



## Benjamin A. Emmert

Shareholder

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## Practice Areas

Class Action  
Litigation and Trials  
Appellate  
Wage and Hour  
Discrimination and Harassment

## Overview

Benjamin A. Emmert represents employers in a variety of civil litigation matters in both state and federal court, including trials and appellate advocacy. He also represents the interests of employers in labor matters before administrative agencies and tribunals, such as the Division of Labor Standards Enforcement. He also handles arbitration and mediation. His areas of expertise include:

- Employment discrimination
- Wrongful termination
- Unlawful harassment
- Wage and hour disputes
- Title VII
- The Americans with Disabilities Act
- The Fair Labor Standards Act
- The Family and Medical Leave Act
- The Fair Employment and Housing Act
- The Older Workers Benefit Protection Act

Prior to joining Littler Mendelson, Benjamin was a litigator for a law firm in San Jose, California. In law school, he was editor for the *Santa Clara University Law Review* and was a member of the trial team and Honors Moot Court.

## Education

J.D., Santa Clara University School of Law, 2000

B.A., University of California, San Diego, 1991

## Bar Admissions

California

## Courts

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

## Publications & Press

### **Littler Elevates 15 Attorneys to Shareholder**

*Press Release*

January 4, 2016

### **Calif.: Court Rejects Application of FLSA to Security Screenings Under California Law**

*Society for Human Resource Management (SHRM)*

April 23, 2015

### **Ninth Circuit Finds Auto 'Service Advisors' Not Exempt Under FLSA**

*Littler ASAP*

March 31, 2015

### **On-call security guards must be paid for sleeping, California high court says**

*Thomson Reuters The Knowledge Effect*

February 18, 2015

### **U.S. Supreme Court Denies Cert in PAGA Arbitration Waiver Case**

*Littler ASAP*

January 28, 2015

### **No Lullaby for Employers: California Supreme Court Finds Sleep Periods Considered 'Hours Worked'**

*Littler ASAP*

January 13, 2015

## Events & 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