

Kevin Jackson Senior Counsel

kjackson@foley.com

San Diego
858.847.6734



Kevin Jackson represents clients in a variety of labor and employment litigation matters across state and federal courts, as well as administrative actions before the EEOC, DOL, CRD, EDD, and DLSE.

For a decade, Kevin has defended employers in California against wage-and-hour class and representative actions involving claims under the California Labor Code and the Fair Labor Standards Act. Kevin has extensive experience defending employers against actions brought under the California Private Attorneys General Act ("PAGA").

Kevin has successfully defeated PAGA claims at the pleading stage and summary judgment on various grounds, and takes pride in approaching these high-stakes representative actions with an eye towards practical, creative, and efficient solutions. Kevin has published articles on PAGA advocating for a reasonable, pragmatic approach to the unique substantive and procedural challenges they pose, and his work has been cited in law review articles and in briefing submitted to the United States Supreme Court by the California Chamber of Commerce and the United States Chamber of Commerce.

In addition to his wage-and-hour practice, Kevin represents employers in litigation brought by current and former employees alleging a variety of individual claims for discrimination, harassment, wrongful termination, failure to accommodate, and failure to engage in the interactive process. Kevin helps employers mitigate the risk of litigation by providing advice and counsel to navigate the complex web of local, state, and federal laws governing the workplace, including wage-and-hour compliance, disciplinary matters, recruiting and training, workplace accommodations, and leaves of absence.

Representative Experience

- Represented private equity fund in wage-and-hour Class Action and PAGA Representative Action
- Represented large solar power company in wage-and-hour Class Action and PAGA Representative Action

- Represented shipping supply company as second chair trial counsel in wrongful termination and disability discrimination lawsuit resulting in complete defense verdict following six-week jury trial
- Represented large insurance carrier in wage-and-hour Class Action and PAGA Representative Action

Community Involvement

Pro bono service makes up an important part of Kevin's practice, and he frequently counsels not-for-profit employers on employment-related matters and has represented them in employment-related litigation. He has also repeatedly acted as counsel for victims of domestic violence through his regular pro bono work for the San Diego Volunteer Legal Program.

Kevin remains active in the San Diego community and dedicates time to supporting the Surfrider Foundation and the Carlsbad Rotary Club.

Presentations and Publications

- Co-author, "Arbitration Agreements and the Use of Electronic Signatures," *Employment Law Strategist* (June 2015)
- Co-author, "Towards a 'Manageability' Standard in PAGA Discovery," *ABTL Report* (Summer 2014)
- Co-author, "The California Supreme Court Kicks Up Dust Storm on the Road to Enforcing Employment Arbitration Agreements," *Orange County Business Journal* (December 9, 2013)
- Co-author, "'Bring Your Own Device' Brings Challenges," *Daily Journal* (July 17, 2013)

Sectors

- [Artificial Intelligence](#)
- [Health Care & Life Sciences](#)
- [Innovative Technology](#)

Practice Areas

- [Labor & Employment](#)
- [Litigation](#)

Education

- Cornell Law School (J.D., magna cum laude, 2011)
- University of California, Santa Cruz (B.A., with honors, 2007)

Admissions

- California