



## → David B. Chidlaw

### Of Counsel

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David B. Chidlaw is of counsel in the firm's San Diego office where he specializes in labor and employment matters on behalf of management, employers and high net worth individuals.

### Areas of Practice

David has broad experience counseling and defending employers on a wide variety of employment issues, including immigration. He has substantial experience representing employers in representative and class actions under Federal and California wage and hour law, including prevailing wage matters. He has defended employers in wrongful termination and employment discrimination litigation, including sexual harassment, race, age, national origin, gender, and disability discrimination. He also represents employers in unfair competition and trade secret litigation.

David has substantial administrative litigation and counseling experience before State and Federal Agencies, including the NLRB, Cal/OSHA, the Division of Labor Standards Enforcement (the Labor Commissioner), the California Apprenticeship Council and Division of Apprenticeship Standards, the U.S. Department of Labor, BCIS, the California Department of Fair Employment & Housing, the OFCCP, and the EEOC.

David has advised both organized and merit shop employers for the length of his career. He has advised and represented employers in collective bargaining negotiations, organizing drives, decertification efforts and grievance arbitration matters. He regularly defends employers before the NLRB. He also provides guidance and training on union avoidance. David provides daily advice to management clients on a wide variety of labor issues including wage and hour, reductions in force, personnel policies and employee handbooks, affirmative action compliance, employment-based immigration, protection of proprietary information, and discipline and termination matters.

### Honors

Best Lawyers in America, *Best Lawyers*, 2018-2024

San Diego Super Lawyer, 2007, 2008, 2009, 2010

Top San Diego Lawyers, 2013, 2014

### Articles

- OSHA Emergency Temporary Standard Survival Guide  
12.22.2021

- "New Prevailing-Wage Risks For Calif. Public Works Projects," *Law360*, January 24, 2014

## **Labor & Employment Law Blog Posts**

- "California Passes New Law Mandating Workplace Violence Prevention Plan for Employers," October 17, 2023
- "OSHA's New National Emphasis Program Aimed at Preventing Warehouse Injury and Heat Hazards and Its Possible Implications on California," August 17, 2023
- "Inflation Reduction Act: Prevailing Wage and Apprenticeship Requirement FAQs and Key Takeaways from the Initial Guidance from the Treasury and IRS," December 29, 2022
- "Inflation Reduction Act: Wage and Apprenticeship Requirements," November 16, 2022
- "Cal/OSHA Announces Public Hearing on Proposed COVID-19 Permanent Standard," August 19, 2022
- "California Reinstates COVID-19 Supplemental Paid Sick Leave," February 11, 2022
- "California Likely to Soon Implement COVID-19 Supplemental Paid Sick Leave, Retroactive to January 1, 2022," January 31, 2022
- "New Year Means Newly Expanded Enforcement Authority for Cal/OSHA," December 30, 2021
- "OSHA Emergency Temporary Standard Survival Guide," December 22, 2021
- "Cal/OSHA Finally Enacts Revised Emergency Temporary Standards," June 18, 2021
- "Cal/OSHA Approves Revised Emergency Temporary Standards," June 8, 2021
- "Significant Updates to Cal/OSHA's Emergency Temporary Standards on the Horizon," May 17, 2021
- "Cal/OSHA Adopts New COVID-19 Emergency Standards Requiring Immediate Action by Employers in California," November 23, 2020
- "Enactment of AB 685 Establishes COVID-19 Exposure Notice Requirements for California Employers and Cal/OSHA Enforcement Changes," September 22, 2020
- "What Employers Need to Know About California's New COVID-19 Supplemental Paid Sick Leave Law," September 18, 2020
- "OSHA Publishes Responses to Frequently Asked Questions on Worker Safety During COVID-19 Pandemic," July 10, 2020
- "OSHA Issues New COVID-19 Guidance Answering Practical Questions on Returning to Work," June 25, 2020
- "Cal/OSHA Issues New COVID-19 General Industry Guidance for All California Employers," May 18, 2020
- "A Solution in Search of a Problem: The California Legislature Imposes Duties for Employers When ICE Audits Your I-9s," December 5, 2017

## **Construction & Infrastructure Law Blog Posts**

- "Turning Back the Clock: DOL Proposes Previous Davis-Bacon Prevailing Wage Definition," April 6, 2022

## **Healthcare Law Blog Posts**

- "How Healthcare Employers Can Prepare for Employee Unionization Efforts," October 28, 2022

## Latin American Blog Posts

- "A Surge In Populism: Dangers To Transnational Trade In The Americas And Reasons For Hope," August 18, 2016

## Retail Law Blog Posts

- "Face-Covering Considerations for Retailers in a Post-Color Tiered California," June 15, 2021

## Books

Employer's Guide To COVID-19 And Emerging Workplace Issues (Over 690 pages)  
04.21.2020

## Speaking Engagements

Frequent speaker before employer and human resources groups on topics ranging from wage and hour to employment discrimination

## Events

Webinar With Your Labor Lawyer - San Diego  
Spring 2020 Seminar Series  
Webinar, 04.30.2020

We Will Get Through This. Together.  
Webinar, 03.18.2020

Breakfast With Your Labor Lawyer - San Diego  
Spring 2019 Seminar Series  
04.30.2019

Labor & Employment Law Update & Happy Hour - San Diego  
Fall 2018 Seminar Series  
10.11.2018

Breakfast With Your Labor Lawyer - San Diego  
Spring 2018 Seminar Series  
04.04.2018

Breakfast With Your Labor Lawyer - San Diego  
Spring 2017 Seminar Series  
04.26.2017

Labor & Employment Law Update & Happy Hour - San Diego  
Fall 2016 Seminar Series  
10.04.2016

Breakfast With Your Labor Lawyer - San Diego  
Spring 2016 Seminar Series  
04.21.2016

Labor & Employment Law Update & Happy Hour - San Diego  
Fall 2015 Seminar Series  
10.22.2015

Breakfast With Your Labor Lawyer - San Diego  
Spring 2015 Seminar Series  
05.14.2015

Labor & Employment Legal Update & Happy Hour  
Fall 2014 Seminar Series - San Diego  
10.28.2014

Breakfast With Your Labor Lawyer - San Diego  
Spring 2014 Seminar Series  
04.03.2014

Labor and Employment Law Update and Happy Hour - San Diego  
Fall 2013 Seminar Series  
Hyatt Regency La Jolla, 09.17.2013

Breakfast With Your Labor Lawyer - San Diego  
Spring 2013 Seminar Series  
Hyatt Regency La Jolla, 05.01.2013

Labor and Employment Law Update & Happy Hour Fall 2012 - La Jolla  
Hyatt Regency La Jolla, 09.19.2012

Labor and Employment Law Update & Happy Hour Spring 2012 - San Diego  
Hyatt Regency La Jolla, 04.26.2012

Breakfast With Your Labor Lawyer - San Diego  
Labor & Employment Law Update Fall 2011  
Hyatt Regency La Jolla, 09.14.2011

Labor & Employment Law Update & Happy Hour - San Diego  
Hyatt Regency La Jolla, 03.24.2011

Labor & Employment Law Update & Happy Hour - San Diego  
Our New, Improved, and FREE Breakfast With Your Labor Lawyer (in the Evening!)  
Hyatt Regency La Jolla - San Diego, 09.16.2010

Labor and Employment Law: Mid-Year Update 2009 - San Diego  
Breakfast With Your Labor Lawyer  
San Diego Marriott Mission Valley, 09.17.2009

ACC San Diego Chapter JULY MCLE: Employment Law Trends and Predictions  
Sheppard Mullin's Downtown San Diego Office, 07.23.2009

New Labor & Employment Laws for 2009 - La Jolla  
Breakfast With Your Labor Lawyer  
Hyatt Regency La Jolla, 02.24.2009

The Employee Free Choice Act: No Choice At All - San Francisco  
Sheppard Mullin's San Francisco Office, 01.23.2009

The Employee Free Choice Act: No Choice At All - San Diego Area  
Hyatt Regency La Jolla, 01.08.2009

Labor and Employment Law: Mid-Year Update 2008 - La Jolla  
Breakfast With Your Labor Lawyer  
Hyatt Regency La Jolla, 10.08.2008

Breakfast With Your Labor Lawyer - La Jolla  
Hyatt Regency La Jolla, 01.22.2008

## Memberships

Member, San Diego County Bar Association  
Member, American Subcontractors Association  
Member, American Immigration Lawyers Association

## Podcasts & Webinars

03.18.20 We Will Get Through This. Together  
03.18.2020

## Practices

Labor and Employment  
Employee Benefits/ERISA  
Immigration  
Labor and Employment Counseling  
Unfair Competition and Trade Secrets  
Affirmative Action  
Handbooks and Personnel Policies  
Health and Safety Regulations/OSHA  
Labor and Employment Litigation  
Discrimination, Harassment, and Retaliation

Wrongful Termination

Public Works and Prevailing Wage Law

Wage and Hour Class Actions

Labor Union Management Relations

Litigation

Construction

Immigration

Private Wealth Services

Healthcare

## Industries

Construction

Energy, Infrastructure and Project Finance

Healthcare

Multifamily Housing

Retail, Fashion & Beauty

Sports

Transportation

Trucking and Logistics

## Education

J.D., University of California, Davis, 1989

B.S., University of California, Davis, 1980

## Admissions

California State Courts

United States District Courts for the Northern, Eastern, Central, and Southern Districts of California, as well as the Ninth Circuit Court of Appeals