



Michele Haydel Gehrke

Associate

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PRACTICE AREAS

- Labor and Employment

OVERVIEW

Michele Haydel Gehrke is an associate in the Labor and Employment Practice Group in the San Francisco office.

Areas of Practice

Ms. Gehrke specializes in labor and employment matters on behalf of management. She has successfully defended employers in various types of labor and employment disputes, including matters involving allegations of harassment, retaliation, and discrimination based on age, sex, race, sexual orientation, national origin, and disability, as well as alleged wage and hour violations, California Labor Code violations, FMLA and WARN Act violations, and whistleblower and breach of contract claims. She has represented employers in both state and federal Court in both single plaintiff and class action cases, and also has experience before administrative agencies such as the California Division of Labor Standards Enforcement.

Ms. Gehrke also specializes in the National Labor Relations Act, Railway Labor Act, and has experience negotiating collective bargaining agreements and handling other traditional labor matters. Ms. Gehrke has successfully defended employee terminations at arbitration on behalf of unionized employers. Ms. Gehrke also successfully second chaired a trial in the bankruptcy court on behalf of Aloha Airlines Inc. as it sought to renegotiate its labor contracts and terminate its pension plans. Ms. Gehrke has also worked on union avoidance campaigns and handled numerous labor arbitrations involving issues of contract interpretation and termination for just cause.

Ms. Gehrke frequently advises clients regarding various labor and employment issues, assists companies with implementing proactive compliance strategies, gives sexual harassment prevention trainings, and drafts employment documents such as employment agreements, employee handbooks, and separation agreements and releases.

Ms. Gehrke also has expertise under the Foreign Corrupt Practices Act and handling internal investigations for clients under investigation by the government. Ms. Gehrke also advises clients on best practices for corporate compliance issues. She has drafted corporate compliance policies and procedures, including those involving business entities in China and other international locations, and state-owned joint ventures.

EDUCATION

- J.D., University of California, Hastings College of the Law, 2001, *Order of the Coif*, *Thurston Honor Society*, *Magna Cum Laude*

- B.A. Political Science with a specialization in Business Administration, University of California, Los Angeles (UCLA), 1998, *Cum Laude*

ADMISSIONS

- California
- U.S. District Court for the Northern, Eastern, and Central Districts of California

ARTICLES**Labor & Employment Law Blog Articles**

- "Court Redefines Standard For Employers To Designate A "Workweek" For Overtime Purposes And Broadly Interprets "Hours Worked" For On-Call Employees", April 21, 2011 - Additionally posted in The Bar Association of San Francisco's *iCounsel Newsletter*, May 2011
- "California Court of Appeal Affirms Denial Of Class Certification In Important Decision Holding That Employers Must Only Provide Rest and Meal Periods and Need Not Ensure That They Are Taken", November 4, 2010
- "Employers Should Carefully Consider Whether To Sue Former Employees For Threatened Trade Secret Misappropriation Based On Recent California Court of Appeal Decision Awarding Over \$1.6 Million To Former Employees", June 18, 2009

EVENTS

- Labor and Employment Law: Mid-Year Update 2009 - San Francisco
- New Labor & Employment Laws for 2009 - San Francisco