



Michael D. Thomas

Principal
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Practices

Class Actions and Complex Litigation
Corporate Diversity Counseling
Workplace Training

Services

California Class and PAGA Action
Diversity and Inclusion Efforts that Really Work

Education

University of California, Berkeley
MBA, 2008

Boston College Law School
J.D., 1997

Bucknell University
B.A., 1994

Admitted to Practice

- 9th Circuit Court of Appeals, 2003
- California - C.D. Cal., 2004
- California - E.D. Cal., 2016
- California - N.D. Cal., 2004
- California - S.D. Cal., 2018
- California, 2003

Michael Thomas is a principal in the Los Angeles, California office of Jackson Lewis P.C. His experience includes defending employers in state and federal wage and hour class actions, litigation brought under the Private Attorney General's Act (PAGA), and single plaintiff cases.

Michael has defended employers in a wide variety of industries, including manufacturing, retail, restaurant, hospitality, transportation, janitorial services, security services, and the gig economy. He has a record of success obtaining pre-trial dismissals, successful settlements, and defense verdicts.

Michael's class and PAGA action experience includes:

- Lead defense counsel in resolving a class action brought on behalf of over 2,000 hotel employees involving claims of minimum wage, overtime, meal and rest period, reporting time pay, regular rate of pay, and wage statement violations.
- Lead defense counsel in resolving a PAGA representative action filed on behalf of approximately 200 limousine drivers involving minimum wage, overtime, meal and rest periods, and expense reimbursement claims.
- Lead defense counsel in resolving a PAGA representative action and class action involving over 15,000 janitors alleging unpaid minimum wages; unpaid overtime; and unpaid expense reimbursement for uniforms, safety shoes, and cell phone use.
- Lead defense counsel in resolving a PAGA representative action and class action filed against a large museum on behalf of security guards involving allegations of piece-rate payment violations, off-the-clock work, unpaid rest periods, and waiting time violations.
- Lead defense counsel in resolving a PAGA representative action and class action involving over 5,000 independent contractors in the gig economy claiming they were misclassified.
- Lead defense counsel in resolving a class action alleging donning and doffing claims at a manufacturing facility brought on behalf of over 250 production workers.

Michael has also conducted customized in-house seminars and training for managers, supervisors, and employees concerning employment compliance, including but not limited to trainings regarding workplace harassment, discrimination and retaliation, wage and hour issues, workplace violence and effective communication in the workplace.

Michael is available to assist with the full spectrum of workplace diversity and inclusion related issues, including conducting trainings on unconscious bias, micro-aggressions, creating inclusive cultures and behaviors, employee engagement and

developing, leveraging and implementing diversity and inclusion initiatives. Michael regularly speaks and publishes on diversity related topics. He obtained a Diversity and Inclusion Certification from Cornell University. Michael has a yoga certification from the Niroga Institute in Berkeley, California and has studied and published on the role of yoga, mindfulness and meditation on understanding trauma in the workplace. His approach to diversity and inclusion includes best practices, neuroscience, adult learning, experiential learning, dialogue, body awareness and mindfulness.

Honors and Recognitions

- *National Bar Association*, "Top 100 Black Lawyers" (2018, 2019)
- American Arbitration Association Higginbotham Fellow (2018)

Professional Associations and Activities

- Los Angeles County Bar Association
- National Bar Association, Labor and Employment Committee Executive Board

Pro Bono and Community Involvement

- University of California at Berkeley Haas School of Business Alumni Network of Southern California Board Member
- Board Member, Crystal Stairs, Inc.

Published Works

- "A New Year: Tools for Employer to Renew and Enhance Commitments to Racial Equity in the Workplace, (January 14, 2021) [Author]
- Class Action Trends Report Fall, (November 3, 2020) [Co-Author]
- Inclusivity and High Performance Begins with Psychological Safety, (October 14, 2020), [Co-Author]
- "Additional Information Released on 'Combating Race and Sex Stereotyping' Order; 'Hotline' Established, (September 30, 2020), [Co-Author]
- "AB 979 Requires California-Based Publicly Held Corporations to Diversify Their Boards of Directors," (September 30, 2020) [Co-Author]
- "Local Ordinance, Massive Implications: Sonoma County Supplemental Paid Sick Leave," (August 25, 2020), [Co-Author]
- "Preventing Workplace Violence by Examining Trauma and the NFL", *Association of Corporate Counsel* Quick Counsel Articles (December 2015) [Author]
- "San Francisco's Fair Chance Ordinance Limits Criminal Conviction Inquiries," *Law Alert* (August 2014) [Author]

Speeches

- "Race, Politics, and Religion in the Workplace - Hot Topics as Employees Return to Work" ACC CLE (Los Angeles, April 2021) (presenter)
- "Understanding Intergenerational Trauma and its Impact on the Workplace," *Change Catalyst* (June 2020) (podcast presenter)
- "Managing Rapid Change" California Minority Counsel Program (May 2020) (presenter)
- "Managing Rapid Change for Diverse Attorneys" National Bar Association, Commercial Law Section (May 2020) (presenter)
- "How to Win or Lose a Class Action in the First 90 Days," National Bar

Association, Commercial Law Section, National Conference (February 2020)
(panel organizer and moderator)

- “Class Action and Collective Action Litigation,” National Bar Association, Labor and Employment Committee Conference (October 2019) (panelist)
- “Equity by Design Panelist-Pay Equity in Architecture”, American Assoc. of Architects (November 2018) (panelist)
- “Virtual Reality and Bias in the Workplace”, Association of Corporate Counsel of Northern California and PayPal (October 2017) (panelist)
- “Virtual Real and Bias in the Workplace”, Association of Corporate Counsel of Northern California and Salesforce (October 2017) (panelist)
- “Association of Corporate Counsel Compliance Day Panelist-Kickstart Your California Employment Compliance” (June 2017) (panelist)