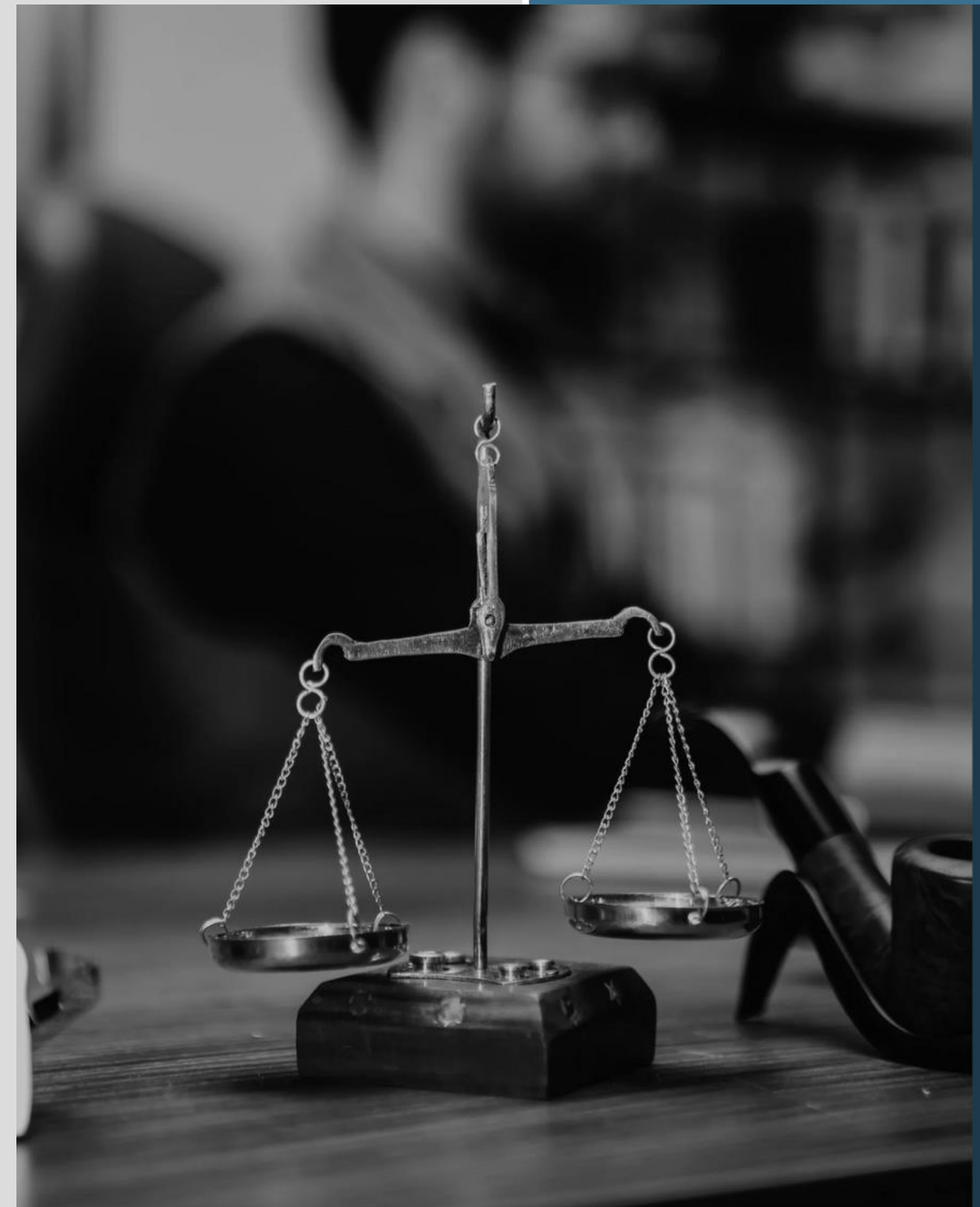


*READING BETWEEN
THE LINES:*
**DEVELOPING BEST
PRACTICES FROM
WHAT THE LAW
DOESN'T SAY**

Presented by

Ryan Nell, Esq., Shareholder

Pettit Kohn Ingrassia Lutz & Dolin



RYAN H. NELL, ESQ.
SHAREHOLDER

Ryan H. Nell is an employment attorney responsible for representing California employers statewide in both counseling and comprehensive litigation support. With the ever-changing landscape of California and federal employment law, Ryan prides himself on assisting clients in staying ahead of the curve in an effort to avoid legal trouble before it arises. He has extensive experience representing clients in harassment, retaliation, and discrimination matters, as well as large-scale wage and hour lawsuits.

Ryan speaks regularly on a wide range of topics aimed at assisting California employers in the avoidance of legal trouble before it arises, and his work in the field has led to his recognition as a San Diego Rising Star by Super Lawyers in 2018-2024 and his inclusion in the Best Lawyers: Ones to Watch list in 2021-2024.



DISCLAIMER*

*Mostly kidding



What about PAGA?



Paying for All Time Worked



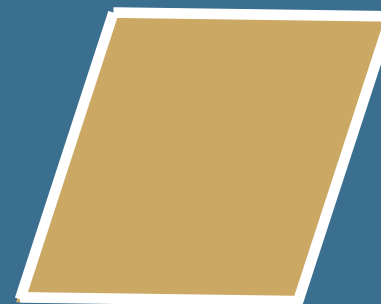
Troester v. Starbucks (2018)

De minimis violations



Cadena v. Customer Connexx LLC (2022)

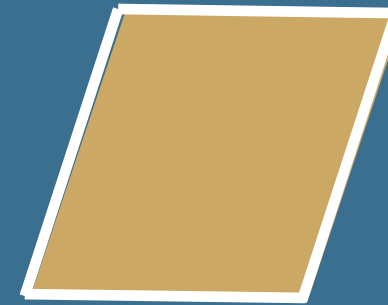
Computer booting time



Camp v. Home Depot (2022)

Neutral rounding policy questioned

Arbitration Agreements

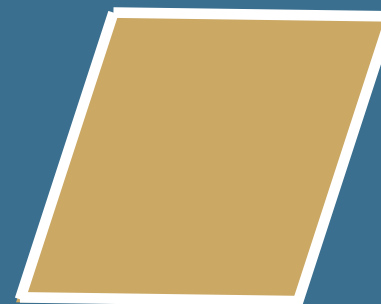


**Gamboa v. Northeast Community
Clinic (2021)**

Higher burden in proving employee
executed arbitration agreement



**Ending Forced Arbitration
of Sexual Assault and
Sexual Harassment Act**



**Doe v. Superior Court
(2023)**

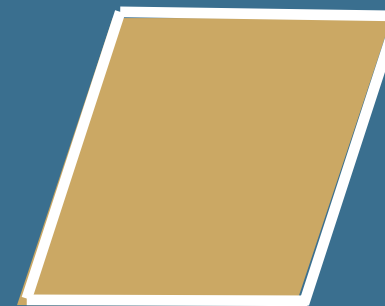
Late payment of arbitration fees

COVID-19 Fallout



Thai v. IBM Corp. (2023)

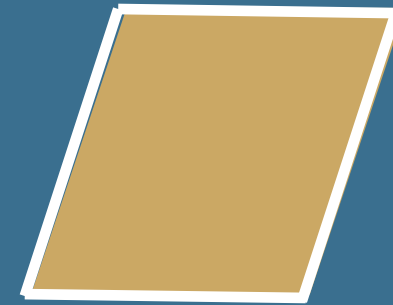
Compensation for all business expenses



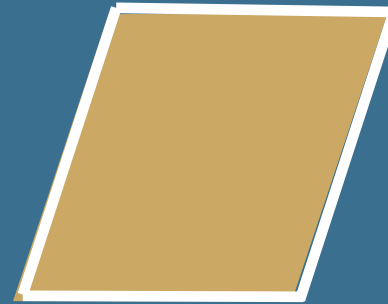
Kuciemba v. Victory Woodworks, Inc. (2023)

No duty to prevent spread to household members

Expansions to Leave



CFRA Expansion

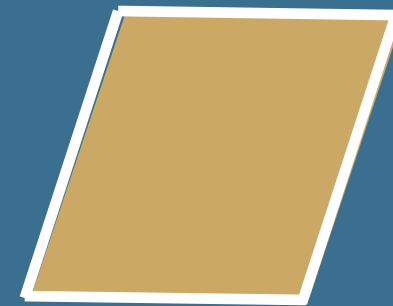


Bereavement Leave



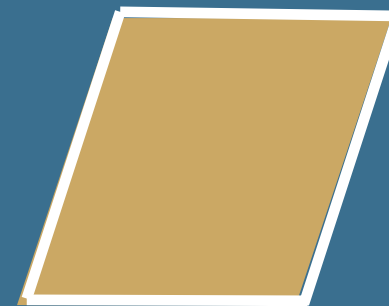
Reproductive Health Leave

Agreements w/ Employees

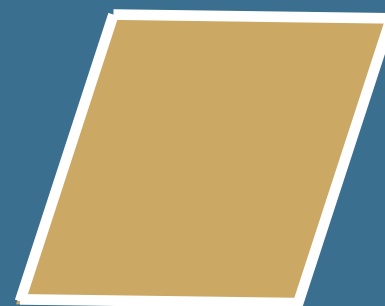


McLaran Macomb

Prohibition against overbroad non-disparagement language



SB 699 and AB 1076 – Non-Compete Clauses and Notification Requirements



SB 331 – Silenced No More Act

Weed in the Workplace



Prop 64 – Legalization of Marijuana



SB 700 – Off-Work
Cannabis Use

Employee Leverage

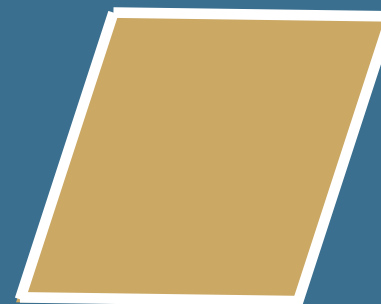


**Lawson v. PPG Architectural
Finishes (2022)**

“Clear and convincing” evidence
that plaintiff would have suffered
challenged consequence



**SB 497 – Rebuttable
Presumption of Retaliation**



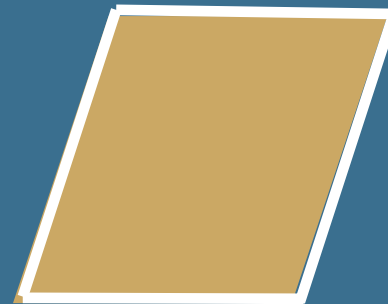
**Vines v. O’Reilly Auto
Enterprises (2022)**

Recovery of attorneys’ fees for
partial victories

Industry-Specific Changes



SB 525 – Minimum Wage for
Healthcare Workers



AB 1228 – Fast Food
Council and Fast Food
Worker Minimum Wage



SB 476 – Associated Costs
for Food Handler Card

QUESTIONS?

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