



Spencer Hamer

Partner

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OVERVIEW

Spencer Hamer represents employers in the defense of employment claims, including discrimination, harassment, retaliation, wrongful termination, whistleblower, and wage and hour matters. He also has extensive experience with class action and PAGA claims. In addition to his litigation practice, he regularly advises employers on how to comply with California and federal employment laws, including FMLA/CFRA, ADA accommodations, equal pay laws, trade secrets and unfair competition. He regularly advises clients on termination issues, executive employment agreements, independent contractor matters, and mass layoffs, and has advised clients in wage and hour audits conducted by state and federal agencies. In addition, he advises buyers and sellers on employment compliance issues arising in mergers and acquisitions. Spencer has also represented employers in labor negotiations and matters arising under the National Labor Relations Act.

Spencer has successfully represented employers in numerous cases and trials in state and federal court. In addition, his practice involves management training, compliance audits, preparation of employment policies and procedures, workplace investigations, and risk management strategies.

Spencer has represented employers in a variety of industries, including health care, power and alternative energy, hospitality, manufacturing, and technology.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Spencer was a partner at another national law firm.

PROFESSIONAL / CIVIC ACTIVITIES

- State Bar of California (Labor & Employment Section)
- Orange County Bar Association (Labor & Employment Section)
- K&L Gates Cyber Civil Legal Rights Project

SPEAKING ENGAGEMENTS

- “California's New Pay Data Reporting Law: Are You Ready?” *K&L Gates/Trusaic Webinar*, 25 February 2021.
- “The Dynamex Case and California's New 'ABC' Test for Contractor Status” *K&L Gates/OCTANE Seminar*, 26 June 2018
- “Protecting Health Care Workers from Workplace Violence Risks,” *Orange County Bar Association Health Care Law Section Meeting*, 9 February 2017.
- “Managing Workplace Risk: An Employment Law Overview,” *Independent Insurance Agents & Brokers of California Insurance Law Track*, 12 October 2016.
- “Classifying and Compensating Commission-Based Insurance Salespersons,” *American Agents Alliance Convention & Expo*, 24 September 2016.
- “Preventing Workplace Violence in the Urgent Care Industry,” *Urgent Care Association of America (UCAOA) 2016 Spring Conference*, 20 April 2016.
- “Crafting a Legal and Effective Social Media Policy,” *Urgent Care Association of America (UCAOA) 2016 Spring Conference*, 19 April 2016.
- “Everything Non-Clinical That You've Ever Wanted to Know, but Were Afraid to Ask,” *Urgent Care Association of America (UCAOA) 2016 Spring Conference*, 18 April 2016.
- “Recent Employment Law Developments in the California Health Care Industry,” *California Society for Healthcare Attorneys (CSHA) Spring Seminar*, 8 April 2016.
- “Physician Agreements for Employees and Independent Contractors,” *Orange County Bar Association (OCBA) Health Care Law Section Meeting*, 10 March 2016.
- “When Is a Retained Agent an Employee vs. an Independent Contractor, in Light of the Uber Decision,” *California Insurance Wholesalers Association*, 11 January 2016.

EDUCATION

- B.A., University of Michigan
- J.D., University of Southern California Law School

ADMISSIONS

- Bar of California
- District of Columbia Court of Appeals
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California

- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

THOUGHT LEADERSHIP POWERED BY HUB

- 9 July 2021, The Essentials - California Employment Law Update (*Alerts/Updates*)
- 1 June 2021, COVID-19: Employers Can't Miss the Shots Employees Don't Take: Santa Clara County Requires Employers to Track Employees' Vaccination Status (*Alerts/Updates*)
- March 2021, What You Need to Know About 2021's Trends and Developments in Labor and Employment Law (*Webinar*)
- 15 March 2021, Health Care and Employment Law: 2020 Year in Review and Looking Ahead (*Podcast*)
- 16 February 2021, Employment Law Developments that will Impact the Health Care Industry in 2021 (*Alerts/Updates*)
- 6 January 2021, California Enacts New Laws Affecting Employers in 2021 (*Alerts/Updates*)
- 31 August 2020, COVID-19: Employment Issues in Health Care Mergers and Acquisitions in the Era of COVID-19 (*Alerts/Updates*)
- 30 April 2020, COVID-19: San Francisco and San Jose Issue Emergency Paid Sick Leave Ordinances for Employers Not Covered Under FFCRA (*Alerts/Updates*)
- 15 April 2020, COVID-19: California Counties and Cities Enact Stricter COVID-19 Policies than California's Statewide Stay-at-Home Order (*Alerts/Updates*)
- 24 March 2020, COVID-19: Los Angeles County Issues Health Order and Guidance Prohibiting Gatherings of 10 Persons or More and Operations of Certain Businesses (*Alerts/Updates*)
- 24 March 2020, COVID-19: California Institutes Statewide "Stay at Home" Order to Combat COVID-19 (*Alerts/Updates*)
- 19 March 2020, COVID-19: Bay Area Issues Coordinated "Shelter in Place" Public Health Order (*Alerts/Updates*)
- 27 January 2020, Employment Law in the Health Care Industry: 2019 Year in Review (*Alerts/Updates*)
- 7 January 2020, California Legislature Adopts Several New Employment Laws for 2020 (*Alerts/Updates*)
- October 2019, New Whistleblower Protections — Are You Prepared? (*Webinar*)
- 28 February 2019, K&L Gates Triage: A Discussion of Labor and Employment Issues in the Health Care Industry (*Podcast*)
- 4 February 2019, Employment Law in the Health Care Industry: 2018 Year in Review (*Alerts/Updates*)

- 9 January 2019, Working Wise: Proactive Strategies for Pay Equity Issues (*Podcast*)
- 5 November 2018, #MeToo Movement Inspires Avalanche of New Laws Affecting California Employers (*Alerts/Updates*)
- June 2018, Navigating HR Issues Within a Cross-Border M&A Transaction (*Webinar*)
- 20 October 2017, Recent Deluge of California Legislation Imposes New Requirements on Employers (*Alerts/Updates*)

OTHER PUBLICATIONS

- “Don’t Post That! Protecting Patient Privacy in the Age of Social Media,” *The Journal of Urgent Care Medicine*, October 3, 2016.
- “Complying with Medical Information Restrictions of the Family Medical Leave Act and Americans with Disabilities Act,” *The Journal of Urgent Care Medicine*, February 1, 2016.

NEWS & EVENTS

- 22 September 2021, Preparing for the Biden Vaccine Mandates (*Event*)
- 1 September 2021, K&L Gates Advises Megaport (USA) Inc. in Acquisition of InnovoEdge Inc. (*Noteworthy Work*)
- 25 February 2021, California's Pay Equity Law Deadline: Are You Prepared? (*Event*)
- 23 February 2021, K&L Gates Advises Sinch AB on \$1.14 Billion Acquisition of U.S. Telecom Provider Inteliquent (*Noteworthy Work*)
- 14 October 2020, Ignite Series: How to Safely Reopen with California's New COVID-19 Guidance for Employers (*Event*)
- 14 September 2017, K&L Gates Adds Orange County Labor and Employment Partner (*Press Release*)

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Employment Disputes and Investigations
- Employment Issues in Business Transactions
- Health Care and FDA
- Human Resource Advice and Compliance
- Power

- Wage and Hour