



## → Richard J. Simmons

**Partner**  
333 South Hope Street  
Forty-Third Floor  
Los Angeles, CA 90071

T: +1.213.617.5518  
F: +1.213.620.1398  
rsimmons@sheppardmullin.com

Richard J. Simmons is a partner in the Labor and Employment Practice Group in the firm's Los Angeles office.

### Areas of Practice

Richard is a lawyer's lawyer and represents employers in wage-hour, discrimination and wrongful discharge lawsuits. He has represented employers in over 100 class action lawsuits and landmark decisions. When the California IWC was sued, it asked Richard to defend the case over all other firms.

Richard represents employers in various employment law matters involving litigation throughout the country and general advice regarding state and federal wage and hour laws, employment discrimination, wrongful discharge, employee discipline and termination, employee benefits, affirmative action, union representation proceedings, and contract arbitrations.

### Honors

Leading U.S. Corporate Employment Lawyers, *Lawdragon*, 2020

Top Labor & Employment Lawyer, *Daily Journal*, 2009-2014, 2016-2021

Mr. Simmons argued the only case before the California Supreme Court that produced a victory for employers and business in 2018. Labor & Employment Attorney of the Year, *Los Angeles Business Journal*, 2017

Best Lawyers in America, *Best Lawyers*, 2009-2022

The Nation's Most Powerful Employment Attorneys, *Human Resource Executive*, 2015, 2017

Employment Lawyers Hall of Fame Inductee, *Lawdragon*, 2017

Bar Register of Preeminent Lawyers, 2020

Most Powerful Employment Lawyers, *Lawdragon*, 2016-2017

Leading Lawyer in Labor and Employment, *Chambers USA*, 2006-2021

Recognition as expert in Labor and Employment, *The Legal 500*, United States

Labor and Employment Star - California, *Benchmark Litigation*, 2020

California Hospital Association Certificate of Distinction, 2015

International Who's Who of Management Labour & Employment Lawyers, 2012, 2015

Recognized, Labor & Employment and Labor & Employment Litigation, *Legal 500*, 2011-2014, 2016-2018

"10 Leading Rainmakers," *Daily Journal*, 2009

Employment MVP, *Law360*, 2011

Litigation Star, *Benchmark Litigation*, 2011-2012

Who's Who Legal: California, 2008-2009

Southern California Super Lawyer, *Super Lawyers*, 2008-2021

Best of the Bar, Labor and Employment, *Los Angeles Business Journal*, 2007

Appointed by the California Industrial Welfare Commission as a member of three separate Minimum Wage Boards for the State of California

Graduated *summa cum laude*, University of Massachusetts as Commonwealth Scholar and member of *Phi Kappa Phi* Honor Society

President Sophomore Men's Honor Society

## Articles

- When Must Employee Travel Time Be Paid  
*In Practice - CEB*, Summer 2019
- Antelope Valley Board of Trade Business Outlook Conference Had Something for Everyone  
*Aerotech News*, 03.07.2018
- As the *Brinker* dust settles, review what we learned  
*Daily Journal*, 08.12.2014
- Court Decision on Meal Periods, Rest Periods and Off-The-Clock Work is Absolutely Attention-Getting  
*HR & Employment Bulletin*, 08.05.2008
- WCAB Adopts Stunning Reversal of Position Regarding Health Insurance Obligations To Employees on Workers' Compensation Leave  
03.08.2002
- IWC Seeks to Clarify Uncertainty Regarding Salary Basis Rules  
11.10.2001
- Labor Commission Issues New Exemption Standards  
06.13.2001
- "Application of WARN Rules to Hospitals," *Healthcare Human Resources Management Association of California News* (Fall 1989)
- "Labor and Employment in the Theatre Industry," *ShoWest Intro by Boxoffice Magazine* (1988)
- "Coping with COBRA--The New Federal Health Insurance Law," *Labor and Employment Law News* of the State Bar of California (Fall 1986)
- "Employer Rights: An Endangered Species," *The 28th Annual Personnel and Industrial Relations Association Conference* (Winter 1985)
- "Wrongful Discharge," *California Society for Health Care Attorneys Journal* (1984)
- "Wage Setoffs: The Do's and Don'ts of Deductions," *Los Angeles Lawyer* (February 1983)
- "Sexual Harassment in the Work Place," *Rural Telecommunications Journal* (Winter 1982)

- "Comparable Worth: An Emerging Doctrine," Rural Telecommunications Journal (Summer 1982)
- "The New California Fair Employment and Housing Regulations: A Case of Administrative Overreaching," Employee Relations Law Journal, Vol. 6, No. 2
- "A Lawyer's Guide to U.S. Wage and Price Standards," Los Angeles Lawyer
- "First Amendment Protection of Shopping Center Picketing," Industrial Relations Law Journal, Boalt Hall School of Law

## Labor and Employment Law Blog Posts

- "California Department of Public Health Issues COVID-19 'Employer Playbook,'" August 5, 2020
- "California Supreme Court Confirms Validity Of Meal Period Waivers For Healthcare Employees," December 12, 2018
- "Sheppard Mullin Secures Major Victory for Chipotle in Nationwide Misclassification Action By Demonstrating Variations Among Proposed Class Members," April 10, 2017
- "California Court of Appeal Affirms Validity of Hospital Meal Period Waivers," March 16, 2017
- "Supreme Court Holds That Rest Periods Must Be Free From Duties And Employer Control," January 3, 2017

## Books

Wage and Hour Manual for California Employers - 24th Edition  
08.2021

California's Employee vs. Independent Contractor Rules Under Dynamex, AB 5 and AB 2257 - 2nd Edition  
07.2021

California's Private Attorneys General Act (PAGA) – Litigation And Compliance Manual - 2nd Edition  
06.2021

Employee Handbook and Personnel Policies Manual - 16th Edition  
04.2021

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 7th Edition  
03.2021

Book of Human Resources Forms - 8th Edition  
02.2021

Employer's Guide To COVID-19 And Emerging Workplace Issues: Year 2  
02.2021

Family and Medical Leave Manual for California Employers - 15th Edition  
01.2021

California's Paid Family Leave Law and FTDI Benefits - 6th Edition  
01.2021

WARN Employer's Guide to California and Federal Mass Layoff and Plant Closing Rules - 9th Edition  
01.2021

Sexual Harassment Training and Prevention Manual - 19th Edition  
01.2021

Leaves of Absence and Time Off From Work Manual - 21st Edition  
01.2021

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 6th Edition  
11.2020

Employer's Guide To COVID-19 And Emerging Workplace Issues (Over 690 pages)  
04.21.2020

Employer's Guide to SB 198 Injury and Illness Prevention Programs and the California Corporate Criminal Liability Act - 4th Edition  
02.2020

California's Employee vs. Independent Contractor Rules Under AB 5 and Dynamex  
02.2020

Wage and Hour Manual for California Employers - 23rd Edition  
02.2020

Book of Human Resources Forms - 7th Edition  
02.2020

California's Private Attorneys General Act (PAGA) – Litigation And Compliance Manual  
02.2020

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 6th Edition  
01.2020

COBRA-Employer's Guide to the Federal Health Insurance Rules - 12th Edition  
01.2020

Employer's Guide to the Federal Family and Medical Leave Act - 11th Edition  
01.2020

Employer's Guide to Workplace Security and Violence Prevention - 6th Edition  
01.2020

Leaves of Absence and Time Off From Work Manual - 20th Edition  
01.2020

Sexual Harassment Training and Prevention Manual - 18th Edition  
01.2020

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 6th Edition  
01.2020

California's Paid Family Leave Law and FTDI Benefits - 5th Edition  
01.2020

Wage and Hour Manual For New York Employers  
07.2019

Employer's Guide to Workplace Security and Violence Prevention - 5th Edition  
03.2019

Book of Human Resources Forms - 6th Edition  
02.2019

Employee Handbook and Personnel Policies Manual - 15th Edition  
02.2019

Employment Discrimination and EEO Practice Manual For California Employers - 12th Edition  
01.2019

Family and Medical Leave Manual for California Employers - 13th Edition  
01.2019

Leaves of Absence and Time Off From Work Manual - 19th Edition  
01.2019

Sexual Harassment Training and Prevention Manual - 17th Edition  
01.2019

Wage and Hour Manual For California Employers - 22nd Edition  
01.2019

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 5th Edition  
01.2019

WARN Employer's Guide to California and Federal Mass Layoff and Plant Closing Rules - 8th Edition  
01.2019

California's Paid Family Leave Law and FTDI Benefits - 4th Edition  
01.2019

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 5th Edition  
01.2019

Employer's Guide to the Federal Family and Medical Leave Act - 10th Edition  
01.2019

Wage And Hour Manual For California Employers - 21st Edition  
02.2018

Sexual Harassment Training and Prevention Manual - 16th Edition  
01.2018

Leaves of Absence and Time Off From Work Manual - 18th Edition  
01.2018

Book of Human Resources Forms - 5th Edition  
01.2018

California's Sick Pay Obligations - The Healthy Workplaces, Healthy Families Act - 4th Edition  
01.2018

Wrongful Discharge, Staff Reduction And Employment Practices Manual - 5th Edition  
01.2018

WARN Employer's Guide to California and Federal Mass Layoff and Plant Closing Rules - 7th Edition  
2017

Employment Discrimination And EEO Practice Manual For California Employers - 11th Edition  
2017

California's Meal and Rest Period Rules: Proactive Strategies For Compliance - 4th Edition  
2017

Employee Handbook and Personnel Policies Manual - 14th Edition  
2017

Family and Medical Leave Manual for California Employers - 12th Edition  
2015

California's Paid Family Leave Law: SB 1661 - 3rd Edition  
01.2014

Employer's Guide to the Federal Family and Medical Leave Act - 9th Edition  
01.2010

COBRA-Employer's Guide to the Federal Health Insurance Rules - 11th Edition  
03.2009

California Employer's Guide to the Federal Overtime Exemptions  
02.2007

California's Anti-Business Employment Laws - 2nd Edition  
02.2007

California's "Sue Your Boss" Law - Compliance Audits Under the California Labor Code and Private Attorneys  
General Act of 2004  
2004

Wage and Hour Manual For California Hotels, Motels, and Restaurants

Hospital Wage-Hour Manual

Guide to EEO Practices and Employment Discrimination Laws for Hotels, Motels, and Restaurants

Management Guide to Equal Employment Opportunity and Affirmative Action

Employer's Guide To Workplace Security And Violence Prevention - 4th Edition  
12.2002

The Federal Polygraph Law-The Employee Polygraph Protection Act of 1988  
12.2002

The Federal Immigration Law - 2nd Edition  
11.2002

Employer's Guide to SB 198 Injury and Illness Prevention Programs and the California Corporate Criminal Liability Act - 3rd Edition  
10.2002

Employer's Guide to the Americans With Disabilities Act  
10.2002

AB 60-The Reform of California's Wage And Hour Laws - 4th Edition  
10.2002

The Hospital Equal Employment Opportunity Manual

Employer Obligations Under the Federal Plant Closing Law

## Media Mentions

Rainmaker Q&A: Sheppard Mullin's Richard Simmons  
*Law360*, 08.31.2016

A Big Law Partner's Laker Love Affair  
*Bloomberg BNA Big Law Business*, 04.14.2016

Employment MVP: Sheppard Mullin's Richard Simmons  
*Law360*, 12.07.2011

Logging a String of Big Wins in Labor & Employment  
*Daily Journal*, 02.09.2011

Employment Defense - Simmons  
California lawyers companies turn to first  
*Daily Journal*, 07.14.2010

Steeped in Employment Law  
01.23.2006

Interview with Richard J. Simmons  
02.23.2002

## Speaking Engagements

Mr. Simmons has lectured nationally on wage and hour, employment discrimination, wrongful termination, and other labor relations matters.

He has also been a lecturer at graduate labor law courses presented by the University of California at Los Angeles and the University of Southern California, and has appeared as an authority on labor law and employee benefit issues on the CBS Evening News and NBC Nightly News.

## Events

2021 Employee Handbook And Personnel Policies  
Castle's Seminar Experience  
In Person OR Virtual, 09.21.2021

2021 Employment Discrimination And Employee Relations Laws  
Castle's Seminar Experience  
In Person OR Virtual, 09.15.2021

2021 Wage And Hour Laws  
Castle's Seminar Experience  
In Person OR Virtual, 09.14.2021

2021 Wage And Hour Laws  
Castle's Seminar Experience  
Live Broadcast, 04.01.2021

2021 Employment Discrimination And Employee Relations Laws  
Castle's Seminar Experience  
Live Broadcast, 03.25.2021

2021 Employee Handbook And Personnel Policies  
Castle's Seminar Experience  
Live Broadcast, 03.18.2021

14th Annual Labor and Employment Law Virtual Conference  
American Bar Association  
November 11-13, 2020

2020 Employee Handbook And Personnel Policies  
Summer 2020  
Live Broadcast Experience, 09.24.2020

2020 Employment Discrimination And Employee Relations Laws  
Summer 2020  
Live Broadcast Experience, 09.17.2020



2020 Wage And Hour Laws

Summer 2020

Live Broadcast Experience, 09.10.2020

Reopening America – The Return To Revamped Workplaces During The Pandemic

Webinar, 05.13.2020

POSTPONED: 2020 Wage And Hour Laws

Winter 2020

2020 Employee Handbook And Personnel Policies

Winter 2020

2020 Employment Discrimination And Employee Relations Laws

Winter 2020

2019 Wage And Hour Laws

Summer 2019

2019 Employee Handbook And Personnel Policies

Summer 2019

2019 Wage And Hour Laws (NY)

Sheppard Mullin Office - 30 Rockefeller Plaza, 09.10.2019

2019 Employment Discrimination And Employee Relations Laws

Summer 2019

2019 Wage And Hour Laws

Winter 2019

2019 Employee Handbook And Personnel Policies

Winter 2019

2019 Employment Discrimination And Employee Relations Laws

Winter 2019

2018 Wage and Hour Laws

Summer 2018

2018 Employee Handbook And Personnel Policies

Summer 2018

2018 Employment Discrimination and Employee Relations Laws

Summer 2018

2018 Wage And Hour Laws

Winter 2018

2018 Employee Handbook And Personnel Policies

Winter 2018

2018 Employment Discrimination And Employee Relations Laws  
Winter 2018

2017 Leaves And Local Ordinances  
Summer 2017

2017 Wage and Hour Laws  
Summer 2017

2017 Employee Handbook and Personnel Policies  
Summer 2017

2017 Employment Discrimination and Employee Relations Laws  
Summer 2017

2017 Employee Handbook and Personnel Policies  
Winter 2017

2017 Employment Discrimination and Personnel Laws  
Winter 2017

2017 Wage and Hour Laws  
Winter 2017

2016 Wage and Hour Laws  
Castle Publications, Ltd. Labor & Employment Seminars  
Fall 2016

2016 Employee Handbook and Personnel Policies  
Castle Publications, Ltd. Labor & Employment Seminars  
Summer 2016

2016 Employment Discrimination and Personnel Relations Laws  
Castle Publications, Ltd. Labor & Employment Seminars  
Summer 2016

2015 Wage and Hour Laws  
Castle Publications, Ltd. Labor & Employment Seminars  
Summer 2015

2015 Employee Handbook and Personnel Policies  
Castle Publications, Ltd. Labor & Employment Seminars  
Summer 2015

2015 Employment Discrimination and Personnel Relations Laws  
Castle Publications, Ltd. Labor & Employment Seminars  
Summer 2015

2015 Wage and Hour Laws

Castle Publications, Ltd. Labor & Employment Seminars

Winter 2015

2015 Employee Handbook and Personnel Policies

Castle Publications, Ltd. Labor & Employment Seminars

Winter 2015

2015 Employment Discrimination and Personnel Relations Laws

Castle Publications, Ltd. Labor & Employment Seminars

Winter 2015

2014 Employee Handbook And Personnel Policies

Summer 2014: August 14 and 26

2014 Employment Discrimination and Personnel Relations Laws

Summer 2014: August 13 and 21

2014 Wage and Hour Laws

Summer 2014: August 12 and 20

2014 Wage and Hour Laws

Winter 2014: February 19, March 4 and 20

2014 Employee Handbook and Personnel Policies

Winter 2014: March 6 and 12

2014 Employment Discrimination and Personnel Relations Laws

Winter 2014: February 20 and March 5

2013 Employee Handbook and Personnel Policies - Pasadena Area and Orange County

Winter 2014: February 28 and March 12; Summer 2013: August 1 and 20

2013 Employment Discrimination and Personnel Relations Laws - Pasadena Area and Orange County

Summer 2013: July 31, August 15

2013 Wage and Hour Laws - Pasadena Area, Los Angeles, and Orange County

Summer 2013: July 30, August 7, August 14

2012 Employee Handbook And Personnel Policies - Pasadena, Orange County and Los Angeles

Winter 2012: February 24, March 8 and 14; Summer 2012: August 2, 14 and 16

2012 Employment Discrimination And Personnel Relations Laws - Orange County, Pasadena and Los Angeles

Summer 2012: July 26, August 1 and August 8

2012 Wage And Hour Laws - Orange County, Pasadena and Los Angeles

Summer 2012: July 25, July 31 and August 7

Meal Periods, Rest Periods and Labor Code Class Actions After *Brinker*

WebEx, 04.18.2012

2012 Employee Handbook and Personnel Policies - San Francisco, Orange County, Pasadena and Los Angeles  
Winter 2012: February 8, February 24, March 8 and March 14

2012 Employment Discrimination and Personnel Relations Laws - San Francisco, Orange County, Pasadena and Los Angeles  
Winter 2012: February 7, February 16, February 23 and March 1

2012 Wage and Hour Laws - San Francisco, Orange County, Pasadena and Los Angeles  
Winter 2012: February 6, February 15, February 22 and February 29

The Aftermath of AT&T Mobility v. Concepcion  
Labor & Employment Law Webinar  
WebEx, 05.26.2011

2011 Employee Handbook And Personnel Policies - San Francisco, Pasadena, Orange County and Los Angeles  
Winter 2011: February 9, February 25, March 8 and March 10

2011 Employment Discrimination And Personnel Relations Laws - San Francisco, Orange County, Pasadena and Los Angeles  
Winter 2011: February 8, February 16, February 24, and March 3

2011 Wage and Hour Laws - San Francisco, Orange County, Pasadena and Los Angeles  
Winter 2011: February 7, February 15, February 23, and March 2

2010 Employee Handbook and Personnel Policies Series - Los Angeles, Orange County, San Francisco and Pasadena

2010 Employment Discrimination and Personnel Relations Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2010 Wage and Hour Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2009 Employee Handbook and Personnel Policies Series - Los Angeles, Orange County, San Francisco and Pasadena

2009 Employment Discrimination and Personnel Relations Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2009 Wage and Hour Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2008 Employee Handbook and Personnel Policies Series - Los Angeles, Orange County, San Francisco and Pasadena

2008 Employment Discrimination and Personnel Relations Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

2008 Wage and Hour Laws Series - Los Angeles, Orange County, San Francisco and Pasadena

California Hospital Association: Labor and Employment Law Seminar  
Dec. 5, Sacramento and Dec. 12, Garden Grove, 12.2007

## Memberships

Member, California Society for Health Care Attorneys

Member, American Society for Health Care Attorneys

Member, Labor Law and Tax Sections, American and Los Angeles Bar Associations

Member, National Advisory Board, Berkeley Journal of Employment and Labor Law, published by Boalt Hall School of Law at the University of California in Berkeley

## Practices

Labor and Employment

Employee Benefits/ERISA

Labor and Employment Counseling

Employee Hiring/Discipline/Termination

Handbooks and Personnel Policies

Wage and Hour Regulations

Labor and Employment Litigation

Labor Union Management Relations

Wage and Hour Class Actions

Healthcare

International Reach

Latin America

## Industries

Food and Beverage

Healthcare

## Education

J.D., University of California, Berkeley, Editor-in-Chief of the *Industrial Relations Law Journal* (now the *Berkeley Journal of Employment and Labor Law*)

B.A., University of Massachusetts, *summa cum laude*