

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

WebEx
04.18.2012

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

REGISTRATION IS CLOSED.

We have reached capacity for this event and are no longer taking registrations. Thank you for your interest.

Presented by
Richard Simmons, Thomas Kaufman and Matthew Sonne

Hosted by
Sheppard Mullin and Employers Group

Since the enactment of AB 60 in 2000, the standards employers must follow under California's meal and rest period laws have remained unclear. Furthermore, with the Labor Code class action boom that started at about the same time, virtually every major business within California has experienced a meal and rest period class action, with more than a billion dollars in settlements paid to resolve these cases.

In 2008, the California Supreme Court granted review in *Brinker Restaurant Corp. v. Superior Court*, an appellate decision that attempted to bring some clarity to many disputed aspects of meal and rest periods and class actions generally. Among the topics the *Brinker* appellate decision addressed were:

- What does an employer need to do to "provide" meal periods to its non-exempt employees?
- Do rest periods need to be offered in 10-minute increments near the middle of each four-hour block of time that employees work?
- If someone takes a meal period earlier in the shift, must they be provided a second meal period within five hours, even if their total work day is only 8 hours long?
- Are meal and rest period cases generally suitable for class litigation using payroll records and statistical sampling?

The California Supreme Court is posed to address these questions, and possibly more, when it issues an opinion on the case on April 12, 2012. The lawyers of Sheppard Mullin have established a task force to closely study the decision and then provide analysis to interested clients and potential clients about what it all means. Speakers Richard Simmons, Thomas Kaufman and Matthew Sonne, will explain what the decision holds, identify the questions that are still left open, and give some practical guidance on what impact the decision

should have on businesses going forward.

This webinar is by invitation only.

When

Wednesday, April 18, 2012
12:00 p.m. - 1:00 p.m.

Cost

This is a complimentary webinar to all clients and friends of Sheppard Mullin and Employers Group.

Where

Attend anywhere from any computer via WebEx. WebEx login information will be provided to registrants prior to the webinar.

MCLE Credit

This activity complies with standards for Minimum Continuing Legal Education prescribed by the California State Bar and is approved for 1.0 hour of MCLE credit. Sheppard, Mullin, Richter & Hampton LLP is a State Bar of California approved MCLE provider. MCLE certificates will be emailed to attendees after the webinar.

Questions?

Contact Melissa Omphroy momphroy@sheppardmullin.com or 415.774.2997.

Attorneys

Richard J. Simmons

Matthew M. Sonne