

Penny Chen Fox

Partner

Los Angeles
+1.310.552.5033

Penny.Fox@klgates.com

OVERVIEW

Penny Chen Fox is a partner in the firm's Labor, Employment, and Workplace Safety practice. She focuses on representing employers in numerous sectors and industries in high-stakes wage and hour class action and California Private Attorneys General Act matters. She has a strong background and knowledge in navigating the constantly evolving wage and hour laws and regulations in California and on the federal level. She has successfully defended a broad range of companies against individual, class, and representative wage and hour actions in state and federal courts, the California Court of Appeal, and the Ninth Circuit, and before administrative agencies such as the California Division of Labor Standards Enforcement and US Department of Labor.

Penny focuses on defense against claims of unpaid wages, denial of breaks, independent contractor misclassification, and exempt status misclassification; enforcement of arbitration agreements and class action waivers; and wage statement claims. Her extensive experience as a litigator has helped her clients achieve highly favorable results both in and out of court, including in instances involving novel issues of first impression.

In addition to her litigation practice, Penny provides practical and focused advice to her clients on wage and hour and employment issues. She assists clients in devising and implementing key policies and procedures, and regularly works with household names to optimize their employment law protocols.

Penny is fluent in Mandarin Chinese and Shanghai Dialect.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Penny was a wage and hour class and PAGA action associate at a prominent US-based employment law firm.

ACHIEVEMENTS

- Recognized in *Best Lawyers: Ones to Watch® in America* in Los Angeles
  - Labor and Employment Law - Management, 2023-2025
  - Litigation - Labor and Employment, 2024-2025

- Recognized in the Los Angeles Business Journal, *Leaders of Influence: Labor & Employment Attorneys*, 2026
- Selected as a LAP (Leadership Advancement Program) fellow with NAPABA (National Asian Pacific American Bar Association), 2022

PROFESSIONAL / CIVIC ACTIVITIES

- Member, *Law360* Editorial Advisory Board for Employment Authority Wage and Hour, 2025

SPEAKING ENGAGEMENTS

- Speaker, “From Time Tracking to Overtime: Wage & Hour Compliance Tips for HR,” HRCI, 15 April 2026
- Panelist, “Wage and Hour Trends and Developments”, NELC Annual Conference, 9 April 2025

EDUCATION

- J.D., University of Southern California Law School, 2011
- B.A., University of San Diego, 2008

ADMISSIONS

- Bar of California

LANGUAGES

- Chinese (Mandarin)
- Shanghainese

THOUGHT LEADERSHIP *POWERED BY HUB*

- 17 November 2025, California Employment Law Update for 2026
- 7 May 2024, Keeping the Faith in California: Employer's Good Faith Prevails
- 19 January 2024, California Supreme Court Allows Unmanageable PAGA Claims to Survive Challenge
- 19 July 2023, Stand and Deliver: PAGA Plaintiffs May Still Litigate Representative Claims Not Compelled Into Arbitration
- 12 March 2023, Silicon Valley Bank Collapse: Implications for Employers
- 27 February 2023, Reminder: High-Earning Exempt Professionals Must Be Paid a "True Salary—A Steady Stream of Pay"

- 19 August 2022, K&L Gates Working Wise: Silenced No More: A Survey Across Three States
- 12 July 2022, Timberlands Virtual Event: Emerging Issues in Labor and Employment Law in the Timber Industry
- 16 June 2022, The Supreme Court Rules the FAA Preempts Iskanian's Prohibition Against Arbitration of Individual Private Attorney General Act Claims
- 26 May 2022, California Supreme Court Raises the Stakes (Again) on Meal and Rest Break Law by Adding Derivative Penalties
- 31 January 2022, California Employment Law Update - January 2022
- 14 October 2021, California Employment Law Update - October 2021
- August 2021, Gimme a Break! Strategies for Retroactive Compliance with California's New Meal & Rest Break Period Premium Calculations
- 5 August 2021, California Employment Law Update - August 2021
- 16 July 2021, Just When You Thought You Understood California's Meal and Rest Break Premium Laws…
- 6 May 2021, California's Preemption Analysis Creates Circuit Split Making AB-5 Ripe for Supreme Court Review
- 5 March 2021, California Supreme Court Strikes Down Meal Break Rounding; Establishes Presumption of Noncompliance Through Records

OTHER PUBLICATIONS

- "Silicon Valley Bank Collapse: Implications for Employers," *LexisNexis*, 2023
- "Next Steps For Employers After Calif. Break Premium Ruling," *Law360*, 2021

NEWS & EVENTS

- 5 February 2026, California Labor and Employment Legislative Update
- 7 November 2024 - 10 November 2024, 2024 NAPABA Convention, Hosted by National Asian Pacific American Bar Association
- 19 December 2022, K&L Gates Adds 40 Lawyers to Firm's Partnership
- 17 October 2022, K&L Gates Represents Medely in Private Attorney General Act Arbitration Suit
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 25 January 2022, K&L Gates Advises Soho Square Capital LLP on Investment and Partnership With Oliver James

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Human Resource Advice and Compliance
- Wage and Hour

INDUSTRIES

- Healthcare
- Physical AI and Autonomous Systems
- Technology