



## → Melanie M. Hamilton

### Associate

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Melanie Hamilton is an associate in the Labor and Employment Practice Group in the firm's Orange County office.

Melanie represents employers in all facets of employment-related litigation matters, including matters involving allegations of harassment, discrimination, retaliation, wrongful termination, breach of contract, and defamation. A significant portion of her practice is devoted to defending complex wage and hour class actions and representative actions, including claims for overtime pay, meal and rest period violations, misclassification, unlawful time rounding, and noncompliant pay stubs.

Melanie has substantial experience defending against claims arising under the California Fair Employment and Housing Act, the Age Discrimination in Employment Act, the California Labor Code, and state, federal and local wage and hour laws.

Melanie works with clients in a variety of industries, including retail, manufacturing, and healthcare. She has represented employers in both state and federal court, as well as before administrative agencies such as the California Division of Labor Standards Enforcement and the California Department of Fair Employment and Housing.

Melanie handles all aspects of the litigation process, from case inception through trial. She has jury trial experience, successfully defending harassment and discrimination claims. She also has experience in arbitration as well as before the California Court of Appeal, obtaining several favorable decisions.

In addition to civil litigation matters, Melanie also provides strategic advice to employers on a wide range of employment issues, including wage and hour compliance, employee classification, employee discipline and termination, personnel policies and employee handbooks, and OSHA matters.

## Honors

Ones to Watch – Labor and Employment, *Best Lawyers*, 2021-2024

## Experience

### Published Decisions

Dickson v. Burke Williams, Inc., 234 Cal. App. 4th 1307 (2015).

## Articles

### Labor & Employment Law Blog Posts

- "EEOC Issues Long-Awaited Guidance on Harassment in the Modern Workplace," October 5, 2023
- "Ninth Circuit Permits California Ban on Mandatory Arbitration," September 20, 2021
- "EEOC Announces Decision to Collect 2017 Employee Pay Data, in Addition to 2018 Pay Data, by September 30, 2019," May 6, 2019
- "Employers Must Provide Pay Data to EEOC by September 30," April 26, 2019
- "Deadline for Compliance with New EEO-1 Form Stayed Indefinitely," August 31, 2017
- "Ninth Circuit Invalidates Arbitration Agreement," August 26, 2016
- "California Supreme Court Holds That Proof That Employer Would Have Made Same Employment Decision Absent Discrimination Precludes Award Of Damages, Backpay, Or Reinstatement," February 11, 2013
- "Unpaid Internships: Do They Violate the FLSA?," October 4, 2010

## Practices

Labor and Employment

Labor and Employment Counseling

Employee Hiring/Discipline/Termination

Handbooks and Personnel Policies

Health and Safety Regulations/OSHA

Labor and Employment Litigation

Wage and Hour Class Actions

Wrongful Termination

Litigation

Alternative Dispute Resolution

Appellate

Class Action Defense

Appellate

## Industries

Healthcare

Retail, Fashion & Beauty

## Education

J.D., University of California, Los Angeles, 2009, Production Editor, *UCLA Women's Law Journal*

B.A., University of California, Los Angeles, 2006, *summa cum laude*, college honors

## Clerkships

Extern to the Honorable Michael Nash, Los Angeles Superior Court, Juvenile Division

## Admissions

California

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

U.S. Court of Appeals for the Ninth Circuit