



→ Victoria Tallman

Associate

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Victoria Tallman is an associate in the Labor and Employment Practice Group in the firm's San Francisco office.

Areas of Practice

Victoria Tallman helps employers navigate the difficult terrain of running a business, taking care of employees, complying with their legal obligations as employers, and doing the right thing. Her insight from experience in human resources gives Victoria a unique perspective and understanding of the "business decisions" that need to be made on a daily basis in a fast-paced business environment. Victoria's dedication shows in her prompt advice to clients, not only in making decisions once a problem has arisen, but in setting businesses up to proactively prevent those problems from arising. Victoria also provides training, conducts workplace investigations, and attentively and artfully defends her employer clients in all aspects of litigation. Her counseling practice covers a broad range of employer issues, with a particular focus on disability accommodation, misclassification (both for exempt status and employee vs. independent contractor), paid sick-leave ordinances, employee leaves of absence, and performance management, as well as drafting and revising employee handbooks and policies.

Victoria has experience representing large national and international corporations, as well as small employer operations and nonprofits, from pre-litigation through post-trial motion practice, and representing employers through administrative agency proceedings. Her litigation practice includes single- and multi-plaintiff cases as well as class and representative actions, covering claims involving discrimination, harassment, misclassification, retaliation, and wrongful termination, as well as wage and hour matters. Victoria served as second chair in two trials, one resulting in a complete defense verdict following a two-week trial, the other settling (favorably for the defense) just before the conclusion of the plaintiff's case-in-chief.

Honors

Northern California Rising Stars, *Super Lawyers*, 2017-2020

Experience

- Provides advice and counsel to various employers, including significant experience with new companies, and those in the food and beverage, hospitality, travel, medical, and retail industries.
- Assists communication clients in evaluating and revising their agreement with distributors to limit liability.
- Defends retailers, airlines, travel industry employers, restaurants and distributors in matters brought by current or former employees.

- Successful motion for summary judgment dismissed class claims within six months of plaintiffs' filing a California statewide class action complaint alleging pre-employment training for job candidates was compensable time under the FLSA and state law. In its decision, the court ruled that job candidates who participated in the pre-employment training program were not engaged in work under the FLSA and California state law, resulting in dismissal of all class claims. (N.D. Cal. 2016)
- Has positively resolved wage and hour class actions, including statewide and national classes, through vigorous defense and taken matters through class notice, court approval (preliminary and final), and funds distribution processes following successful negotiation of resolution.
- Obtained dismissal of an action in the Northern District of California at the pleadings stage in a race discrimination matter.(N.D. Cal. 2016)
- Second-chaired trial in a disability discrimination and wrongful termination case, resulting in a complete defense verdict following a two-week jury trial. (Alameda Cnty. (Cal.) Sup. Ct. 2014)
- Second-chaired a jury trial on a case involving a workplace injury alleged to fall within the narrow exceptions to workers' compensation exclusivity – which resolved favorably for the employer defendant following the close of plaintiff's case-in-chief. (Marin Cnty. (Cal.) Sup. Ct. 2013)

Memberships

Co-chair, Barristers Club, Marin County Bar Association, 2016

Junior League of San Francisco, 2017

Practices

Labor and Employment

Labor and Employment Counseling

Handbooks and Personnel Policies

Labor and Employment Litigation

Discrimination, Harassment, and Retaliation

Wage and Hour Class Actions

Employee Hiring/Discipline/Termination

Employment Agreements

Wage and Hour Regulations

Workplace Violence

Wrongful Termination

Industries

Food and Beverage

Hospitality

Retail

Telecom

Education

J.D., University of San Francisco School of Law, 2010

B.A., University of California, Davis, 2006

Admissions

California

U.S. District Court for the Central District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Southern District of California