

LABOR AND
EMPLOYMENT**BALLARD ROSENBERG
GOLPER & SAVITT LLP**

Glendale, New York, Washington, D.C.

Alex Drecun/Special to the Daily Journal

Management Committee: Ken Ballard, Richard S. Rosenberg, John B. Golper, Linda M. Savitt.

- Obtained a favorable settlement on behalf of a hotel threatened with an equal employment charge, which alleged that by honoring customer preferences for masseuses the hotel engaged in illegal gender discrimination against male masseuses.
- Won summary judgment on behalf of Saks Fifth Avenue in a lawsuit alleging disability discrimination.
- Obtained permanent injunctions against a terminated employee who called the employee assistance hotline in an intoxicated state and threatened to "make a call and have everyone killed."
- Obtained demurrer of lawsuit filed by hotel housekeepers claiming they were wrongfully fired after filing a complaint over overtime pay, on the basis that the lawsuit was preempted by the National Labor Relations Act.

Linda M. Savitt, Richard S. Rosenberg, Kenneth Ballard, and John Golper

Ballard Rosenberg Golper & Savitt, LLP prides itself on offering clients the knowledge and expertise of partners with 35-plus years experience at rates below the \$500 to \$700 an hour some large firms charge for associate work.

Partners at the Glendale-based firm, which only handles traditional labor and employment law, do a big chunk of its work, said Richard S. Rosenberg, one of the founding partners.

"When you work with us, you get us most of the time," he said.

The 40-employee, 20-lawyer firm was founded in March 1986 by Rosenberg and Ken Ballard, both alumni of large labor and employment boutique Jackson Lewis. John B. Golper, a former union-side labor lawyer, joined the firm two months later. Ballard and Golper have practiced law since 1975 and 1978, respectively.

Rosenberg, who graduated law school in 1977 but is the youngest of the three, quips, "I'm the baby of the group."

Prolific trial lawyer Linda M. Savitt, who has tried over 100 cases to verdict, joined the firm and became a name partner in 2000. She has practiced since 1980.

The firm, which exclusively represents employers, provides advice and representation on union matters, employment litigation and dispute resolution, risk management and personnel policies, and management training.

While the firm boasts several seasoned litigators, Rosenberg says it stresses management training to its clients, which he calls "preventive practice." The firm has a proprietary training program covering all facets of employment law, including discrimination, harassment, disabilities accommodations, and family-medical leave.

Most lawsuits, he says, don't result from the actions of the CEO but rather front-line supervisors.

"While it's a big victory winning a case, the bigger victory is not having one," he said.

The firm wrote the book on California wage-and-hour law. Literally. Rosenberg, and partners Stephen Lueke and Matt Wakefield wrote a treatise on the subject for the Advising California Employers series published by the California Continuing Education of the Bar.

The firm is also known for scoring a big victory for employers in the seminal case of *Turner v. Anheuser-Busch, Inc.*, 7 Cal.4th 1238

(1994), which clarified the elements for a constructive discharge in wrongful termination cases. The case held that employers must have actual knowledge, rather than merely constructive knowledge, of the allegedly intolerable working conditions that led the employee to quit.

Ballard Rosenberg represents most of the major hotels in the Los Angeles area, and regularly sits across the bargaining table with one of the most powerful labor unions in Los Angeles, UNITE HERE Local 11. It also represents several hospital chains.

"We are true labor law jocks," Rosenberg said.

Rosenberg said the firm has received several offers over the years to be bought by full-service firms. The partners have resisted because they prefer a boutique practice.

"We like running our own show," he said. "We're very fearful they're going to ask us to jack up our rates and it isn't going to be good for our clients."

— Brandon Ortiz