



Principal, Orange County

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Practices

- National Compliance and Multi-State Solutions
- California Class and PAGA Action
- Class Actions and Complex Litigation
- Corporate Diversity Counseling
- Environmental, Social and Governance (ESG)
- ESG Audio Guide
- Hospitality
- Hotels
- Employment Litigation
- Restaurants
- Technology
- Wage and Hour
- Workplace Training
- Construction
- Real Estate

Education

- University of California, Berkeley, MBA 2008
- Boston College Law School, J.D. 1997
- Bucknell University, B.A. 1994

Admitted to Practice

- 9th Circuit Court of Appeals 2003
- California - C.D. Cal. 2004
- California - E.D. Cal. 2016
- California - N.D. Cal. 2004
- California - S.D. Cal. 2018
- California 2003

Michael Thomas is a principal in the Orange County, California, office of Jackson Lewis P.C. and a co-leader of the firm's Corporate Diversity Counseling practice group. Combining an MBA-level understanding of business with core emotional intelligence and empathy, Michael's multidisciplinary practice is built on listening, collaboration and—above all—focused on achieving clients' goals.

Understanding that clients are facing increasing calls from internal and external stakeholders to proactively address DEI and ESG across their business, Michael works with clients to balance today's complex web of decisions, laws and interests with varying legal, reputational and litigation risk with the often-competing demands for greater transparency. Michael's training includes a Diversity and Inclusion Certification from Cornell University and a yoga certification from the Niroga Institute in Berkeley where he studied yoga, mindfulness, and meditation and which he leverages to motivate employers to create workplaces where both employees and business thrive in unison.

Michael assists clients in developing and implementing goal-driven, legally compliant DEI initiatives using current best practices, neuroscience, adult learning, experiential learning, dialogue, body awareness and mindfulness. He provides DEI workplace trainings on topics including unconscious bias and microaggression, as well as psychological safety and inclusive leadership.

Michael has also conducted customized in-house seminars and training for managers, supervisors, and employees concerning employment compliance, including but not limited to trainings regarding workplace harassment, discrimination and retaliation, wage and hour issues, workplace violence and effective communication in the workplace.

Juxtaposed against building unified strategic initiatives in his DEI practice, Michael's dedication to exceptional client service extends to defending employers in state and federal wage and hour class actions, litigation brought under the Private Attorney General's Act (PAGA), and single plaintiff cases.

Michael's record of success obtaining pre-trial dismissals, successful settlements, and defense verdicts includes employers in a wide variety of industries, including manufacturing, retail, restaurant, hospitality, transportation, janitorial services, security services, and the gig economy.

Michael's experience as lead defense counsel in resolving class and PAGA action experience includes:

- Class action brought on behalf of over 2,000 hotel employees involving claims of minimum wage, overtime, meal and rest period, reporting time pay, regular rate of pay, and wage statement violations.
- PAGA representative action filed on behalf of approximately 200 limousine drivers

involving minimum wage, overtime, meal and rest periods, and expense reimbursement claims.

- PAGA representative action and class action involving over 15,000 janitors alleging unpaid minimum wages; unpaid overtime; and unpaid expense reimbursement for uniforms, safety shoes, and cell phone use.
- PAGA representative action and class action filed against a large museum on behalf of security guards involving allegations of piece-rate payment violations, off-the-clock work, unpaid rest periods, and waiting time violations.
- PAGA representative action and class action involving over 5,000 independent contractors in the gig economy claiming they were misclassified.
- Class action alleging donning and doffing claims at a manufacturing facility brought on behalf of over 250 production workers.

Honors and Recognitions

- *Savoy Magazine*, "Most Influential Lawyers" (2024)
- *Thomson Reuters*, "Stand-Out Lawyer" (2024)
- *Southern California Super Lawyers®*, "Super Lawyers" (2024-present)
- *Los Angeles Times*, "DEIA Visionary" (2022-present)
- *National Bar Association*, "Top 100 Black Lawyers" (2018, 2019)
- American Arbitration Association Higginbotham Fellow (2018)

Pro Bono and Community Involvement

- University of California at Berkeley Haas School of Business Alumni Network of Southern California Board Member
- Board Member, Crystal Stairs, Inc.

Published Works

- "To Retain Minority Attorneys, Aim for 'Psychological Safety,'" *Law360*, (December 21, 2021) [Commenter]
- "A New Year: Tools for Employer to Renew and Enhance Commitments to Racial Equity in the Workplace," (January 14, 2021) [Author]
- Class Action Trends Report Fall, (November 3, 2020) [Co-Author]
- Inclusivity and High Performance Begins with Psychological Safety, (October 14, 2020), [Co-Author]
- Additional Information Released on 'Combating Race and Sex Stereotyping' Order; 'Hotline' Established, (September 30, 2020), [Co-Author]
- "AB 979 Requires California-Based Publicly Held Corporations to Diversify Their Boards of Directors," (September 30, 2020) [Co-Author]
- "Local Ordinance, Massive Implications: Sonoma County Supplemental Paid Sick Leave," (August 25, 2020), [Co-Author]
- "Preventing Workplace Violence by Examining Trauma and the NFL," *Association of Corporate Counsel* Quick Counsel Articles (December 2015) [Author]
- "San Francisco's Fair Chance Ordinance Limits Criminal Conviction Inquiries," *Law Alert* (August 2014) [Author]

Speeches

- "Workplace Diversity, Equity and Inclusion: Considerations from Across Organizational Employment, and Data Privacy and Security Perspectives," The LGBTQ+ Bar (Los

Angeles, CA, July 2022) (panelist)

- "De Facto DEI Professionals and the DEI Data Dilemma," 35th Annual Corporate Counsel Conference: Turn Up the Heat (Miami, FL, February 2022) (presenter)
- "Five Ways to Avoid Implicit Bias in Your Hiring Process," Independent Community Bankers of America Conference (San Antonio, TX, January 2022) (presenter)
- "Unconscious Bias Training and Equity," Jackson Lewis (December 2021) (presenter)
- "Microaggressions in the Workplace," Waymo (November 2021) (panelist)
- "Diversity, Equity and Inclusion Strategic Planning," Independent Community Bankers of America (October 2021) (presenter)
- "Practicing Self-Care and Prioritizing Wellness at Work," California Minority Counsel Program and Black Women Lawyers (October 2021) (panelist)
- "Inclusive Leadership: Reversing the Course of Polarization in the Workplace and Embarking on a New Journey Together," Elevate Indiana! Diversity, Equity & Inclusion Best Practices for Business and Industry (Carmel, IN, October 2021) (presenter)
- "Empowering Attorneys to Fight Against Hate: A Two-Part Roundtable Discussion Addressing the Rising Tide of Hate and Violence Against AAPIs and What We Can Do as Employment Attorneys to Combat Racism," The California Employment Lawyers Association and the Foundation for Advocacy Inclusion & Resources (June 2021) (panelist)
- "Racism & Privilege," NY Diversity Council (April 2021) (presenter)
- "Diversity and Inclusion: What Is or Is Not Allowed?" L&E Global (March 2021) (panelist)
- "Pathway to Partnership," University of San Francisco School of Law, Black Law Students Association (March 2021) (panelist)
- "Race, Politics, and Religion in the Workplace - Hot Topics as Employees Return to Work" ACC CLE (Los Angeles, April 2021) (presenter)
- "Understanding Intergenerational Trauma and its Impact on the Workplace," Change Catalyst (June 2020) (podcast presenter)
- "Managing Rapid Change" California Minority Counsel Program (May 2020) (presenter)
- "Managing Rapid Change for Diverse Attorneys" National Bar Association, Commercial Law Section (May 2020) (presenter)
- "How to Win or Lose a Class Action in the First 90 Days," National Bar Association, Commercial Law Section, National Conference (February 2020) (panel organizer and moderator)
- "Class Action and Collective Action Litigation," National Bar Association, Labor and Employment Committee Conference (October 2019) (panelist)
- "Equity by Design Panelist-Pay Equity in Architecture", American Assoc. of Architects (November 2018) (panelist)
- "Virtual Reality and Bias in the Workplace", Association of Corporate Counsel of Northern California and PayPal (October 2017) (panelist)
- "Virtual Real and Bias in the Workplace", Association of Corporate Counsel of Northern California and Salesforce (October 2017) (panelist)
- "Association of Corporate Counsel Compliance Day Panelist-Kickstart Your California Employment Compliance" (June 2017) (panelist)