



PETER HERING

Partner
Employment

Orange County
(714) 338-1804
phering@rutan.com

Peter Hering advises employers of all sizes on how to navigate the intricacies of California's employment laws, in particular its complex wage and hour requirements.

Peter divides his time between counseling employers on strategies for proactively assessing and minimizing litigation risk and representing employers facing a broad array of employment claims.

Peter also leads the OC Human Trafficking Project, which is the firm's pro bono collaboration with UCI School of Law's Pro Bono Program with a mission to provide pro bono legal services to human trafficking survivors in Orange County and Southern California. Peter was awarded the firm's Excellence in Pro Bono Service Award in 2022.

Transactional Advice

- Assisting California and national employers with wage and hour compliance self-audits;
- Drafting handbooks, workplace policies, employment agreements, separation agreements;
- Advising on leave of absence and disability accommodation issues;
- Advising on employee discipline and termination issues; and
- Providing in-person sexual harassment training pursuant to A.B. 1825.

Employment Litigation

- Defending employers in all types of wage and hour litigation, including class actions and representative actions under California's Private Attorneys General Act (PAGA).
- Defending employers in discrimination, retaliation, harassment, disability and wrongful termination cases in state and federal court.
- Representing employers in administrative proceedings before the California Civil Rights Department, the California Division of Labor Standards, the U.S.

Related Services

- Employment
- Employee Handbooks and Transactional Documents
- Employment Litigation and Government Agency Proceedings

Related Industries

- Food and Beverage
- Restaurants and Hospitality

Bar & Court Admissions

- State Bar of California
 - California State Courts
 - U.S. District Courts for Central, Eastern, & Southern Districts of California
 - U.S. Court of Appeals, Ninth Circuit
 - State Bar of New York
 - New York State Courts
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Equal Employment Opportunity Commission, the U.S. Department of Labor, and similar agencies.

Before joining Rutan & Tucker in 2014, Peter practiced as a litigation association at Paul, Weiss, Rifkind, Wharton & Garrison, LLP in New York City.

Recent Publications

- “Newly Issued Guidance on Applicability of California WARN Act to COVID-19 Layoffs and Furloughs,” Rutan & Tucker, LLP E-Alert, March 2020
- “Did Timbs set up constitutionality problems for PAGA?” Daily Journal, March 2019
- “End wage violation penalty piggybacking,” Los Angeles Daily Journal, November 2016
- “The Fragmentation of California Wages,” Los Angeles Daily Journal, June 2016
- “The Ever-Expanding Categories of Employee and Employer: Changing the Way Independent Contractor and Joint Employer Issues Will Be Litigated,” ABTL Report, Spring 2016
- “Ax Employee/Contractor Dichotomy?” Los Angeles Daily Journal, July 2015
- “Employers Beware: Navigating Legal Landmines in the Battle Over Immigration,” Orange County Business Journal, March 2015
- “The Consercio Decision and the Need to Account for Discovery Outside the Arbitration Procedure,” 18 Arbitration News 118 (February 2013) (with H. Christopher Boehing and Damien F. Berkhout)

Memberships & Associations

- California Bar Association
- Orange County Bar Association

Education

- University of California, Los Angeles (J.D., 2012), UCLA Law Review; Managing Editor
- Biola University (B.A., 2008), summa cum laude, Member of the order of Peter and Paul