



Arlene R. Yang
Principal

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Practice Groups

Labor and Employment
Workplace Investigations

Bar Numbers

297450 (CA)
2699973 (NY)
59411994 (NJ)

Court Admissions

U.S. Court of Appeals for the Ninth Circuit
U.S. District Courts - Southern District of
California, Central District of
California

Education

New York University School of Law, JD,
1994

Massachusetts Institute of Technology
Cambridge, MA, BS, Chemistry, 1991

Practicing Since: 2014 (CA), 1996 (NY),
1994 (NJ)

Arlene Yang is a Principal in the Labor and Employment Practice Group. She focuses her practice on employment counseling and litigation.

Arlene advises companies on employment law issues, including wage and hour matters, leave issues, reasonable accommodations for disabilities, and employment policies. She conducts workplace investigations, provides strategic advice to human resources managers, and represents employers with unionized workforce. She also specializes in litigation in state and federal court and proceedings before administrative agencies. Arlene is an experienced presenter on current employment laws and issues relating to implicit bias, discrimination, and harassment.

Prior to joining Meyers Nave, Arlene was a Partner and the Chief Practice Officer at an employment law boutique in San Diego that served local corporations and Fortune 50 companies headquartered throughout the U.S. She developed expertise in labor and employment litigation and counseling as an attorney at the U.S. Department of Homeland Security – both at the Transportation Security Administration (TSA) and at U.S. Customs and Border Protection.

Arlene also served as a litigator at the United States Department of Justice (Attorney General's Honors Program) and at an international law firm headquartered in New York City. After law school Arlene clerked for the Honorable Daniel H. Huyett, 3rd in the United States District Court for the Eastern District of Pennsylvania.

Honors and Awards

- San Diego Super Lawyers list: Employment & Labor: Employer, Employment Litigation: Defense, and General Litigation, *Super Lawyers Magazine*, 2020-2022

- “Best of the Bar,” *San Diego Business Journal*, 2016, 2017

Professional Affiliations

- Regional Governor, National Asian Pacific Bar Association - Southern California Region, 2022
- Alternative Regional Governor, National Asian Pacific Bar Association – Southern California Region, 2021-current
- Co-Chair Judicial Appointments Endorsement Committee, Lawyers Club of San Diego, 2021-current
- Member, Planning Committee, 2021 CMCP Women of Color Conference, 2021
- Board of Directors, Lawyers Club of San Diego, 2018-2021 Board of Directors, Lawyers Club of San Diego, 2018-2021
- VP Community Relations, Lawyers Club of San Diego, 2020-2021
- Co-Chair, Labor and Employment Committee, National Asian Pacific American Bar Association, 2016-2021
- President, transcENDANCE Youth Arts Project, 2020-current
- Board Member, transcENDANCE Youth Arts Project, 2017-current
- Panelist, U.S. Magistrate Judge Merit Selection Panel, Southern District of California, 2018-2020
- Member, Hon. William B. Enright American Inn of Court, 2015-2018
- Vice Chair, Labor and Employment Law Section, San Diego County Bar Association, 2017
- President, Pan Asian Lawyers of San Diego, 2015-2016
- Director, Pan Asian Lawyers of San Diego, 2014-2016
- President of the Board of Trustees, Nai-Ni Chen Dance Company, 2007-2012
- Trustee, Nai-Ni Chen Dance Company, 2002-2013

Presentations and Publications

- Presenter, “Employment Law Update – Private Sector and Non-Profit Employers,” Meyers Nave webinar, January 12, 2023
- Presenter, “Employment Law Update – Public Entity Employers,” Meyers Nave webinar, January 11, 2023
- Presenter, “Avoiding Workplace Investigation Pitfalls – Best Practices from Litigators,” Continuing Education of the Bar - MCLE Recorded Program, November 2022

- Quoted, “What Are the Pros and Cons of Salary Transparency in Job Postings?,” LinkedIn, October 11, 2022
- Interview, “More Travel Mask Mandates Being Lifted,” NBC 7 San Diego, April 19, 2022
- Quoted, “The Decline of Employment Arbitration Agreements? Not So Fast!,” *CEB Daily News*, March 23, 2022
- Interview, “Mask Updates for School Districts Tomorrow,” CBS News 8, March 13, 2022
- Quoted, “Breaking Down a New Batch of Employment Laws That Just Clocked In to the California Workplace,” *CEB Daily News*, January 20, 2022
- Interview, “Latest COVID-19 Vaccine Mandates,” CBS News 8, January 13, 2022
- Presenter, “Employment Law Update – Public Entity Employers,” Meyers Nave webinar, January 13, 2022
- Presenter, “Employment Law Update – Private/Non-Profit Employers,” Meyers Nave webinar, January 11, 2022
- Author, “Discipline and Termination,” *Advising California Employers and Employees*, CEB, Chapter 17, 2022
- Interview, “California Returns To Mask Mandate,” NewsRadio 600 KOGO San Diego, December 15, 2021
- Moderator, “The U.S. Department of Labor Today: A Conversation with Biden Administration Leaders,” 2021 National Asian Pacific American Bar Association, December 9-12, 2021
- Presenter, “Employment Law and Freedom of Speech: What Can Employers Do When Employees Express Their Political, Cultural, and Social Views?,” California Public Employers Labor Relations Association Annual Training Conference, November 17, 2021
- Interview, “Navigating the Pathways of Vaccine Mandates and Current COVID-19 Litigation,” KUSI San Diego News, November 15, 2021
- Interview, “Federal Court of Appeals Issues Temporary Pause to Biden’s Vaccine Mandate,” NBC News 7 San Diego, November 6, 2021
- Interview, “COVID-19 Vaccine Mandates at Work,” NBC News 7 San Diego, October 8, 2021
- Presenter, “Post Pandemic Business: New Considerations in Labor and Employment Law,” California Lawyers Association Annual Meeting, September 24, 2021
- Interview, “Vaccine Mandates,” NewsRadio 600 KOGO San Diego, September 13, 2021
- Interview, “Vaccine Mandates,” FOX 5 KSWB-TV San Diego, September 10, 2021
- Author, “Immediate Update Required for Calculation of Premiums for Missed Meal and Rest Breaks,” North County Lawyer, September 2021

- Author, "Is Your Organization's Website ADA Compliant? Top 4 Things You Need to Know," North County Lawyer, September 2021
- Author, "Is Your Organization's Website ADA Compliant? Top 4 Things You Need to Know," Meyers Nave Client Alert, August 11, 2021
- Author, "COVID-19 Vaccine Mandates," Meyers Nave Client Alert, July 26, 2021
- Author, "Immediate Update Required for Calculation of Premiums for Missed Meal and Rest Breaks," Meyers Nave webinar, July 23, 2021
- Author, "Employment Law and Freedom of Speech," Daily Journal, June 30, 2021
- Presenter, "COVID-19 Return to Work Plan: Who Returns, When, Where & How," California Special Districts Association webinar, June 22, 2021
- Author, "Update on California's COVID-19 Emergency Temporary Standards, and OSHA," Meyers Nave Client Alert, June 10, 2021
- Author, "Round 2: Cal/OSHA Revises Emergency Temporary Standards for COVID-19 Prevention," Meyers Nave Client Alert, June 9, 2021
- Interview, Even Vaccinated California Workers May Have to Keep Masks On, NBC 7 San Diego, June 3, 2021
- Quoted, "California Employers Must Follow Strict Rules on Masks in Workplaces," Society for Human Resource Management, May 11, 2021
- Presenter, "COVID-19 Return to Work Plan: Who Returns, When, Where & How," Meyers Nave webinar, April 28, 2021
- Author, "Wage and Hour Update: California Supreme Court Issues Two Important Rulings," North County Lawyer, April 2021
- Author, "Top 10 Questions about California's New COVID-19 Supplemental Paid Sick Leave Law with Retroactive Paid Time Off," Meyers Nave Labor and Employment Law Practice Guide, March 24, 2021
- Presenter, "Employment Law and Freedom of Speech: What Can and Can't Employers Do When Employees Express Their Political, Cultural, and Social Views?," Meyers Nave webinar, March 16, 2021
- Presenter, "AB5 and the Arts: a briefing on AB5 and its implications for the arts field," California for the Arts webinar, March 3, 2021
- Author, "Avoid Costly Timekeeping Errors: California Supreme Court Says Employers May Not Round Meal Periods," Meyers Nave Client Alert, March 2, 2021
- Author, "Employers' Top Three Questions About COVID-19," *North County Lawyer*, February 2021
- Presenter, "COVID-19 Vaccination Policies: Options, Issues and Considerations for Employers," Meyers Nave webinar, February 3, 2021

- Presenter, “COVID-19 Vaccinations: What California Employers Need To Know,” Meyers Nave webinar, February 3, 2021
- Author, “Mandatory vs. Voluntary COVID-19 Vaccination Policies: What California Employers Need To Know,” Meyers Nave Client Alert, January 15, 2021
- Presenter, “Employment Law Update: What’s New, What’s Changed and What’s Next?,” Meyers Nave webinar, January 12 and 14, 2021
- Interviewed, “New COVID-19 Rules for Employers,” ABC10 News, January 12, 2021
- Interviewed, “2021 Employment Law Update: A Six-Minute Snapshot of What’s New for Employers,” KUSI Good Morning San Diego televised news, January 6, 2021
- Presenter, “A Roundtable Conversation on AB5,” California Lawyers for the Arts webinar, November 18, 2020
- Moderator, “Moving Diversity, Equity, & Inclusion Programs Forward - A Roadmap for Employers,” National Asian Pacific American Bar Association, September 23, 2020
- Presenter, “The Workplace Transformed,” Brown Law Group, August 12, 2020
- Author, “Diversity, Equity, and Inclusion Are Good for California Businesses,” *Times of San Diego*, July 29, 2020
- Presenter, “Employment Law Clinic and Workshop,” California Lawyers for the Arts, July 2, 2020
- Presenter, "Nonprofit Legal Issues in the Age of COVID-19," University of San Diego Nonprofit Institute, May 26, 2020
- Presenter, “Preventative Employment Law for Diverse Businesses,” Council for Supplier Diversity, April 21, 2020
- Presenter, “Employment Law and Coronavirus: An Update and Discussion,” National Asian Pacific American Bar Association, March 26, 2020
- Presenter, “Employment Law Update,” Brown Law Group, February 20, 2020
- Author, “California Assembly Bill 5 and Worker Misclassification: Their Effects on Nonprofit Arts and Culture Organizations,” Brown Law Group and WolfBrown publication, February 2020
- Presenter, “AB-5 and Other New HR Rules for 2020: The Workshop,” San Diego Commission for Arts and Culture, Californians for the Arts, December 6, 2019
- Moderator, “Keeping the Wheels on the Bus: Motherhood, Fatherhood, and How Attorneys Make It Work,” National Asian Pacific American Bar Association National Convention, November 9, 2019
- Presenter, “How Do I Maximize Talent and Limit Legal Liability?” WeWork San Diego, July 24, 2019

- Presenter, “How Do I Maximize Talent and Limit Legal Liability?” San Diego Startup Week, May 31, 2019
- Presenter, “Employment Law Update,” Brown Law Group, January 24, 2019
- Presenter, “Limits on the Use of Criminal Background Checks, Arrest Records, and Consequences of Failure to Comply,” Society for Human Resources Management, San Diego Chapter Conference, November 7, 2018
- Presenter, “Employment Law Update,” Brown Law Group, January 11, 2018
- Moderator, “Pay Equality and Advancement for Asian Americans in the Workplace and the Legal Profession,” National Asian Pacific American Bar Association National Convention, November 4, 2017
- Moderator, “The Leading Edge: Federal Labor and Employment Enforcement and Regulatory Priorities,” National Asian Pacific American Bar Association National Convention, November 4, 2016

Representative Experience

Investigations

- Investigated allegations of sexual harassment by the CEO of a non-profit organization by program participants.
- Investigated allegations of bullying and harassment by the COO of a large non-profit service provider.
- Investigated an employee of a financial services company following a high profile complaint that the employee made racial slurs outside of work.
- Investigated allegations of sexual harassment and inappropriate behavior toward female and male subordinates by a vice president at an international consumer products company.
- Investigated allegations that an entertainment company supervisor engaged in sexual harassment and inappropriate behavior toward female and male third-parties during a festival, which involved witnesses in four states.
- Investigated allegations of racial discrimination made by an employee at a San Francisco Bay Area-based technology company.
- Investigated allegations of sexual harassment and inappropriate behavior by a state politician’s senior staff member toward subordinates.

Employment Litigation

- Represented an international food company against claims of disability discrimination and wage and hour violations by a former employee. Obtained summary judgment for the

individual supervisor defendant in state court, removed the matter to federal court, and resolved the matter on favorable terms.

- Represented a financial institution against a claim of disability discrimination by a former employee, on a matter that brought together requirements for workers' compensation, short term disability, and reasonable accommodations. Following discovery, resolved the matter on favorable terms in mediation.
- Represented an insurance company against claims of defamation and misuse of criminal records in employment. Litigated case up to trial and served on trial team.
- Represented a transaction technology company in a class action wage and hour case in state court, including assisting the client to obtain court approval of the settlement agreement and then modifying the settlement agreement, as well as related motion practice.
- Represented a transportation company with many union employees to defend against numerous complaints before the California Department of Fair Employment and Housing and the U.S. Equal Employment Opportunity Commission.

Appellate

- Briefed and presented oral arguments to the California Court of Appeal, Second Appellate District responding to the appeal of summary judgment regarding a claim that a benefit bill review company violated the California Confidentiality of Medical Information Act. Prevailed following oral argument.