

# HOGGE • FENTON



## **RICHARD D. SCHRAMM**

Of Counsel

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### **PRACTICE OVERVIEW**

Richard Schramm represents employers to resolve class action lawsuits, PAGA actions, along with other labor, employment, and contract disputes. He routinely advises and counsels public and private enterprises as well as nonprofit groups on a variety of employment-related issues, including:

- Employee relations
- Personnel policies and practices
- Wage and hour matters
- Discrimination
- Harassment
- Retaliation
- Wrongful Termination

Richard represents clients in state and federal courts, before the California Civil Rights Department, the U.S. Equal Employment Opportunity Commission, the California Labor Commissioner's Offices, the Employment Development Department, the U.S. Dept. of Labor, and the California Unemployment Insurance Appeals Board. He represents clients in individual cases as well as class actions, representative actions, Private Attorneys General Act (PAGA) lawsuits, trade secret disputes, and disability access discrimination claims. He also advises on independent contractor agreements and statutory compliance challenges.

Richard represents clients in a wide range of industries, including high tech, franchises, transportation companies, physicians & medical professionals, legal professionals, manufacturing companies, food processing, restaurants, salon and hair studios, senior living facilities, and workers in federal agencies.

### **BACKGROUND**

Richard was an attorney, partner, and managing attorney at Employment Rights Attorneys for over 30 years.

### **REPRESENTATIVE CASES**

- Successfully prosecuted and defended multiple claims of wage, hour violations in state court
- Effectively defeated claims of disability access discrimination under state and federal laws
- Positively resolved claims of employee sexual harassment
- Resolved more than a dozen class action lawsuits, representative actions, and PAGA matters
- Competently resolved numerous claims brought before the California Division of Labor Standards Enforcement

### **PRACTICE AREAS**

Business Litigation  
Employment Law

### **EDUCATION**

J.D., Santa Clara University School of Law  
M.S., Rehabilitation Counseling, University of Texas Health Science Center, Houston  
B.S., Experimental Psychology, University of Texas, Austin

## ADMISSIONS

- California
- U.S. District Courts of Central, Eastern & Northern California
- U.S. District Courts, Texas

## AWARDS

- Northern California Super Lawyers, 2023

## PROFESSIONAL AND COMMUNITY ACTIVITIES

- California Lawyers Association (CLA)
- President, Santa Clara County Bar Association, (SCCBA), 2023
- President-Elect, SCCBA, 2022
- Treasurer Emeritus, SCCBA
- Chair Emeritus, Labor & Employment Law Section, SCCBA
- American Bar Association (ABA), Delegate Representative for the Santa Clara County
- Diversity, Equity and Inclusion Committee, SCCBA
- Rainbow Committee, SCCBA
- Labor & Employment Law Section, ABA
- Chair Emeritus, Mandatory Fee Arbitration Committee, SCCBA
- Presiding Arbitrator Emeritus, SCCBA
- Lecturer, Supervising Attorney, Katharine & George Alexander Law Center
- Legal Advisor, YWCA Rape Crisis Center
- Lecturer, Impact of Religion on Law in American History
- Lecturer, New Testament Theology Topics

## SPEAKING ENGAGEMENTS

- A Screeching Halt to "Drive-by" ADA Litigation: Defending Against "High-Frequency" Litigants*, SCCBA, June 2022
- Sexual Harassment-New Rules Apply to Old Laws*, SCCBA, March 2022
- 2021 Challenges for Small Businesses*, International Network of Boutique and Independent Law Firms (INBLF), March 2021
- Becoming a Better Lawyer*, Barristers Section, SCCBA, November 2020
- Summary of Equal Pay Act Cases, 2019*, ABA, Midwinter FLSA Conference, February 2020
- Top 10 Mistakes Small California Law Firms Continue to Make in 2019*, INBLF, June 2019
- Discrimination Against Gay, Lesbian, Bisexual, or Transgender Workers*, Justice for Workers Conference, February 2019
- Marijuana Law-The Latest Challenges*, The Law & You, November 2017
- Sexual Misconduct in the News-Again*, The Law & You, November 2017
- What Is "Same Sex," When Discussing Same Sex Relationships?*, Palo Alto United Methodist Church, July 2017
- 2016 Issues Vexing Small Businesses in California*, The Law and You, July 2016
- California's Latest Requirements for Small Businesses*, Training, Milpitas, CA, March 2016
- Sexual Harassment-2015 Update*, Training, Watsonville, CA, May 2015
- Issues Involving the Minimum Wage, Living Wage*, The Law and You, February 2014

## PUBLICATIONS

- The Fair Labor Standards Act 2019 Cumulative Supplement*, ABA, Contributor, 2012-2022
- What's Sex Got to Do, Got to Do, With It? The Implications of the Supreme Court's Declarations in the Bostock Case*, SCCBA, July 2020
- Defeating Defendant's "Reason Other Than Sex," Under the EPA*, ABA, January 2020
- Dynamex: Employee or Independent Contractor*, SCCBA, May 2018
- A-Z of Overseeing and Enforcement: A Guide to the State & Federal Agencies*, SCCBA, June 2016
- Changes in the Law-2015*, SCCBA, 2014 Annual Labor & Employment Law Social, October 2014
- Current Litigation Issues Under the PAGA*, SCCBA Wage-Hour Roundtable, June 2014
- When Employers May Avoid Paying for 'Hours Worked'*, SCCBA Wage-Hour Roundtable, September 2013