



Orange County Bar Association
LABOR & EMPLOYMENT LAW SECTION

LIVE WEBINAR: Monday, July 11, 2022 | 12:00 PM – 1:15 PM

(Program begins at 12:00 p.m. with Case Updates)

Speakers:

Johnathan Genish, Esq.

Founder, Blackstone Law

Matthew W. Dietz, Esq.

Senior Trial Attorney, Blackstone Law

Melissa Petrofsky, Esq.

Founder, Petrofsky Law Firm

What Constitutes Termination/Discharge and Gift/Wages Under California Law?

A defense win on summary judgment! A class of employees represented by Blackstone Law APC alleged that when Hyatt Corp. laid them off at the start of the pandemic, Hyatt failed to pay overtime, failed to compensate for wages during the layoff, and failed to provide accurate wage statements. Hyatt moved for summary judgment, which U.S. District Judge Dale S. Fischer granted, stating that the employees were not totally severed, because Hyatt continued to pay the employer and employee health insurance premiums, plaintiffs remained eligible to redeem complimentary hotel room stays, and plaintiffs continued to accrue vacation time. The class countered in their own motion for summary judgment that Hyatt's layoff was considered a discharge and that the hotel room bonus was considered a wage to factor into overtime calculations. Judge Fischer concluded the hotel room program was more akin to a gift or reward rather than wages to calculate into overtime. Blackstone's Jonathan Genish, who represents the class of employees, stated to Law360 that the workers will appeal the decision. Hear from two of the attorneys who represented the Plaintiffs, Jonathan Genish and Matthew Dietz, and from Defense Attorney Melissa Petrofsky to learn about the arguments made in this rare win for employers.

OCBA Labor & Employment Law Section Members: \$0

OCBA Attorney Member (non-section): \$25

Non-OCBA Member (Attorney): \$35

APPROVED FOR 1.25 MCLE CREDIT

Register at www.ocbar.org

This activity has been approved for MCLE by the State Bar of California in the amount of 1.25 hour(s), as appropriate to the content of the activity. OCBA is a State Bar approved MCLE provider and certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing MCLE. Each attendee must log into the webinar individually. No partial credit will be given. Attendees must watch the program in its entirety in order to receive Participatory MCLE credit. Cancellations must be received in writing via fax or e-mail 3 business days prior to the meeting date to receive a refund. OCBA reserves the right to substitute speakers.

OCBA Labor & Employment Law Section Meeting – July 11, 2022

Name (print): _____ Email: _____

By providing your email address, you agree to allow the OCBA to email you regarding relevant OCBA information.

Firm Name: _____ Bar#: _____ Phone: _____

Business Address: _____ City/ZIP: _____

Visa/MasterCard/Amex/Discover: _____ Expiration Date: _____ CVV: _____

Cardholder Name: _____ Signature: _____

\$_____ enclosed/to be charged (Make checks payable to the OCBA)

Register online, fax or mail | Mail to: OCBA, P.O. Box 6130 Newport Beach, CA 92658 | Fax to: 949-440-6710

If you are registering by fax or mail within 3 days of the meeting, please contact the OCBA at info@ocbar.org to ensure registration.