



→ Richard J. Simmons

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Richard J. Simmons is a partner in the Labor and Employment Practice Group in the firm's Los Angeles office.

Areas of Practice

Richard is a lawyer's lawyer and represents employers in wage-hour, PAGA, discrimination, contract, and wrongful discharge lawsuits. He has represented employers in over 100 class action lawsuits and landmark decisions. When the California Industrial Welfare Commission (the agency responsible to issue the state's Wage Orders) was sued, it asked Richard to defend the case over all other firms.

Richard represents employers in various employment law matters involving litigation throughout the country and general advice regarding state and federal wage and hour laws, employment discrimination, wrongful discharge, employee discipline and termination, employee benefits, affirmative action, union representation proceedings, and contract arbitrations.

Honors

500 Leading U.S. Corporate Employment Lawyers, *Lawdragon*, 2016-2017, 2020-2024

Top Labor & Employment Lawyer, *Daily Journal*, 2009-2014, 2016-2022

Few management attorneys have prevailed in cases before the California Supreme Court in the past 10 years. Not only is Richard one of the few, he was the only management attorney to win an employment case before the Supreme Court in 2018.

He was named the Labor & Employment Attorney of the Year by the *Los Angeles Business Journal* in 2017.

Best Lawyers in America, *Best Lawyers*, 2009-2024

The Nation's Most Powerful Employment Attorneys, *Human Resource Executive*, 2015, 2017

Employment Lawyers Hall of Fame Inductee, *Lawdragon*, 2017, 2022

Bar Register of Preeminent Lawyers, 2020

Leading Lawyer in Labor and Employment, *Chambers USA*, 2006-2023

Recognition as expert in Labor and Employment, *The Legal 500*, United States

Labor and Employment Star - California, *Benchmark Litigation*, 2020-2024

California Hospital Association Certificate of Distinction, 2015

International Who's Who of Management Labour & Employment Lawyers, 2012, 2015

Recognized, Labor & Employment and Labor & Employment Litigation, *Legal 500*, 2011-2014, 2016-2018

"10 Leading Rainmakers," *Daily Journal*, 2009

Employment MVP, *Law360*, 2011

Litigation Star, *Benchmark Litigation*, 2011-2012

Who's Who Legal: California, 2008-2009

Southern California Super Lawyer, *Super Lawyers*, 2008-2024

Best of the Bar, Labor and Employment, *Los Angeles Business Journal*, 2007

Appointed by the California Industrial Welfare Commission as a member of three separate Minimum Wage Boards for the State of California

Graduated *summa cum laude*, University of Massachusetts as Commonwealth Scholar and member of *Phi Kappa Phi* Honor Society

President Sophomore Men's Honor Society

Articles

- When Must Employee Travel Time Be Paid
In Practice - CEB, Summer 2019
- Antelope Valley Board of Trade Business Outlook Conference Had Something for Everyone
Aerotech News, 03.07.2018
- As the *Brinker* dust settles, review what we learned
Daily Journal, 08.12.2014
- Court Decision on Meal Periods, Rest Periods and Off-The-Clock Work is Absolutely Attention-Getting
HR & Employment Bulletin, 08.05.2008
- WCAB Adopts Stunning Reversal of Position Regarding Health Insurance Obligations To Employees on Workers' Compensation Leave
03.08.2002
- IWC Seeks to Clarify Uncertainty Regarding Salary Basis Rules
11.10.2001
- Labor Commission Issues New Exemption Standards
06.13.2001
- "Application of WARN Rules to Hospitals," *Healthcare Human Resources Management Association of California News* (Fall 1989)
- "Labor and Employment in the Theatre Industry," *ShoWest Intro* by *Boxoffice Magazine* (1988)
- "Coping with COBRA--The New Federal Health Insurance Law," *Labor and Employment Law News* of the State Bar of California (Fall 1986)
- "Employer Rights: An Endangered Species," *The 28th Annual Personnel and Industrial Relations Association Conference* (Winter 1985)
- "Wrongful Discharge," *California Society for Health Care Attorneys Journal* (1984)

- "Wage Setoffs: The Do's and Don'ts of Deductions," Los Angeles Lawyer (February 1983)
- "Sexual Harassment in the Work Place," Rural Telecommunications Journal (Winter 1982)
- "Comparable Worth: An Emerging Doctrine," Rural Telecommunications Journal (Summer 1982)
- "The New California Fair Employment and Housing Regulations: A Case of Administrative Overreaching," Employee Relations Law Journal, Vol. 6, No. 2
- "A Lawyer's Guide to U.S. Wage and Price Standards," Los Angeles Lawyer
- "First Amendment Protection of Shopping Center Picketing," Industrial Relations Law Journal, Boalt Hall School of Law

Labor and Employment Law Blog Posts

- "New DOL Exemption Rule Requires Two-Step Salary Increases Under FLSA for Exempt Employees," April 30, 2024
- "California Supreme Court Concludes PAGA Actions Cannot be Dismissed as Unmanageable," January 31, 2024
- "Home Depot Files Opening Brief in California Supreme Court Case Set to Determine Validity of Time Clock Rounding," June 5, 2023
- "California Department of Public Health Issues COVID-19 'Employer Playbook,'" August 5, 2020
- "California Supreme Court Confirms Validity Of Meal Period Waivers For Healthcare Employees," December 12, 2018
- "Sheppard Mullin Secures Major Victory for Chipotle in Nationwide Misclassification Action By Demonstrating Variations Among Proposed Class Members," April 10, 2017
- "California Court of Appeal Affirms Validity of Hospital Meal Period Waivers," March 16, 2017
- "Supreme Court Holds That Rest Periods Must Be Free From Duties And Employer Control," January 3, 2017

Books

Employer's Guide to Workplace Violence Prevention - 7th Edition
05.2024

Book of Human Resources Forms - 11th Edition
04.2024

Leaves of Absence and Time Off From Work Manual - 24th Edition
01.2024

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 9th Edition
01.2024

Family and Medical Leave Manual for California Employers - 17th Edition
07.2023

Employee Handbook and Personnel Policies Manual - 17th Edition
05.2023

Book of Human Resources Forms - 10th Edition
03.2023

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 9th Edition
03.2023

Leaves of Absence and Time Off From Work Manual - 23rd Edition
02.2023

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 8th Edition
02.2023

Wage and Hour Manual for California Employers - 26th Edition
01.2023

California's Private Attorneys General Act (PAGA) – Litigation And Compliance Manual - 3rd Edition
01.2023

Employment Discrimination and EEO Practice Manual For California Employers - 13th Edition
06.2022

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 8th Edition
06.2022

Wage and Hour Manual for California Employers - 25th Edition
02.2022

California's Employee vs. Independent Contractor Rules Under Dynamex, AB 5 and AB 2257 - 3rd Edition
02.2022

Book of Human Resources Forms - 9th Edition
02.2022

Family and Medical Leave Manual for California Employers - 16th Edition
02.2022

Leaves of Absence and Time Off From Work Manual - 22nd Edition
02.2022

Sexual Harassment Training and Prevention Manual - 20th Edition
02.2022

Wage and Hour Manual for California Employers - 24th Edition
08.2021

California's Employee vs. Independent Contractor Rules Under Dynamex, AB 5 and AB 2257 - 2nd Edition
07.2021

California's Private Attorneys General Act (PAGA) – Litigation And Compliance Manual - 2nd Edition
06.2021

Employee Handbook and Personnel Policies Manual - 16th Edition
04.2021

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 7th Edition
03.2021

Book of Human Resources Forms - 8th Edition
02.2021

Employer's Guide To COVID-19 And Emerging Workplace Issues: Year 2
02.2021

Sexual Harassment Training and Prevention Manual - 19th Edition
01.2021

Leaves of Absence and Time Off From Work Manual - 21st Edition
01.2021

Family and Medical Leave Manual for California Employers - 15th Edition
01.2021

California's Paid Family Leave Law and FTDI Benefits - 6th Edition
01.2021

WARN Employer's Guide to California and Federal Mass Layoff and Plant Closing Rules - 9th Edition
01.2021

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 7th Edition
11.2020

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

California's Employee vs. Independent Contractor Rules Under AB 5 and Dynamex
02.2020

Employer's Guide to SB 198 Injury and Illness Prevention Programs and the California Corporate Criminal Liability Act - 4th Edition
02.2020

Wage and Hour Manual for California Employers - 23rd Edition
02.2020

California's Private Attorneys General Act (PAGA) – Litigation And Compliance Manual
02.2020

Book of Human Resources Forms - 7th Edition
02.2020

California's Paid Family Leave Law and FTDI Benefits - 5th Edition
01.2020

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 6th Edition
01.2020

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 6th Edition
01.2020

COBRA-Employer's Guide to the Federal Health Insurance Rules - 12th Edition
01.2020

Employer's Guide to the Federal Family and Medical Leave Act - 11th Edition
01.2020

Employer's Guide to Workplace Security and Violence Prevention - 6th Edition
01.2020

Leaves of Absence and Time Off From Work Manual - 20th Edition
01.2020

Sexual Harassment Training and Prevention Manual - 18th Edition
01.2020

Wage and Hour Manual For New York Employers
07.2019

Employer's Guide to Workplace Security and Violence Prevention - 5th Edition
03.2019

Employee Handbook and Personnel Policies Manual - 15th Edition
02.2019

Book of Human Resources Forms - 6th Edition
02.2019

California's Paid Family Leave Law and FTDI Benefits - 4th Edition
01.2019

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 5th Edition
01.2019

Employer's Guide to the Federal Family and Medical Leave Act - 10th Edition
01.2019

Employment Discrimination and EEO Practice Manual For California Employers - 12th Edition
01.2019

Wage and Hour Manual For California Employers - 22nd Edition
01.2019

Family and Medical Leave Manual for California Employers - 13th Edition
01.2019

WARN Employer's Guide to California and Federal Mass Layoff and Plant Closing Rules - 8th Edition
01.2019

Leaves of Absence and Time Off From Work Manual - 19th Edition
01.2019

Sexual Harassment Training and Prevention Manual - 17th Edition
01.2019

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 5th Edition
01.2019

Wage And Hour Manual For California Employers - 21st Edition
02.2018

Sexual Harassment Training and Prevention Manual - 16th Edition
01.2018

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 4th Edition
01.2018

Wrongful Discharge, Staff Reduction And Employment Practices Manual - 5th Edition
01.2018

Book of Human Resources Forms - 5th Edition
01.2018

Leaves of Absence and Time Off From Work Manual - 18th Edition
01.2018

WARN Employer's Guide to California and Federal Mass Layoff and Plant Closing Rules - 7th Edition
2017

Employment Discrimination And EEO Practice Manual For California Employers - 11th Edition
2017

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 4th Edition
2017

Employee Handbook and Personnel Policies Manual - 14th Edition
2017

Family and Medical Leave Manual for California Employers - 12th Edition
2015

California's Paid Family Leave Law: SB 1661 - 3rd Edition
01.2014

Employer's Guide to the Federal Family and Medical Leave Act - 9th Edition
01.2010

COBRA-Employer's Guide to the Federal Health Insurance Rules - 11th Edition
03.2009

California Employer's Guide to the Federal Overtime Exemptions
02.2007

California's Anti-Business Employment Laws - 2nd Edition
02.2007

California's "Sue Your Boss" Law - Compliance Audits Under the California Labor Code and Private Attorneys
General Act of 2004
2004

Hospital Wage-Hour Manual

Wage and Hour Manual For California Hotels, Motels, and Restaurants

Guide to EEO Practices and Employment Discrimination Laws for Hotels, Motels, and Restaurants

Management Guide to Equal Employment Opportunity and Affirmative Action

Employer's Guide To Workplace Security And Violence Prevention - 4th Edition
12.2002

The Federal Polygraph Law
12.2002

The Federal Immigration Law - 2nd Edition
11.2002

Employer's Guide to SB 198 Injury and Illness Prevention Programs and the California Corporate Criminal
Liability Act - 3rd Edition
10.2002

Employer's Guide to the Americans With Disabilities Act
10.2002

The Reform Of California's Wage And Hour Laws: An Analysis Of AB 60 - 4th Edition
10.2002

The Hospital Equal Employment Opportunity Manual

Employer Obligations Under the Federal Plant Closing Law

Media Mentions

California Supreme Court Cites Richard Simmons, Ryan Krueger and Tyler Johnson's PAGA Manual in Recent Decision

California Supreme Court, 01.18.2024

Rainmaker Q&A: Sheppard Mullin's Richard Simmons

Law360, 08.31.2016

A Big Law Partner's Laker Love Affair

Bloomberg BNA Big Law Business, 04.14.2016

Employment MVP: Sheppard Mullin's Richard Simmons

Law360, 12.07.2011

Logging a String of Big Wins in Labor & Employment

Daily Journal, 02.09.2011

Employment Defense - Simmons

California lawyers companies turn to first

Daily Journal, 07.14.2010

Steeped in Employment Law

01.23.2006

Interview with Richard J. Simmons

02.23.2002

Speaking Engagements

Mr. Simmons has lectured nationally on wage and hour, employment discrimination, wrongful termination, and other labor relations matters.

He has also been a lecturer at graduate labor law courses presented by the University of California at Los Angeles and the University of Southern California, and has appeared as an authority on labor law and employee benefit issues on the CBS Evening News and NBC Nightly News.

Events

2024 Employee Handbook And Personnel Policies

Castle's Seminar Experience

In Person OR Virtual, 03.19.2024

2024 Employment Discrimination And Employee Relations Laws

Castle's Seminar Experience

In Person OR Virtual, 03.13.2024

2024 Wage And Hour Laws
Castle's Seminar Experience
In Person OR Virtual, 03.12.2024

2023 Employee Handbook And Personnel Policies
Castle's Seminar Experience
In Person OR Virtual, 09.19.2023

2023 Employment Discrimination And Employee Relations Laws
Castle's Seminar Experience
In Person OR Virtual, 09.13.2023

2023 Wage And Hour Laws
Castle's Seminar Experience
In Person OR Virtual, 09.12.2023

2023 Employee Handbook And Personnel Policies
Castle's Seminar Experience
In Person OR Virtual, 03.21.2023

2023 Employment Discrimination And Employee Relations Laws
Castle's Seminar Experience
In Person OR Virtual, 03.15.2023

2023 Wage And Hour Laws
Castle's Seminar Experience
In Person OR Virtual, 03.14.2023

2022 Employee Handbook And Personnel Policies
Castle's Seminar Experience
In Person OR Virtual, 09.20.2022

2022 Employment Discrimination And Employee Relations Laws
Castle's Seminar Experience
In Person OR Virtual, 09.14.2022

2022 Wage And Hour Laws
Castle's Seminar Experience
In Person OR Virtual, 09.13.2022

2022 Employee Handbook And Personnel Policies
Castle's Seminar Experience
In Person OR Virtual, 03.22.2022

2022 Employment Discrimination And Employee Relations Laws
Castle's Seminar Experience
In Person OR Virtual, 03.16.2022

2022 Wage And Hour Laws
Castle's Seminar Experience
In Person OR Virtual, 03.15.2022

2021 Employee Handbook And Personnel Policies
Castle's Seminar Experience
In Person OR Virtual, 09.21.2021

2021 Employment Discrimination And Employee Relations Laws
Castle's Seminar Experience
In Person OR Virtual, 09.15.2021

2021 Wage And Hour Laws
Castle's Seminar Experience
In Person OR Virtual, 09.14.2021

2021 Wage And Hour Laws
Castle's Seminar Experience
Live Broadcast, 04.01.2021

2021 Employment Discrimination And Employee Relations Laws
Castle's Seminar Experience
Live Broadcast, 03.25.2021

2021 Employee Handbook And Personnel Policies
Castle's Seminar Experience
Live Broadcast, 03.18.2021

14th Annual Labor and Employment Law Virtual Conference
American Bar Association
November 11-13, 2020

2020 Employee Handbook And Personnel Policies
Summer 2020
Live Broadcast Experience, 09.24.2020

2020 Employment Discrimination And Employee Relations Laws
Summer 2020
Live Broadcast Experience, 09.17.2020

2020 Wage And Hour Laws
Summer 2020
Live Broadcast Experience, 09.10.2020

Reopening America – The Return To Revamped Workplaces During The Pandemic
Webinar, 05.13.2020

POSTPONED: 2020 Wage And Hour Laws
Winter 2020

2020 Employee Handbook And Personnel Policies
Winter 2020

2020 Employment Discrimination And Employee Relations Laws
Winter 2020

2019 Wage And Hour Laws
Summer 2019

2019 Employee Handbook And Personnel Policies
Summer 2019

2019 Wage And Hour Laws (NY)
Sheppard Mullin Office - 30 Rockefeller Plaza, 09.10.2019

2019 Employment Discrimination And Employee Relations Laws
Summer 2019

2019 Wage And Hour Laws
Winter 2019

2019 Employee Handbook And Personnel Policies
Winter 2019

2019 Employment Discrimination And Employee Relations Laws
Winter 2019

2018 Wage and Hour Laws
Summer 2018

2018 Employee Handbook And Personnel Policies
Summer 2018

2018 Employment Discrimination and Employee Relations Laws
Summer 2018

2018 Wage And Hour Laws
Winter 2018

2018 Employee Handbook And Personnel Policies
Winter 2018

2018 Employment Discrimination And Employee Relations Laws
Winter 2018

2017 Leaves And Local Ordinances
Summer 2017

2017 Wage and Hour Laws
Summer 2017

2017 Employee Handbook and Personnel Policies
Summer 2017

2017 Employment Discrimination and Employee Relations Laws
Summer 2017

2017 Employee Handbook and Personnel Policies
Winter 2017

2017 Employment Discrimination and Personnel Laws
Winter 2017

2017 Wage and Hour Laws
Winter 2017

2016 Wage and Hour Laws
Castle Publications, Ltd. Labor & Employment Seminars
Fall 2016

2016 Employee Handbook and Personnel Policies
Castle Publications, Ltd. Labor & Employment Seminars
Summer 2016

2016 Employment Discrimination and Personnel Relations Laws
Castle Publications, Ltd. Labor & Employment Seminars
Summer 2016

2015 Wage and Hour Laws
Castle Publications, Ltd. Labor & Employment Seminars
Summer 2015

2015 Employee Handbook and Personnel Policies
Castle Publications, Ltd. Labor & Employment Seminars
Summer 2015

2015 Employment Discrimination and Personnel Relations Laws
Castle Publications, Ltd. Labor & Employment Seminars
Summer 2015

2015 Wage and Hour Laws
Castle Publications, Ltd. Labor & Employment Seminars
Winter 2015

2015 Employee Handbook and Personnel Policies
Castle Publications, Ltd. Labor & Employment Seminars
Winter 2015

2015 Employment Discrimination and Personnel Relations Laws
Castle Publications, Ltd. Labor & Employment Seminars
Winter 2015

2014 Employee Handbook And Personnel Policies
Summer 2014: August 14 and 26

2014 Employment Discrimination and Personnel Relations Laws
Summer 2014: August 13 and 21

2014 Wage and Hour Laws
Summer 2014: August 12 and 20

2014 Wage and Hour Laws
Winter 2014: February 19, March 4 and 20

2014 Employee Handbook and Personnel Policies
Winter 2014: March 6 and 12

2014 Employment Discrimination and Personnel Relations Laws
Winter 2014: February 20 and March 5

2013 Employee Handbook and Personnel Policies - Pasadena Area and Orange County
Winter 2014: February 28 and March 12; Summer 2013: August 1 and 20

2013 Employment Discrimination and Personnel Relations Laws - Pasadena Area and Orange County
Summer 2013: July 31, August 15

2013 Wage and Hour Laws - Pasadena Area, Los Angeles, and Orange County
Summer 2013: July 30, August 7, August 14

2012 Employee Handbook And Personnel Policies - Pasadena, Orange County and Los Angeles
Winter 2012: February 24, March 8 and 14; Summer 2012: August 2, 14 and 16

2012 Employment Discrimination And Personnel Relations Laws - Orange County, Pasadena and Los Angeles
Summer 2012: July 26, August 1 and August 8

2012 Wage And Hour Laws - Orange County, Pasadena and Los Angeles
Summer 2012: July 25, July 31 and August 7

Meal Periods, Rest Periods and Labor Code Class Actions After *Brinker*
WebEx, 04.18.2012

2012 Employee Handbook and Personnel Policies - San Francisco, Orange County, Pasadena and Los Angeles
Winter 2012: February 8, February 24, March 8 and March 14

2012 Employment Discrimination and Personnel Relations Laws - San Francisco, Orange County, Pasadena and Los Angeles
Winter 2012: February 7, February 16, February 23 and March 1

2012 Wage and Hour Laws - San Francisco, Orange County, Pasadena and Los Angeles
Winter 2012: February 6, February 15, February 22 and February 29

The Aftermath of AT&T Mobility v. Concepcion
Labor & Employment Law Webinar
WebEx, 05.26.2011

2011 Employee Handbook And Personnel Policies - San Francisco, Pasadena, Orange County and Los Angeles
Winter 2011: February 9, February 25, March 8 and March 10

2011 Employment Discrimination And Personnel Relations Laws - San Francisco, Orange County, Pasadena and Los Angeles
Winter 2011: February 8, February 16, February 24, and March 3

2011 Wage and Hour Laws - San Francisco, Orange County, Pasadena and Los Angeles
Winter 2011: February 7, February 15, February 23, and March 2

2010 Employee Handbook and Personnel Policies Series - Los Angeles, Orange County, San Francisco and Pasadena

2010 Employment Discrimination and Personnel Relations Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2010 Wage and Hour Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2009 Employee Handbook and Personnel Policies Series - Los Angeles, Orange County, San Francisco and Pasadena

2009 Employment Discrimination and Personnel Relations Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2009 Wage and Hour Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2008 Employee Handbook and Personnel Policies Series - Los Angeles, Orange County, San Francisco and Pasadena

2008 Employment Discrimination and Personnel Relations Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2008 Wage and Hour Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

California Hospital Association: Labor and Employment Law Seminar
Dec. 5, Sacramento and Dec. 12, Garden Grove, 12.2007

Memberships

Member, California Society for Health Care Attorneys

Member, American Society for Health Care Attorneys

Member, Labor Law and Tax Sections, American and Los Angeles Bar Associations

Member, National Advisory Board, Berkeley Journal of Employment and Labor Law, published by Boalt Hall School of Law at the University of California in Berkeley

Practices

Labor and Employment
Employee Benefits/ERISA
Labor and Employment Counseling
Employee Hiring/Discipline/Termination
Handbooks and Personnel Policies
Wage and Hour Regulations
Labor and Employment Litigation
Labor Union Management Relations
Wage and Hour Class Actions
Healthcare
International Reach

Industries

Food and Beverage
Healthcare

Education

J.D., University of California, Berkeley, Editor-in-Chief of the *Industrial Relations Law Journal* (now the *Berkeley Journal of Employment and Labor Law*)
B.A., University of Massachusetts, *summa cum laude*