

Defeated certification of a putative class of 20,000 California claimants alleging that our client was a “joint employer” and was liable for unpaid overtime and other wage-and-hour violations.

2021

WTO attorneys defeated class certification efforts against a Fortune 500 company in federal court in the Northern District of California. The plaintiffs in the case asserted that WTO's client was a “joint employer” and therefore liable for unpaid overtime and other wage-and-hour violations of approximately 20,000 putative class members in California.

This was the first decision on class certification in this type of case against WTO's client. A different result would have posed significant risk to the client's business model. The case was of particular concern due to strain on the industry resulting from shifts in both consumer and business behaviors during the COVID-19 pandemic.

This decision will help WTO persuade other federal and state court judges to deny certification of other proposed classes in similar cases against its client nationwide. The decision also helps eliminate much of the risk of trying these joint-employment and wage-and-hour liability questions to a jury.

Related Professionals



Allison R. McLaughlin
Counsel



Andrew H. Myers
Partner



Michael T. Williams
Managing Partner



Jessica Goneau Scott
Partner, Diversity & Inclusion
Co-Chair

Related Practices

Class Actions

