



## → Melissa M. Smith

**Special Counsel**  
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Melissa Smith is special counsel in the Labor and Employment Practice Group in the firm's Los Angeles office.

### Areas of Practice

Melissa represents employers in all aspects and stages of the litigation process in California and federal courts, and in arbitration. She has significant experience defending wage and hour class actions and PAGA representative actions and has defeated numerous class certification motions. A large portion of her practice is devoted to defending employers against claims of harassment, discrimination, retaliation, wrongful termination, breach of contract, and intentional infliction of emotional distress.

Melissa regularly advises employers on a panoply of workplace issues including compliance with federal, state and local laws, the use of independent contractors, employee performance management, discipline, termination, leaves of absence, requests for accommodation and the interactive process, responding to whistleblower complaints, employer investigations, workplace safety, and COVID-19-related issues affecting the workplace. She also counsels employers on an array of human resources-related issues, including personnel policies, arbitration agreements, employee handbooks, and severance and separation agreements.

In addition, Melissa regularly conducts internal investigations and audits on behalf of employers regarding harassment, discrimination, retaliation, wrongful termination, whistleblower complaints, and wage and hour compliance. She has also created and presented client-specific trainings on the prevention of harassment, discrimination, and retaliation in the workplace, and wage and hour compliance.

### Honors

Best Lawyers: Ones to Watch, *Best Lawyers*, 2026

### Articles

#### Labor and Employment Law Blog Posts

- "Los Angeles County and City Ban Gatherings and Order Immediate Closure of "Nonessential" Businesses in an Effort to Curb COVID-19: What You Need to Know About L.A.'s Safe At Home Orders", March 20, 2020
- "2020 Vision: California's New Employment Laws," October 17, 2019
- "California Supreme Court Reaffirms Broad Right to Discovery in PAGA Actions," July 21, 2017

- "U.S. Supreme Court's Tyson Foods v. Bouaphakeo Opinion Reaffirms The Importance Of Challenging Plaintiff's Experts In Class Actions," March 29, 2016

## Memberships

Board Member, Everybody Dance LA/ The Gabriella Foundation

## Practices

Discrimination, Harassment, and Retaliation

Employee Hiring/Discipline/Termination

Employment Agreements

Handbooks and Personnel Policies

Harassment Investigation and Training

Health and Safety Regulations/OSHA

Labor and Employment

Labor and Employment Counseling

Labor and Employment Litigation

Wage and Hour Class Actions

Wage and Hour Regulations

Workplace Violence

Wrongful Termination

## Industries

Food and Beverage

Healthcare

Hospitality

Retail, Fashion & Beauty

Transportation

## Education

J.D., Pepperdine University School of Law, 2011, *magna cum laude*, Order of the Coif

B.A., St. Lawrence University, 2008, *magna cum laude*

## Clerkships

Extern to the Honorable Kim McLane Wardlaw of the U.S. Court of Appeals for the Ninth Circuit

## Admissions

California