



Sean Paisan

Of Counsel
Orange County
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Practices

Litigation
Workplace Safety and Health

Services

OSHA's COVID-19
Vaccination and Testing
Emergency Temporary Standard

Industries

Construction
Hospitality
Manufacturing
Technology

Education

Loyola Law School Los Angeles
J.D., 2003

University of Southern California
B.S., 1999

Admitted to Practice

- 9th Circuit Court of Appeals, 2020
- California - C.D. Cal., 2003
- California - S.D. Cal., 2011
- California, 2003

Languages

Thai
Spanish

Sean Paisan is of counsel in the Orange County, California, office of Jackson Lewis P.C. He is the leader of the firm's Cal/OSHA practice subgroup and co-leader of the firm's Construction industry group. His practice focuses on assisting employers with Cal/OSHA compliance, investigations, and fighting citations. Additionally, Sean also assists employers in data privacy and traditional employment matters, including litigation and counseling.

Sean's first exposure to OSHA regulations occurred during his undergraduate studies while working for a construction company that helped build Disney's California Adventure. After attending law school and working for the Los Angeles County District Attorney's Office and the United States Attorney's Office, Sean moved into private practice, where he focused on general liability matters, including serious injuries and fatalities. Through this experience, Sean became very knowledgeable on the myriad of Cal/OSHA regulations imposed on businesses, especially in the construction, manufacturing, and healthcare industries, and the consequences for violations of those regulations. From there, Sean became OSHA 30 certified and began assisting employers with all workplace safety matters, from compliance, to investigations and inspections, to the appeals of citations in California, Arizona, Washington, and Hawaii.

Throughout his career, Sean has been called upon to try cases that cannot be settled. He has handled trials in the United States District Court, California Superior Court, Cal/OSHA Appeals Board, Workers Compensation Appeals Board, and the US Department of Labor OALJ, as well as binding arbitrations. Sean has tried cases involving the following subjects: general employment, wrongful death, premises liability, unfair competition (B&P § 17200), false advertising (Lanham Act), misappropriation of trade secret, restrictive covenants, and whistleblower (AIR21).

In addition to his trial experience, he is routinely called on to assist his clients with workplace crises such as catastrophic injuries, fatalities, data breaches, and ransomware incidents. Drawing on his years of in both civil and criminal law, Sean's unique background allows him to anticipate and proactively manage issues, rather than simply reacting to requests and inquiries by investigating agencies such as law enforcement, OSHA, Cal/OSHA, California Bureau of Investigations (BOI), Federal Aviation Administration (FAA), National Transportation Safety Board (NTSB), as well as opposing counsel in litigation matters.

In addition to his litigation experience, Sean has earned the CIPP/US credential through the International Association of Privacy Professionals (IAPP). He helps organizations manage rapidly evolving privacy threats and mitigate the potential loss and misuse of information assets. He has an in-depth understanding of how privacy laws can impact business operations. These laws include the Health Insurance Portability and Accountability Act (HIPAA), Federal Trade Commission Act (FTC Act), Health Information Technology for Economic and Clinical Health Act (HITECH), Genetic Information Nondiscrimination Act (GINA), Fair Credit Reporting Act (FCRA), Gramm-

Leach-Bliley Act (GLBA), Fair and Accurate Credit Transaction Act (FACTA), Dodd-Frank Wall Street Reform and Consumer Protection Act, California Financial Information Privacy Act, Family Educational Rights and Privacy Act (FERPA), Telemarketing Sales Rule, Telephone Consumer Protection Act (TCPA), Junk Fax Prevention Act, Controlling Assault of Non-Solicited Pornography and Marketing Act (CAN-SPAM), Cable Communications Policy Act, Video Privacy Protection Act, Children's Online Privacy Protection Act (COPPA), California Online Privacy Protection Act (CalOPPA), California Consumer Privacy Act (CCPA), and California Privacy Rights Act (CPRA). With respect to laws affecting the ability of the government to obtain information, Sean can assist employers in understanding their obligations under the Federal Wiretap Act, Electronic Communications Privacy Act (ECPA), Communications Assistance for Law Enforcement Act (CALEA), Right to Financial Privacy Act, Privacy Protection Act, Foreign Intelligence Surveillance Act (FISA), and USA PATRIOT Act.

Before becoming an attorney, Sean earned his bachelor's degree in accounting from the University of Southern California, where he also played varsity ice hockey in the ACHA. When not practicing law, Sean enjoys spending time with his wife and three young children, playing adult league ice hockey, mountain biking, and motorsports.

Professional Associations and Activities

- American Bar Association
- Certified Information Privacy Professional/United States (CIPP/US) - International Association of Privacy Professionals (IAPP)
- National Asian Pacific American Bar Association
- Orange County Bar Association
- Thai American Bar Association

Published Works

- "Workplace Safety Law Expands Cal/OSHA Reach," Business Insurance, October 6, 2021, [Quoted by Author]
- "3 Ways to Keep Your Workplace Clean During Coronavirus Scare," SHRM Online, March 3, 2020, [Quoted by Author]
- "Training Day for Safety Attorney," Cal-OSHA Reporter, May 17, 2019 [Quoted by Author]
- "What to Expect "When Cal/OSHA Comes Calling," American Architectural Manufacturers Association, May 17, 2019 [Quoted by Author]
- "Cal/OSHA Approves Long-Awaited Housekeeper Injury Prevention Regulations," SHRM Online, January 31, 2018 [Author]

Speeches

- "What Employers Need to Know About Recent Changes to the Cal/OSHA ETS" Professionals In Human Resources Association (PIHRA) (Webinar, January 4, 2022) (Speaker)
- "The California Consumer Privacy Act: Compliance & Impact on Employers," Association of Corporate Counsel (ACC) In House Counsel Conference (Anaheim, CA, January 29, 2020) (Speaker)
- "California Consumer Privacy Act," Association of Corporate Counsel (Palo Alto, CA, November 5, 2019) (Speaker)
- "California Consumer Privacy Act," Association of Corporate Counsel (San Francisco, CA, November 4, 2019) (Speaker)
- "When Cal/OSHA Comes Calling | Valuable Guidance on Responding to Officials and Mitigating Issues" American Architectural Manufacturers Association (Costa Mesa, May 7, 2019) (Speaker)
- "When Cal/OSHA Comes Knocking" American Architectural Manufacturers

Association (AAMA) Western Region Meeting (Indian Wells, CA, March 1, 2019)
(Speaker)

- "Cal/OSHA Recent Enforcement Trends" Phylmar Regulatory Roundtable (Costa Mesa, CA, March 21, 2018) (Speaker)
- "Improving Data Security" K&N Engineering, Inc. (Riverside, CA, March 7, 2018) (Speaker)
- "OSHA Update: What Retailers Need to Know Right Now" California Grocers Association's Loss Prevention, Safety & Risk Management Committee Meeting (Sacramento, CA, April 17, 2017) (Speaker)