legal Framework for Gig Labor?," Quartz (November 2020)

"Uber and Lyft won exemptions from California's gig-work law through Prop. 22. Here's who's still affected," San Francisco Chronicle (November 2020)

"California Gig Workers Still Can Sue for Wages After Prop 22," Bloomberg Law (November 2020)

"Facing wildfires and a pandemic, workers need more than just time off," HR Dive (October 2020)

"As California tightens gig-work rules, U.S. seeks looser ones," San Francisco Chronicle (September 2020)

"Virginia Governor Announces 'First-in-the-Nation' Safety Rules for Business Reopening," HR Dive (August 2020)

"California Localities Take Different Approaches as State Reopens." Society for Human Resource Management (June 2020)

"Can Employers Require Workers to Give Notice Before They Quit?," Society for Human Resource Management (September 2018)

"As Ban-the-Box Turns 20, Compliance Challenges Grow," HR Dive (July 2018)

"State and Local Employment Laws Continue to Pick up Steam," HR Dive (January 2018)

"What Are Your Rights and Responsibilities if Your Business Gets Raided by ICE?," San Francisco Business Times (January 2018)

"Comp Risks Follow Workers Home," Business Insurance (January 2018)

"California Cases To Watch In 2018," Law360 (January 2018)

"Microsoft, Nodding to '#MeToo,' Says It Won't Keep Harassment Victims Out of Court," The National Law Journal (December 2017)

"4 Tips For Eliminating Gender Bias From Job Ads," Law360 (August 2017)

"California Supreme Court Clarifies 'Day of Rest' Law for Employers," Society for Human Resource Management (May 2017)

"California lawmakers push controversial overtime law where feds failed," San Francisco Business Times (April 2017)

"Big Brother is watching you: How tech is enabling bosses to monitor employees," IDG Connect (January 2017)

"McDonald's Wage Deal May Be Warning to Other Franchisors," Law360 (November 2016)

"Retailers Follow Wal-Mart's Lead on Overtime Rule Compliance," Bloomberg BNA's Daily Labor Report (October 2016)

"Hanson Bridgett handles water infrastructure company formation," Daily Journal Deals (January 2015)

Community Involvement

City of Piedmont Civil Service Commission, Member and Chair

UC Hastings Alumni Association, Board of Governors

Professional Affiliations

Bar Association of San Francisco, Labor and Employment Section, Work Life Balance Task Force

State Bar of California, Labor and Employment Section

Queen's Bench

Education

J.D., *cum laude*, University of California, Hastings College of the Law (1994)

B.A., *cum laude*, Brandeis University (1990)

Admissions and Courts

California

U.S. Court of Appeals for the Ninth Circuit

California Supreme Court

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

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

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

U.S. District Court for the Western District of Michigan