

Joel M. Van Parys

Sacramento Office Co-Managing Partner
900 University Avenue, Suite 200
Sacramento, CA 95825
jvanparys@cdflaborlaw.com
(916) 361-0991



About Joel

Representative of Joel M. Van Parys' litigation counsel is his handling of a putative class action for a national retail employer. He obtained a summary judgment ruling dismissing plaintiffs' claims for off-the-clock work, and missed meal and rest periods. In other cases, he successfully argued for and achieved summary judgment of claims for California-based wrongful termination, discrimination, harassment, and retaliation.

Van Parys regularly uses prompt action and conducts thorough investigations to efficiently resolve claims and disputes. In several cases, he has negotiated resolution of a case before summary judgment using damaging information about the plaintiff uncovered during his case investigation.

He represents management in all aspects of the employer/employee relationship. This includes litigation defense of claims for wrongful termination, discrimination and harassment, retaliation, wage and hour violations, employee misclassification - with an emphasis on independent contractor claims - and Unfair Competition.

In conjunction with his litigation counsel, Van Parys maintains a significant practice advising companies on managing and avoiding employment risks. His experience includes counseling and representing employers with California workforces and operations in such sectors as health services, retail, media, food and agriculture, public services and construction.

Publications

" Solar Companies Working with Independent Contractors is Risky Business," *Solar Industry Magazine*, October 2023

"Contractor Law & 1099 Risks," *California Solar & Storage Association*, March 2022

" How to Avoid Timekeeping Pitfalls," Co-Author, *HR.com*, January 2021

" California Bill Means 'End for Independent Trucking' in State," Contributor, *Heavy Duty Trucking*, September 2019

" Uncertainty Abounds in California After 9th Cir. Withdraws Classification Ruling"

Education

McGeorge School of Law,
University of the Pacific, J.D.,
with distinction, 2003

- *McGeorge Law Review*, Comment Editor, 2002-2003; Comment Writer, 2001-2002
- Dean's list, 2000-2003

University of California at Davis,
B.A., 2000

Written Opinions

Anthoine v. North Central Counties Consortium et al. (9th Cir. 2010) 605 F.3d 740

- Summary judgment of discrimination and retaliation claims

Walsh v. Ikon Office Solutions, Inc. (2007) 148 Cal. App. 4th 1440

- Decertification of a California class action for account managers



Contributor, *HR Dive*, July 2019

"Staff Alcohol Consumption - Is Your Brewery At Risk" *Craft Beer & Brewing Magazine's Qtr 3 2018 Brewing Industry Guide*, July 2018

Podcast, "California Employment Laws That Affect Breweries," *The Brewery Network*, April 2018

"California Breweries, Here's How to Stay Compliant with CA Labor/Employment Laws," *Craft Brewing Business*, May 4, 2017

"Patience Pays Off: Employer Put Up With Performance, Attendance Issues Long Enough," *California Employment Law Letter*, February 2017

"Concealed Firearms: Are Custodial Deputies Exempt From Permit Requirement or Not?" *California Employment Law Letter*, September 5, 2016

"\$8 Million Award for Wrongful Termination, Sexual Harassment Might be a Bit Much" *California Employment Law Letter*, May 13, 2013

"Employer Prevails on Reporting Time and Split Shift Claims, Recovers Its Fees" *California Employment Law Letter*, October 2012

Presentations

"Everything You Really Need to Know, Right Now, About the Cal/OSHA COVID-19 Prevention Emergency Temporary Standards," Panelist, CDF Webinar Series, June 2021

"*Dynamex* – One Year Later: A Survey of Post *Dynamex* Developments and Issues In The Year Since It Was Published," Co-Presenter, CDF Webinar Series, June 2019

"Managing Employees – Make The Law Work For You," California Craft Brewers Association (CCBA) Spring Conference, San Diego, April 2018

"Independent Contractors: How To Recognize And Manage Liability With Changing Laws and Aggressive Government Pressure," CDF Webinar Series, September 2016

"Background Checks: Know the Dangers and Get the Info Your Company Needs," San Joaquin Human Resources Association, February 2016

"Exempt or Non-exempt or Contractor: Getting Employee Classification Right," BLR®, December 2015

"Jeopardizing Exempt Status Under California & Federal Law," BLR®, November 2015

"Managing and Addressing Employee Performance in A Post-Complaint Workplace," SEAC, August 2015

"Steps Employers Can Take To Be Prepared To Respond to Administrative Agency Complaints and Lawsuits," SEAC, August 2015

"Independent Contractors & Interns: The Most Dangerous Types Of Workers In California," CDF Webinar Series, July 2015

"AB 1825 Harassment Training," California Employer Advisor™ Webinar, October 2013

"Employee Termination & Resignation: Managing Final Pay Issues and Knowing Employers' Rights and Obligations When the Employment Relationship Ends," Business & Legal Resources (BLR®), April 2013

"New Year, New Laws, New California Employee Handbook: What to Change and What to Keep in 2013," Business & Legal Resources (BLR®), January 2013

"Commission Sales Agreements in California: Knowing the New Law and Managing Your Risk," Business & Legal Resources (BLR®), October 2012

"Commission Sales Agreements in California: How to Manage Your Risks and Obligations Under A.B. 1396," HR Hero, June 2012

"Independent Contractor Misclassification: The Rules and Risks," CDF Webinar Series, July 2011

"Independent Contractors: The Risks for Employers," Bay Area Human Resources Association, January 2011

"Effective Workplace Investigations," Sacramento Area Human Resources Association, 2009

"Litigating Religious Discrimination Claims," Sacramento Area Human Resources Association, 2008

"Wage and Hour Law: An Update," San Joaquin Area Human Resources Association, 2008

"Employer Risks from Wage and Hour Law," Sacramento Area Human Resources Association, 2006

Professional Affiliations/Leadership/Awards

Listed, *Best Lawyers®*, Employment Law - Management, and Litigation - Labor & Employment, Sacramento, CA, 2022 - 2024

Listed, Top Lawyers, *Sacramento Magazine*, 2023

Sacramento County Bar Association, 2005 - Present

Civic Activities

Boys and Girls Club of Greater Sacramento

- Board of Directors, 2009 – Present
- Human Resources Committee member



C O U N S E L T O C A L I F O R N I A E M P L O Y E R S