



→ Tyler Z. Bernstein

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Tyler Z. Bernstein is a partner in the Labor and Employment Practice Group in the firm's Orange County office.

Areas of Practice

Tyler has a robust practice covering the full gamut of labor and employment litigation and counseling for employers of all industries. His practice also includes an additional focus on business-to-business disputes, risk and crisis management, and corporate governance. Tyler is a first-chair litigator with extensive experience successfully defending against “bet the company” litigations and arbitrations, and has deep experience litigating single-plaintiff claims of all types and wage-hour representative and class actions in state and federal court. He also routinely provides general preventative advice and counseling to employers, management, and boards of directors on the full spectrum of personnel and compliance matters.

Experience

- Defeated a former executive's breach of contract and fraud claims against a national retailer client following a multi-day arbitration. The former executive sought nearly \$5 million in allegedly unpaid compensation under his employment contract, as well as waiting time penalties and punitive damages. After receiving testimony from five witnesses and receiving almost 100 exhibits, the Arbitrator rejected virtually all of the former executive's claims, finding that the employer paid the former executive all compensation that was due and owing and did not owe the executive the amounts he sought.

Articles

- What New Calif. Law Means For Employer Cannabis Tests
Law360, 10.19.2022
- Recent Employer Lessons On Facing Calif. Labor Hearings
Law360, 09.01.2022

Consumer Finance and Fintech Blog

- "Treasury Department Proposes Non-Loan Status for Earned Wage Access," May 16, 2022

Labor and Employment Law Blog Posts

- "California Expands Employees' Right to Off-Duty Cannabis Use," October 7, 2022

- "Expanded Limitations Period and Individual Liability for Employers Facing Labor Commissioner Hearings," August 8, 2022

- "UPDATE: President Biden Signs Bipartisan Bill to End Mandatory Arbitration of Sexual Harassment and Assault Claims in the Workplace," March 4, 2022
- "Congress Passes Bipartisan Bill to End Mandatory Arbitration of Sexual Harassment and Assault Claims in the Workplace," February 18, 2022
- "Return of the Mask: CDC Issues New Recommendations for Fully Vaccinated Individuals," July 29, 2021
- "California Legislative Update: Employment-Related Bills on the Horizon," March 8, 2021
- "AB 1947'S New Filing Period for DLSE Claims and Attorney's Fees Provisions: Coronavirus Legislation in Sheep's Clothing?," October 6, 2020
- "Where's the Meat? Interim Federal Guidance for Meat Plant Worker Safety," May 1, 2020
- "Pay Day, Every Day? Instant Pay Apps and Their Wage and Hour Implications," December 18, 2019
- "Coming Soon? Expanded Employment Protections for Victims of Sexual Harassment," August 19, 2019
- "No Rest For The Weary – California Employment Legislation Update," April 26, 2019
- "Mother's Milk: NYC Braces for New Workplace Lactation Room Requirements," December 18, 2018

Cannabis Law Blog

- "California Expands FEHA to Include Off The Job Cannabis Use," September 15, 2022

Media Mentions

Sheppard Mullin Names 10 Partners In Calif., New York
Law360, 03.03.2023

Practices

Labor and Employment

Labor and Employment Counseling

Labor and Employment Litigation

Industries

Cannabis

Food and Beverage

Hospitality

Education

J.D., Boston College, 2013, *cum laude*

B.A., Cornell University, 2009

Admissions

California

New York