![Littler]

Rachael S. Lavi

Shareholder

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Practice Areas

Leave and Accommodation
Class Action
Wage and Hour
Discrimination and Harassment
Emerging Companies and Venture Capital

Overview

Rachael Lavi's practice focuses on the defense of clients in all industries in the field of wage and hour class, representative and single plaintiff actions. Her dedication to high work quality, coupled with an understanding of business needs and practical solutions, allow her to effectively recommend the proper course of action needed to assist clients with a wide range of issues.

She has handled cases in state and federal court, as well as before administrative agencies, achieving cost-effective, favorable results, including the following:

- Collaboratively obtained multiple successful arbitration orders in misclassification claims against a gig-economy client
- Obtained ruling dismissing a tip-pooling case at the pleadings stage for a retail client, which was affirmed on appeal
- Obtained ruling dismissing a Private Attorneys General Act (PAGA) representative claim at the pleadings stage for a large retail client
- Obtained early and strategic ruling finding that plaintiff's counsel was inadequate in a wage and hour class action, a highly unusual finding, especially in an early procedural stage
- Obtained ruling dismissing numerous wage and hour claims at the pleadings stage based on outside sales exemption
- Obtained summary judgment on two disability discrimination claims for a childcare provider
- Obtained ruling denying class certification on a meal break class action alleging retail client's policy unlawful, paving the way for a favorable settlement of claims

- Obtained ruling denying class certification and striking PAGA representative claims on an expense reimbursement claim for an energy client
- Tried and resolved numerous cases before the California Division of Labor Standards Enforcement involving wage and hour disputes
- Succeeded on countless motions to compel arbitration of claims in both class and single plaintiff matters

Rachael's robust litigation practice also informs her advice work, and provides the tools she needs to provide clients with practical guidance to ensure compliance with rapidly evolving California labor and employment laws, including with regards to wage and hour compliance, terminations, leaves of absence, and disability accommodation. Rachael also crafts California compliant policies and procedures, including wage and hour policies, meal period waivers, FMLA/CFRA policies, California sick leave policies, and vacation policies.

She has developed particular experience in assisting companies in the emerging growth sector to ensure and maintain compliance with California rules and regulations, and has partnered with accelerator programs to provide training to founders and equip companies with the tools they need to ensure compliance through key stages of growth.

During law school, Rachael was a judicial extern for the Hon. Andrew Wistrich of the U. S. District Court, Central District of California and served as a lead articles editor on the *Pepperdine Law Review.*

Professional and Community Affiliations

- Member, American Bar Association

Events & Speaking Engagements

2019 Southern California Employer Conference
October 23, 2019

Recognition

- Order of the Coif
- Dean's List *Pepperdine University School of Law*
- Dean's Scholar *Pepperdine University School of Law*
- Recipient, CALI Excellence for the Future Award

Education

J.D., Pepperdine University School of Law, 2013, *magna cum laude*
B.A., Brandeis University, 2009

Bar Admissions

California

Courts

U.S. District Court, Central District of California

Publications & Press

California Supreme Court Rules that Trial Courts Lack Inherent Authority to Strike PAGA Claims on Manageability Grounds

Littler ASAP

January 22, 2024

Littler Elevates 28 Attorneys to Shareholder

Press Release

January 6, 2020