

Shawn M. Joost

Of Counsel

916-446-2300, Ext. 3010

sjoost@murphyaustin.com

Practice Area(s): Business and Commercial Litigation, Labor and Employment, Employee Benefits and Executive Compensation

Overview

Shawn Joost's practice is focused primarily on employment law, including defending employers in civil litigation and administrative actions; providing advice and counsel on employment law issues; training employees; and drafting employment policies. In addition, she represents clients in business and commercial litigation. She has nearly fifteen-years of experience in complex litigation, including employment, business, real estate, trade secrets, and class actions.

In her litigation practice, Shawn represents clients in court, administrative and alternative dispute resolution proceedings.

In her counseling practice, Shawn advises companies in all areas of employment law including employment classification, employee termination, leave decisions, wage and hour matters and drafting effective and enforceable employment policies, and executive employment agreements.

In addition to her extensive legal career with highly-respected California firms, Shawn brings several years of experience as an Executive Director and Senior Manager with non-profit organizations, spanning the fields of legal services, education, and health. Her experience directing these organizations provides a unique and valuable perspective on the real-world business issues faced by her clients.

Shawn received her Juris Doctor degree, *magna cum laude*, from the University of California, Hastings College of the Law. During law school, she was awarded the Order of the Coif as well as American Jurisprudence Awards in Civil and Criminal Procedure. She also served as a Note Editor on the *Hastings Law Journal*. Shawn graduated with her Bachelor of Arts degree in Political Science from the University of California, Berkeley.

Representative Matters

- Defend employers in class action lawsuits in addition to formulating



Memberships

- Sacramento County Bar Association, Employment Law Section

Bar Admissions

- State Bar of California
- The Florida Bar (inactive)

Community Involvement

- UC Davis Children's Hospital Children's Miracle Network Advisory Council (2015-2017)
- Classroom Facilitator, Operation Protect and Defend (2016)
- Volunteer, Educate Tomorrow, Inc. (2006-2010)
- Mentor, Fighting Back Mentor Program (2000-2001)
- Mentor, WoMentoring Program with the Bar

litigation strategies designed to prevent class certification.

- Regularly draft, review, and revise employee handbooks and policy manuals, employment agreements, negotiated severance packages for corporate executives, independent contractor agreements, alcohol and drug testing policies, workplace search policies, and pre-employment inquiry policies and procedures.
- Represent clients accused of violating federal and state laws prohibiting discrimination and harassment based on race, sex, religion, age, disability or engaging in protected activity like testifying or complaining about perceived illegal conduct.
- Represented employers in claims against former employees and other businesses for unfair competition, trade secret misappropriation, and related business torts.
- Represented property owners in real property partitions and partnership dissolutions.
- Represented international hotel franchise in \$2 billion breach of contract claim against Japanese real estate development company and related claims against foreign lender.
- Represented domestic and international clients in securities arbitration against nationally-known brokerage firm and broker.
- Defended technology company in licensing and contract claims by departing founder.
- Represented contractor in suit against property owner and construction lender in breach of contract and related claims.
- Published Case: Forster v. Superior Court (1992) 11 CalApp.4th 782, Joost (Britton), Shawn, M.

Leadership

- WEAVE 40th Anniversary Event Committee (2017 - present)
- Children's Miracle Network at UC Davis Children's Hospital, Member, Business Advisory Council (2015-2017)
- Educate Tomorrow, Corp., Member, Board of Directors (2006-2010)
- Miami-Dade County Community Based Care Alliance, Member, Board of Directors (2012)
- Stanislaus County Women Lawyers Association, Secretary and Member of the Board of Directors (1992-93)

Speaking Engagements

- Speaker, "Employment Law Update: What Employers Need to Know in

Association of San Francisco's
Volunteer, Legal Services
Program (1998)

- Volunteer, Grace Davis High
School Mock Trial program
(1992)

Education

University of California, Hastings
College of the Law
J.D., *magna cum laude*, 1990,
Order of the Coif

University of California, Berkeley
B.A., Political Science, 1985

- 2021,” Webinar, Rotary Club of Yuba City (January 27, 2021)
- Speaker, “Employment Law Update: What Employers Need to Know in 2021,” Webinar, Yuba-Sutter Chamber of Commerce (January 27, 2021)
- Speaker, “Back to Work: COVID 19 - Considerations for Employers,” Yuba-Sutter Chamber of Commerce Webinar (June 4, 2020)
- Panelist, “Sacramento Creative Economy Virtual Meeting,” focused on benefits provided to nonprofits, independent contractors, and creative workers through the CARES Act, The Atrium (April 9, 2020)
- Panelist, “Murphy Austin Annual Employment Law Update,” Sacramento, CA (2016-2020)
- Co-Presenter, " Minefields of Employment Law," Workshop for The Impact Foundry's WHAT IF Conference (October 2017)
- Speaker, California Partnership for Access to Treatment Luncheon (2015)
- Speaker, Andrus Family Fund Grantee Conference (2011)
- Speaker, National Association of Tour Operators Annual Conference (2002)
- Speaker, San Francisco County Bar Association Conference (1998)

Publications

- [Revised Cal/OSHA COVID Standards Adopted and Effective Now](#), COVID-19 Alert (June 18, 2021)
- [Cal/OSHA Standards Board Withdraws Revised COVID-19 Regulations](#), COVID-19 Alert (June 10, 2021)
- [Cal/OSHA Standards Board Adopts Revised COVID-19 Regulation](#), COVID-19 Alert (June 4, 2021)
- [If Your Payroll Clerk Goes Rogue ...You're in Trouble](#), Employment Law News, Q2 (April 21, 2021)
- [Time Records Showing Noncompliant Meal Periods Create A Rebuttable Presumption of Meal Period Violations](#), Employment Law News, Q2 (April 21, 2021)
- [Are You Rounding Times for Meal Periods? Stop!](#), Employment Law News, Q2 (April 21, 2021)
- [Are Your Per Diem Payments Really Wages in Disguise?](#), Employment Law News, Q2 (April 21, 2021)
- [California COVID-19 Sick Leave - Retroactive to January 1, 2021](#), Employment Law News (April 21, 2021)
- [Federal COVID-19 Paid Sick Leave and FMLA are Expanded and](#)

- [Extended-But Voluntary](#), Employment Law News, Q2 (April 21, 2021)
- [What to do if my employees are vaccinated?](#), Employment Law News, Q2 (April 21, 2021)
- [A recurring problem ... Handling employee portions of insurance premiums for employees on leave](#), Employment Law News, Q2 (April 21, 2021)
- [New COVID-19 Sick Leave Law Just Enacted](#), COVID-19 Alert (March 22, 2021)
- [Big Changes to The California Family Rights Act](#), Employment Law News, Q1 (January 27, 2021)
- [Review Your Employment Applications and Recruiting Practices](#), Employment Law News, Q1 (January 27, 2021)
- [COVID-19 Laws and Regulations Require Diligence](#), Employment Law News, Q1 (January 27, 2021)
- [New Cal/OSHA COVID-19 Regulation](#), COVID-19 Alert (December 7, 2020)
- [CDC Updates Guidance for Return to Work of Employees with COVID-19](#), COVID-19 Alert (July 21, 2020)
- [State Orders Shutdowns Again](#), COVID-19 Alert (July 14, 2020)
- [Important New Shut-Down Orders and New City of Sacramento Ordinance](#), COVID-19 Alert (July 2, 2020)
- [Preparing Offices for Re-Opening](#), COVID-19 Alert (June 4, 2020)
- [Employers Required to Amend IIPP Specifically to Address COVID-19](#), COVID-19 Alert (May 28, 2020)
- [Department of Labor's New Regulations](#), COVID-19 Alert (April 8, 2020)
- [Employee Health and Safety](#), COVID-19 Alert (March 31, 2020)
- [Insurance Coverage](#), COVID-19 Alert, 2 of 2 (March 27, 2020)
- [Mandatory Labor Department Posting For Employers With Under 500 Employees](#), COVID-19 Alert, 1 of 2 (March 27, 2020)
- [Department of Labor Guidance on New Leave Law](#), COVID-19 Alert (March 26, 2020)
- [Summary of Emergency Leave Law](#), COVID-19 Alert (March 20, 2020)
- [ADA and Equal Opportunity Employer Guidance During a Pandemic](#), COVID-19 Alert (March 18, 2020)
- Bezek, P., Britton, S. (Joost), and Curtis, R. "Employer Monitoring of Employee Internet Use and E-Mail: Nightmare or Necessity?" 2 Cyber Tech Litigation Report 11 (2001)

