



Erin Winters

Special Counsel

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Focus Areas

Policies, Procedures and Handbooks
Leaves of Absence and Disability Accommodation
Hiring, Performance Management and Termination
Discrimination and Harassment
Audit Services

Overview

Erin Winters provides strategic employment advice and counsel to businesses of all sizes on California and federal employment law, including leaves of absence, workplace accommodations, as well as handbook and policy development. She also assists employers with performance management, training, discrimination and harassment prevention, audits, worker classification, and a variety of human resource related projects.

Erin has successfully defended employers in federal and state court actions involving claims of employment discrimination, wage and hour violations, and other employment issues. She has also represented clients in state and federal administrative proceedings.

A former journalist, Erin is a frequent speaker, and has published numerous articles on labor and employment law topics. During law school, she clerked at the Alameda County Superior Court.

Professional and Community Affiliations

- Former Member, Labor and Employment Executive Committee, Alameda County Bar Association
- Former Board Member, Northern California Employment Round Table (NCERT)

Recognition

- Named, Rising Star, Northern California, *Super Lawyers*, 2018

Education

J.D., San Francisco Law School, 2008

B.A., Barnard College, Columbia University, 1998

Bar Admissions

California

Courts

U.S. District Court, Northern District of California

Publications & Press

Creating a Culture of Support: Five Essentials for Assisting Employee-Victims of Domestic Violence, Sexual Assault, and Stalking

Next Concept HR Magazine

April 2019

Domestic Violence, Sexual Assault, and Stalking: Develop a Workplace Response

@Work Magazine, Disability Management Employer Coalition

March 2019

Alleged Preference for Korean Employee Revives Lawsuit

SHRM Court Report

August 2018

Software Company Wins Overtime Lawsuit

SHRM Court Report

May 2018

State Law Overtime Claim Revived

SHRM Court Report

April 2018

Claims of Improper Training Fail to Sustain Discrimination Lawsuit

SHRM Court Report

March 2018

Pregnant Employee Who Rested or Slept on Break Advances Claims

SHRM Court Report

February 2018

Reassignment of Job Duties Did Not Violate FMLA

SHRM Court Report

January 2018

Speaking Engagements

Domestic Violence, Sexual Assault, and Stalking: Victim Rights and Leave Management

HR West, Oakland, CA

March 13, 2019

Best Practices for Complying with State Laws Regarding Stalking and Sexual Violence

DMEC National Compliance Conference, Orlando, FL

May 2018

Books & Book Chapters

- California Supreme Court Holds Class Action Waivers Are Subject to Scrutiny, *California Labor & Employment Law Review*, January 1, 2008
- Identity Theft: Is Proof of Actual Damages Necessary to Collect Liquidated or Statutory Damages? Identity Theft: Is Proof of Actual Damages Necessary to Collect Liquidated or Statutory Damages?, *The Privacy & Data Protection Legal Reporter*, January 1, 2006