

Capabilities

CALIFORNIA CLASS ACTIONS AND PAGA

California's plaintiff- friendly laws and aggressive litigation environment make class actions and PAGA claims especially high-risk. With evolving wage and hour rules, mounting penalties, and limits on arbitration, employers face significant exposure without proactive, strategic counsel.

How we can help:

- Class & PAGA Defense Strategies
- Wage & Hour Compliance & Audits
- Policy Development & Risk Prevention

Defending against class and collective action litigation in California requires a comprehensive and strategic approach. As a state known for its employee-side protections and active legal environment, class and collective action litigation presents significant potential exposure for businesses, no matter the size. Wage and hour litigation is continually evolving, and staying ahead of the curve is key to presenting a strong defense. Our experienced legal team is dedicated to protecting your interests by developing tailored defense strategies that mitigate exposure and minimize liability.

In addition to class and collective actions, in California, Private Attorneys General Act [PAGA] lawsuits pose a unique and serious threat to employers. Unlike other federal and state laws, PAGA authorizes employees to prosecute violations of the Labor Code in a representative capacity on behalf of themselves, other employees, and the State. Staggering penalties can result, especially because they are calculated for each "aggrieved employee" and each pay period in which each aggrieved employee worked. Moreover, employees often file parallel PAGA and class action suits,

multiplying the complications and potential exposure. Recent court decisions prevent employers from using arbitration agreements to remove many PAGA cases from courts. All this leaves unwary employers vulnerable – and attractive targets for a voracious plaintiffs' bar. With PAGA reform employers can take preventative steps to limit exposure.

Given the stakes and complexities involved, you need attorneys who are well-versed in California's ever-evolving employment laws. Fisher Phillips has a strong track record of representing employers in thousands of PAGA and class cases involving a wide array of industries. Fisher Phillips' California Class Actions and PAGA Team is well prepared to vigorously defend you now and safeguard against future litigation.

Key Services

- **Wage and hour audits.** We can review and assess employers' employment practices, policies, and procedures and develop recommended strategies to help manage litigation risks including audits under PAGA reform. [Click here to learn more.](#)
- **Draft, review, and revise policies.** We work with employers to ensure their policies comply with the ever-changing wage and hour requirements placed on employers.
- **Evaluate and assess claims asserted in Class/PAGA cases.** At the outset of litigation, we work to develop tailored procedural and substantive defenses through all phases of litigation.
- **Prepare realistic damages models and exposure analyses.** Based on the employer's records we prepare a detailed exposure analysis early in litigation to understand what's at stake for employers to make informed business decisions.
- **Develop successful preventative defense strategies.** We partner to assess and prepare effective and tailored defense strategies to mitigate against future litigation.

KEY CONTACTS



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