



## Elisa Nadeau

Shareholder

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## Focus Areas

Discrimination and Harassment

Wage and Hour

Class Actions

Appellate Practice

## Overview

Elisa Nadeau handles all types of litigation, including wage and hour class actions – misclassifications and off-the-clock meal and rest break cases, and individual harassment, discrimination and retaliation claims. She advises and counsels employers on various topics, such as the interactive process, proper classification of employees, wage and hour issues and handbook and policy drafting and revisions.

Elisa regularly assists clients in labor commissioner proceedings before the Division of Labor Standards and Enforcement and in responding to Equal Employment Opportunity Commission (EEOC) and other administrative agency audits.

Elisa has extensive appeals experience, including briefing for approximately twenty appeals. She wrote the briefs in a California Supreme Court case wherein she successfully argued a court of appeal erred in applying Occupational Safety and Health Administration (OSHA) laws to a homeowner who unwittingly hired an unlicensed tree trimmer. She has also presented oral argument in ten cases before various courts of appeal in California. In addition, she has substantial jury trial experience, having prosecuted four misdemeanor cases as a volunteer attorney at the San Francisco District Attorney's Office.

## Professional and Community Affiliations

- Founder, Silicon Hastings, UC Hastings College of Law

- Member, Appellate Court Executive Committee, Santa Clara County Bar Association
- Co-Chair, Appellate Court Executive Committee, Santa Clara County Bar Association, 2003
- Former Board Trustee, City of Mountain View Library

## Education

J.D., University of California, Hastings College of the Law, 1998

B.A., University of California, Berkeley, 1994, *cum laude*, *Phi Beta Kappa*

## Bar Admissions

California

## Courts

U.S. Court of Appeals, 9th Circuit

U.S. Court of Appeals, Federal Circuit

California Supreme Court

U.S. District Court, Northern District of California

U.S. District Court, Eastern District of California

U.S. District Court, Central District of California

U.S. District Court, Southern District of California

## Publications & Press

### **Annual Report on EEOC Developments – Fiscal Year 2020**

*Littler Report*

March 1, 2021

### **New DOL Guidance Expands Eligibility for the Commissioned Employee Overtime Exemption**

*Littler ASAP*

September 2, 2020

### **Predictive-Scheduling Rules Are Unpredictable Due to Coronavirus**

*SHRM Online*

April 7, 2020

### **Working from home? Here are answers to questions about taxes, expenses and lunch**

*San Francisco Chronicle*

April 4, 2020

**The California Stay At Home Order – Breaking It Down**

*Littler ASAP*

March 22, 2020

**Thinking It Through: Wage and Hour Implications of Employer Responses to the Coronavirus**

*Littler Insight*

March 10, 2020

**Annual Report on EEOC Developments – Fiscal Year 2019**

*Littler Report*

March 5, 2020

**Littler Elevates 28 Attorneys to Shareholder**

*Littler Press Release*

January 6, 2020

**Easily “Shocked”? At Least for Wage Claims, California Supreme Court Lowers Standard for Unconscionability in Arbitration Agreements**

*Littler ASAP*

September 18, 2019

**Annual Report on EEOC Developments – Fiscal Year 2018**

*Littler Report*

January 28, 2019

**Stop and Go: California Court Holds that Company Vehicle Does Not Transform Commute into Working Time**

*Littler ASAP*

November 19, 2018

**Annual Report on EEOC Developments — Fiscal Year 2017**

*Littler Report*

February 27, 2018

**Annual Report on EEOC Developments – Fiscal Year 2016**

*Littler Report*

February 27, 2017

**Annual Report on EEOC Developments – Fiscal Year 2015**

*Littler Report*

January 12, 2016

**Annual Report on EEOC Developments - Fiscal Year 2014**

*Littler Report*

January 5, 2015

**Annual Report on EEOC Developments - Fiscal Year 2013**

*Littler Report*

January 22, 2014

**Annual Report on EEOC Developments – Fiscal Year 2012**

*Littler Report*

January 8, 2013

**Do State OSHA Regulations Apply to Homeowners?**

*FDCC Quarterly*

2004

**Speaking Engagements**

**San Jose Breakfast Briefing Series - February Session**

San Jose, CA

February 6, 2020

**San Jose Breakfast Briefing Series - January Session**

San Jose, CA

January 28, 2020

**2018 Bay Area Breakfast Briefing Series**

San Francisco, CA

January 31, 2018

**2018 Bay Area Breakfast Briefing Series**

San Francisco, CA

January 10, 2018

**2017 Bay Area Breakfast Briefing - San Jose**

San Jose, CA

February 2, 2017

**2017 Bay Area Breakfast Briefing - Mountain View**

San Francisco, CA

January 18, 2017

**Labor & Employment Law Developments: Looking Back at 2015 and Ahead to 2016**

Littler, Mountain View, CA

January 19, 2016

**The 2014 Employment Law Update: The Year in Review and What to Expect in 2015**

Littler Mendelson, San Jose, CA

December 3, 2014

**Avoiding Pitfalls On Appeal**

Santa Clara County Bar Association

October 29, 2010

**Books & Book Chapters**

- Employee Privacy Rights, *The National Employer*, Chapter 19, LexisNexis, contributing editor, 2012-2013 and 2013-2014
- Protection of Employee Privacy and Individual Rights in California, *The California Employer*, Chapter 7, LexisNexis, contributing editor, 2013-2014