

# Snell & Wilmer

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## **Erin Denniston Leach**

Counsel | Orange County

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### **Main Bio**

Erin Leach's practice is concentrated in employment litigation and counseling. She provides clients with ongoing counseling on a wide range of personnel matters including hiring and termination decisions, employment agreements, policy drafting, wage and hour issues, and employee medical leave. Erin represents employers in state and federal courts and arbitration, as well as before administrative agencies, in disputes regarding wrongful termination, discrimination, sexual harassment, unfair competition, trade secrets, reasonable accommodation of disabilities, retaliation, wage and hour (individual and class actions), and other types of employment matters.

### **Representative Litigation**

- Defense of "whistleblower" actions on behalf of service and retail clients
- Defense of wrongful termination, discrimination and harassment actions on behalf of service and retail clients and management employees
- Defense of wage and hour class action litigation on behalf of service and retail clients
- Binding arbitration experience in retaliation, wrongful termination, harassment, discrimination, fraud and wage claim cases
- Defended class and individual actions and advised trucking, busing, and logistics companies regarding application of the Federal Motor Carrier Act (FMCA)

### **Education**

- University of California, College of the Law, San Francisco (J.D., cum laude, 2006)
  - Order of the Coif
- Harvard University (B.A., Psychology, cum laude, 2002)
  - Academic All-Ivy (2001)
  - Academic All-District Second Team (2001)
  - All-Ivy Second Team (1999-2001)
  - Volleyball - Co-Captain (2001)

### **Professional Memberships & Activities**

- Orange County Bar Association, Labor and Employment Law Section
- Athletes Touch

## Representative Presentations & Publications

- "[California End-of-Year Employment Law Wrap Up](#)," Co-Author, Snell & Wilmer Legal Alert (November 30, 2022)
- "[Beware of the Use of Artificial Intelligence Recruitment and Hiring Tools](#)," Author, Snell & Wilmer Labor and Employment Law Blog (May 18, 2022)
- "What Employers Can Expect in a Post-COVID Biden Administration," Co-Presenter, Snell & Wilmer Virtual CLE Series (June 1, 2021)
- "California COVID-19 Webinar: Employer Tips for Returning Employees to Work and Managing a Hybrid WFH Workforce," Co-Presenter, Snell & Wilmer Webinar (May 5, 2021)
- "[The New Reality: The Remote Workplace Is Here—Maybe Permanently!](#)" Co-Author, Snell & Wilmer Legal Alert (March 12, 2021)
- "New California Laws for 2021 Affecting California Employers," Presenter, 2020 Employment Law Tool Kit Three-Part Webinar Series: Session 2: California-Specific Issues (November 12, 2020)
- "[There May Be Some Good News Coming to Companies Using Independent Contractors – At Least Under Federal Law](#)," Author, Snell & Wilmer Labor and Employment Law Blog (September 30, 2020)
- "[Can Independent Contractors Still Exist in California?](#)" Author, Orange County Business Journal (December 2, 2019)
- "[The California Supreme Court Is To Decide the Retroactive Application of the Dynamex Independent Contractor Decision](#)," Author, Snell & Wilmer Labor and Employment Law Blog (November 26, 2019)
- "Did AB 5 Do Away with Independent Contractors?" Co-Presenter, Employment Law Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 6, 2019)
- "[A New Law Passed Raising the Standard for Classifying Workers as Independent Contractors in California](#)," Co-Author, Snell & Wilmer Legal Alert (September 30, 2019)
- "[California's Deadline for Giving Newly Required Sexual Harassment Prevention Training Was Extended](#)," Author, Snell & Wilmer Labor and Employment Law Blog (September 6, 2019)
- "[Employee Non-Solicitation Agreements Are Shot Down Once Again in California](#)," Author, Snell & Wilmer Labor and Employment Law Blog (February 7, 2019)
- "[Employers Face Open Questions After Landmark 'Dynamex' Labor Ruling](#)," Quoted, The Recorder (December 5, 2018)
- "[Might There Be an End in Sight to the Private Attorney General Act?](#)" Author, Snell & Wilmer Labor and Employment Law Blog (November 29, 2018)
- "Restrictive Covenants Dos and Don'ts," Co-Presenter, Employment Law Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 7, 2018)
- "*Dynamex*: The Destruction of the Independent Contractor Model and Where We Are Now," Co-Presenter, Employment Law Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 7, 2018)
- "*Dynamex*: The Destruction of the Independent Contractor Model," Presenter, SMB TechFest Q4, Anaheim, CA (October 18, 2018)
- "Did *Dynamex* Destroy the Independent Contractor Model?" Co-Presenter, Snell & Wilmer Seminar, Los Angeles, CA (October 17, 2018)
- "Did *Dynamex* Destroy the Independent Contractor Model?" Co-Presenter, Snell & Wilmer Seminar, Costa Mesa, CA (September 27, 2018)

- "Did *Dynamex* Destroy the Independent Contractor Model?" Co-Presenter, Snell & Wilmer and Association of Corporate Counsel (Southern California Chapter) Harbor Cruise CLE, Newport Beach, CA (June 20, 2018)
- "[Tolling of Statute of Limitations in Class Action Realm Narrowed](#)," Author, Snell & Wilmer Labor and Employment Law Blog (June 11, 2018)
- "[What Can and Can't You Do To Get Ready for Flu Season?](#)" Author, Snell & Wilmer Labor and Employment Law Blog (October 5, 2017)
- "[California Employers Must Pay California Employees Separate Rest Break Pay](#)," Author, Snell & Wilmer Labor and Employment Law Blog (July 11, 2017)
- "[Paid Sick Leave Won't Go Away](#)," Author, Snell & Wilmer Labor and Employment Law Blog (July 9, 2017)
- "[Just Like the Flu, Paid Sick Leave Laws Don't Seem to Want to Go Away](#)," Author, Snell & Wilmer Workplace Word (May 1, 2017)
- "[California Appellate Court Rules that - Like Piece Rate Workers - Employees Paid Commissions Are Entitled to Separate Rest Break Pay](#)," Co-Author, Snell & Wilmer Legal Alert (March 6, 2017)
- "He, She or Ze: Addressing Transgender Issues in the Workplace," Co-Presenter, Employment Law Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 16, 2016)
- "Bills, Bills and More Bills: New California Laws Employers Should Know," Co-Presenter, Employment Law Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 16, 2016)
- "[First Paid Sick Leave and Now You're Telling Me Some Employees May No Longer Be Exempt from Overtime](#)," Co-Author, Orange County Business Journal (June 27, 2016)
- "Threat Management: Workplace Violence Restraining Orders," Co-Presenter, Snell & Wilmer Workplace Violence Seminar, Costa Mesa, CA (June 23, 2016)
- "[Additional Paid Sick Leave Requirements in Los Angeles](#)," Author, Snell & Wilmer Legal Alert (April 27, 2016)
- "Down the Rabbit Hole: What to Expect in Appellate Arbitration," Presenter, Orange County Bar Association - Appellate Law Section Meeting, Santa Ana, CA (April 7, 2016)
- "[The Difficult Dilemma Facing Employers When it Comes to Threats of Workplace Violence](#)," Author, Snell & Wilmer Workplace Word (April 6, 2016)
- "Paid Sick Leave - It's an Epidemic," Presenter, Employment Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 12, 2015)
- "[The Clock is Ticking for California Employers to Comply with New Paid Sick Leave Requirements that Take Effect July 1, 2015](#)," Co-Author, Snell & Wilmer Legal Alert (May 14, 2015)
- "[Ever-Expanding Attacks on Non-Traditional 'Employers'](#)," Author, Corporate Counsel, American Bar Association Section of Litigation (March 31, 2015)
- "[Since When Am I the Boss? Ever Expanding Attacks on Non-Traditional 'Employers'](#)," Author, Snell & Wilmer Workplace Word (February 12, 2015)
- "[An Employment Lawyer's Top Ten Tips to Avoid Holiday Party Headaches](#)," Co-Author, Orange County Business Journal (December 1, 2014)
- "Wage and Hour Issues - The Recurring Nightmare" and "Severance Agreement Pitfalls," Co-Presenter, Employment Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 13, 2014)
- "[Employer To Do List for the New Year](#)," Author, Snell & Wilmer Workplace Word (February 2014)

- "[The California Supreme Court Kicks Up Dust Storm on the Road to Enforcing Employment Arbitration Agreements](#)," Co-Author, Orange County Business Journal (December 9, 2013)
- "Avoiding Bad Apple Employees and Wage and Hour Nightmares," Presenter, Employment Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 7, 2013)
- "[Protecting the Workforce from Violence](#)," Author, Snell & Wilmer Workplace Word (February 27, 2013)
- "Independent Contractors - What's in a Name? and New Hire Notices - More Paper for Employers to Complete," Speaker, Employment Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (November 8, 2012)
- "[How to Handle Whistleblower Claims and Try to Avoid a Retaliation Lawsuit](#)," Author, Snell & Wilmer Workplace Word (February 29, 2012)
- "The Ten Commandments of Religious Discrimination," Speaker, Employment Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (October 2011)
- "Where Are My Employees Headed With My Trade Secrets?," Speaker, Employment Tool Kit Seminar, Snell & Wilmer, Costa Mesa, CA (October 2011)
- "[The Ten Commandments of Religious Discrimination](#)," Co-Author, Orange County Business Journal (August 22, 2011)
- "Take Control of Your Computers: Top 5 Considerations in the New Media Era," Speaker, Employment Toolkit Seminar, Snell & Wilmer, Costa Mesa, CA (October 2010)

## Professional Recognition & Awards

- Southern California Super Lawyers<sup>®</sup>, Rising Stars Edition, Employment Litigation: Defense (2013-2016)
  - "The Top Women Attorneys in Southern California," Los Angeles Magazine (2016)

## Community Involvement

- Women Helping Women/Men to Work (WHW), Board of Directors

## Previous Professional Experience

- Legal Services for Children, Intern (Fall 2004)
- Adams, Esq., Law Clerk, Oakland, CA (Summer 2004)
- Public Defender's Office, Juvenile Division, Intern, San Francisco, CA (Summer 2004)
- The Help Group, High School Special Education Teacher (2002-2003)

## Bar Admissions

- California

## Court Admissions

- Supreme Court of California
- United States District Court, All Districts of California