



Robert J. Wilger

Shareholder

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Focus Areas

Business Restructuring and M&A

Wage and Hour

Leaves of Absence and Disability Accommodation

Policies, Procedures and Handbooks

Labor Management Relations

Overview

Robert J. Wilger represents clients in all aspects of employment law, including civil lawsuits and administrative proceedings involving allegations of wrongful termination, discrimination and other claims arising out of employment disputes. In addition to practicing before the United States Supreme Court and other state and federal courts, Robert also has experience in federal and state administrative actions before:

- The California Labor Commissioner
- The California Unemployment Insurance Appeals Board
- The California Department of Fair Employment and Housing
- The Equal Employment Opportunity Commission
- The National Labor Relations Board

Working with clients in a wide variety of industries, including many high-tech companies and housing authorities, as well as with various pro bono clients, Robert offers advice on an extensive range of federal laws and their state counterparts, including:

- Title VII
- The Americans with Disabilities Act
- The Family and Medical Leave Act
- The Fair Labor Standards Act

- The Fair Employment and Housing Act
- The Worker Adjustment and Retraining Notification Act
- The National Labor Relations Act
- Wage and hour laws
- Disability laws
- Leave laws
- The California Family Rights Act
- California Pregnancy Disability Act
- The California Labor Code
- California public sector labor laws

Among his prominent litigation successes, Robert served as counsel in two precedent-setting cases, one which held that temporary impairments are not disabilities under the ADA and the other which limited the scope of actionable retaliation against union employees.

Robert also has extensive traditional labor law experience and has handled collective bargaining, NLRB proceedings, arbitrations and trust fund audits. Additionally, he handles litigation and offers counseling in the following areas:

- Wage and hour
- Reductions-in-force
- Wrongful termination
- Employment discrimination
- Employee leave
- Employee disability accommodation

He also offers general employment law counseling and assists employers with the implementation of effective personnel policies and procedures. Additionally, Robert has taught courses on unfair competition, trade secrets, covenants not to compete and other employment law issues for the Law and Human Resources Management extension program at the University of California, Santa Cruz.

Prior to working at Littler Mendelson, Robert worked for a university advising county extension agents and with a state department of administration on redistricting. In law school, he was a member of the *Law Review*.

Professional and Community Affiliations

- Member, Santa Clara County Bar Association

Education

J.D., Stanford University, 1993

M.A./Ph.D., University of Michigan, 1988

B.S., University of Wisconsin-Madison, 1984, *With Distinction*

Bar Admissions

California

Courts

U.S. Supreme Court

U.S. Court of Appeals, 9th Circuit

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

U.S. District Court, Western District of Texas

Publications & Press

City “Right To Recall” Laws

Littlel WPI Report

May 17, 2021

San Francisco Releases “Back to Work” Layoff Notice and Related Guidance

Littlel ASAP

August 11, 2020

Evidence belies bias ‘surge’ in Silicon Valley

Daily Journal

September 4, 2013

Speaking Engagements

2021 California Virtual Regional Employer Conference

Sacramento, CA

October 28, 2021

The Right to Recall: New Obligations for Employers in California and Beyond

April 27, 2021

Top 10 Unexpected COVID-19 Issues for San Jose Employers

May 28, 2020

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