

CURRICULUM VITAE RICHARD D. SCHRAMM

Nature of Law Practice

Mr. Schramm represents both employees and small businesses in employment related matters. His business clients include, and have included, all the following: Computer Hardware, Software, and Manufacturing, Scientific Research, Dental, Optometry, Veterinary, Law Firms, Insurance, Fitness & Aerobics, Collections, Nursing and Retirement Homes, Construction Contractors, Landscape, Food Service and Restaurants, Retail Enterprises, Non-Profit Organizations. His employee clients have received legal representation in such areas as discrimination, wrongful termination, work place harassment, contracts and executive agreements, non-competition, wage-compensation-benefits, intellectual property protection, and government agency representation.

Work History

Mr. Schramm is the Managing Attorney and Owner of Employment Rights Attorneys, where he has been since 1991. Prior to that he was an Associate Attorney with two other law firms. He was an Acting & Interim Director, Supervisor, and Senior Investigator for the U.S. Equal Employment Opportunity Commission, and he served as a Consultant for the Calif. Dept. of Fair Employment & Housing. Mr. Schramm was a Compliance Officer with the U.S. Dept. of Labor, and he has been the non-profit organization Director and an Asst. Personnel Director for a manufacturing company.

Expert Witness Experience

Mr. Schramm has been a trial attorney, handling numerous employment and contract related cases. He has also been retained as an expert witness in various employment discrimination matters, sexual harassment, wage-hour litigation, and in attorney-client fee disputes. He has been accepted as an expert witness on employment law matters by three federal courts and several California Superior Courts. He is past Chair of the Labor/Employment Law Section of the Santa Clara County Bar Assn. and Silicon Valley Employment Lawyers Assn., member of the State Bar's Labor/Employment Law Section, Sexual Harassment Roundtable Group, California Employment Lawyers Assn. (and committee co-chair), and National Employment Lawyers Assn. (and committee co-chair). He has also been the Supervisory Attorney for the Workers' Rights Clinic in San Jose. Mr. Schramm is a regular contributing editor to the ABA's Fair Labor Standards Act textbooks.

Education

Mr. Schramm received his Juris Doctorate from Santa Clara University School of Law in California. He also has an M.S. in Rehabilitation Counseling from the Univ. of Texas Health Science Center, as well as a B.S. in Experimental Psychology from the University of Texas, Austin.

Publications, Conferences, and Seminar Presentations

- “Pregnancy Law - 2007” Training for Medical Office, Santa Clara, CA, January 2007
The Fair Labor Standards Act: 2006 Cumulative Supplement, ABA, Contributing Editor
- “Employment Law for Transgendered Employees” Business Law Section Journal, Cal. Bar Assn., Issue 4, 2006
The Fair Labor Standards Act: Midwinter Supplement, ABA, Contributing Editor, November 2006
- “Discovery Issues in Employment Litigation” Labor & Employment Section, Annual Conference, Calif. Bar Assn., October 2006
- “Bonuses, Commissions, & Stock Options: The Latest Developments” SCCBA, May 2006
- “Sexual Harassment Law: Training for Managers” Restaurant Group, Salinas, CA, February 2006
- “Sexual Harassment Update” Bakersfield Real Estate Association, December 2005.
- “Sexual Harassment Law Update” Association of Realtors, Palmdale, CA, December 2005.
- “Sexual Harassment Law Update” Windemere Realtors, San Jose, CA, November 2005
- “Independent Contractors: A Legal Update” SCCBA, September 2005
- “How Bad Things Happen to Good Attorneys” SCCBA, July 2005
- “Top 10 Myths That Make Defendants of Real Estate Professionals -- Sexual Harassment Update for 2005,” Calif. Association of Realtors, Sacramento, CA, June 2005
- “I May Not Be Able to Define Sex: But I Know It When I See It: Applying the New Definitions of ‘Sex’ to Sexual Harassment Training” SCCBA, May 2005
- “Questions, Answers re: Employment Law” Western Service Workers, Santa Cruz, CA, Jan. 2005
- “Wage and Hour Overview: The Nitty Gritty” Calif. Empl. Lawyers Assn. Seminar, Oct. 2004
- “Bad Things Happen to Good People - Daily Ethical Challenges” Calif. Employment Lawyers Assn. Annual Seminar, Oct. 2004
- “Top 10 Employment Mistakes Made by Small Businesses” The Law and You, Oct. 2004
- “2004 Update on Arbitration Law” The Law and You, Sept. 2004
- “The Department of Labor’s 2004 Overtime Regulations: Highlighted Impacts on Employees” SCCBA, June, 2004
- “The Impact of Federal White Collar Exemption Changes On California Labor Code Enforcement” published in Calif. Employment Lawyers Association Bulletin, Jan. 2004
- Editor for Chapter 4, Employment Discrimination, in Aids Legal Referral Panel Handbook, December 2003
- Moderator for “Current Issues and Surprises in Claims Processing at the DLSE” SCCBA, Nov. 2003
- Host for The Law and You: Subjects Covered: California Family Rights Act, Mediation for Legal Disputes, November 2003
- “Employment Law for Transgendered Employees” The Law and You, Oct. 2003
- “What Every Small Business Needs to Know About Employment Law in 2003” SCCBA, Sept. 2003

“Employment Law in 2003 for Gay, Lesbian, Bisexual, Transgender Employees” Santa Clara University, Sept. 2003

National Alliance Mediator Training Program - EEO Basics, Panelist, Monterey, Calif. June 2003

California’s 2003 Employment Law re: Orientation/Identity, Brochure-Santa Clara Bar Assn., June 2003

“The Most Often Violated Wage and Hour Laws” The Law and You, April 2003

“Recent Developments in Wage and Hour Law” The Law and You, April 2003

“Recent Developments Under the Equal Pay Act” Natl. Employment Lawyers Assn. San Francisco, Calif., March 2003

“Representing Federal Workers: From Discrimination to EEOC Hearing” Calif. Empl. Lawyers Assn. Seminar, January 2003

The Fair Labor Standards Act: 2002 Cumulative Supplement, ABA, Contributing Editor, 2002

“Wage Hour Law-2002 Update for California Employers,” Lorman Training Institute, Nov. 2002

“Sexual Harassment Law in 2002” San Jose State Univ., November 2002

“Incentive Pay: How Employment Laws Regulate Commissions, Bonuses, and Stock Options” California State Bar Labor & Employment Law Conference, November 2002

“Incentive Pay: Advanced Issues and Considerations in 2002” SCCBA, September 2002

“Domestic Partner Law: Effect of 2002 Legislation On California Employers” SCCBA, July 2002

“Interaction of FMLA, CFRA, PDA in California” East San Jose Comm. Law Center, July 2002

“A Plaintiff Strategy for Challenging Pre-Dispute Mandatory Arbitration Agreements” American Arbitration Assn. Panel, San Jose, June 2002

California’s Employment Law re: Orientation/Identity, Brochure-Santa Clara Bar Assn., June 2002

“Sexual Harassment Law in 2002” San Jose State Univ., May 2002

“Top 10 Myths That Will Make You a Defendant While Practicing Law,” Cupertino/Sunnyvale Bar Assn., January 2002

“Wage Hour Law-2001 Update for California Employers,” Lorman Training Institute, Nov. 2001

“Sexual Orientation & Gender Identity Discrimination in Employment: California Legal Update for 2001,” Univ. of California Santa Cruz, November 2001

“Employment Law Primer for Small Law Firms,” Santa Clara County Bar Assn., September 2001

“Hot Topics in Wage Hour Law for 2001,” Santa Clara County Bar Assn., September 2001

Host for The Law and You: Subjects Covered: Tortious Wrongful Termination, Mediation for Settlement of Legal Disputes, August 2001

“Wage Hour Law Update - 2001” The Law and You, June 2001

“Update and Current Developments in Disability Law - ADA, Workers’ Compensation and the FMLA,” Santa Clara County Bar Assn., June 2001

“Sexual Harassment Update - 2001” The Law and You, June 2001

California’s Sexual Orientation / Identity Law, Brochure for Santa Clara County Bar Assn., May 2001

“Sexual Harassment Law in 2001” San Jose State Univ., April 2001

“Legislative Changes for Employment Law in 2001” The Law and You, February 2001

“Sexual Harassment Law for Employers & Employees” San Jose State Univ., Dec. 2000
“Wage Hour Law-2000 Update for California Employers,” Lorman Training Institute, Nov. 2000
“Sexual Orientation and Sexual Identity Issues in the Workplace” Santa Clara County Bar Assn.,
Oct. 2000
“Sexual Orientation and Gender Identity Discrimination in Employment: California’s
Status in 2000” Santa Clara County Bar Assn., September 2000
“Q&A on California Employment Law” Western Service Workers, Santa Cruz, CA, April 2000
“Advice for New High Tech Managers” Training for Computer Corporation Client, April 2000
“Occupational Safety, Health and the Family Medical Leave Act” San Jose State Univ.,
April 2000
“Legislative Changes In Bias Laws Affecting Law Firms in Y2K” Santa Clara County Bar Assn.,
MCLE Day, January 2000

“Sexual Harassment Law In Y2K” San Jose State Univ., Nov. 1999
“Wage Hour Law-1999 Update for California Employers,” Lorman Training Institute, Nov. 1999
“Ten Frequent Failures That Land Employers in Court” Filipino Chamber of Comm., Nov. 1999
“Sexual Harassment” WCCO Radio Talk Show, Minneapolis, MN, July 1999
“Sexual Harassment Law In 1999 - Management Majors” San Jose State Univ., April 1999
“Gender Discrimination Principles in Sexual Orientation & Gender Identity Litigation” Natl.
Employment Lawyers Association, Atlanta, Georgia, March, 1999
“1999 Trends in Employment Law” The Law and You, February 1999
“Sexual Harassment Law as of 1999” The Law and You, January 1999

“Sexual Harassment Law for Business & Psychology Majors” San Jose State Univ., Dec. 1998
“Wage Hour Law-1998 Update for California Employers,” Lorman Training Institute, Aug. 1998
“What Is A Reasonable Accommodation” Santa Clara County Bar Association, Labor Law
Section, San Jose, CA, June 1998
“EEOC Processing of Disability Claims” Moderator-Panelist, Santa Clara County Bar Assn., San
Jose, CA, May 1998
“Sexual Harassment - 1998 Update” San Jose State Univ., April 1998
“Employment Discrimination Law - 1998” Chinese American Information Storage Society,
February 1998

“Sexual Harassment - 1997 Update” San Jose State Univ., Nov. and Dec. 1997.
“Free Speech and Internet Access” The Law and You, October 1997
“California Unemployment Insurance Law for Employers” Lorman Training Institute, Oct. 1997
“Presenting A Case to the Unemployment Ins.Appeals Board” Workers Rights Clinic, Sep. 1997
“Unemployment Compensation Law in California” The Law and You, July 1997
“Attorney - Client Fee Disputes” The Law and You, June 1997
“Health Insurance Portability and Accountability Act of 1996 & COBRA - Employer Problems”
Santa Cruz Life Underwriters Assn., February 1997

“Law Practice Management: Fee Agreements & Fee Arbitration” Santa Clara County Bar Assn.
San Jose, CA, May 1996
“Sexual Harassment - 1996 Update” San Jose State Univ., May 1996

“California Labor Code Enforcement” Workers’ Rights Clinic, San Jose, CA, Feb. 1996

“Fee Arbitration Update” SCCBA Bankruptcy and Commercial Law Section, Aug. 1995

“Employment Issues Facing Small Businesses” Milpitas Business Forum, May 1995

“Representing the Client Under the Fair Labor Standards Act” U.S. Department of Labor & Tulsa Univ. School of Law, Tulsa, OK, May 1995

“Summary of California Employment Law” Santa Clara Univ. Law School, Santa Clara, CA, Feb. 1995

“Fair Labor Standards Act-Section 16(b)” U.S. Department of Labor & Golden Gate School of Law, San Francisco, CA, June 1994

“The Americans with Disabilities Act” Paralegal Association of Santa Clara County & the California Alliance of Paralegal Associations, San Jose, CA, June 1993

“Sexual Harassment and Sexual Violence” YWCA Rape Crisis Center, San Jose, CA, June 1993

“Looking Inward - A Guide to Eliminating Bias in the Law Office” Santa Clara County Trial Lawyers Association, San Jose, CA, June 1993

“New Developments in the Civil Rights Act of 1991” Southbay Industry Liaison Group, Cupertino, CA, May 1993

“Sexual Harassment at Your Work Place” Downtown Forum on Social & Ethical Issues, San Jose, CA, April 1992

“Sexual Harassment - Opposing Perspectives” KBAY Radio, San Jose, CA, Sept. 1991

“Transsexualism: The Courts’ Continuing Failure to Analyze Sex Discrimination Under Title VII of the Civil Rights Act” Santa Clara Univ. School of Law, 1989

“Application of the Equal Pay Act” U.S. EEOC Conference, San Jose, CA, April 1988

“EEOC and the Laws It Administers” Affirmative Action Conference, Santa Cruz, Dec. 1987

“ADEA, Sex & Pregnancy Discrimination” Training Conference, Calif. Dept. of Fair Employment and Housing, San Jose, CA, Oct. 1987

“Sex Discrimination and Sexual Harassment” City of Nichols Hills Police Dept., Nichols Hills, OK, June 1987

“Summary of Equal Employment Laws” Central State University, Edmond, OK, March 1987

“Equal Employment Opportunity Commission” Oklahoma Bar Assn., Okla. City, OK, April 1986

“New Procedural Guidelines & Enforcement at the EEOC” Employment Law in Oklahoma Conference, Okla. City, OK, Jan. 1986

“Equal Employment Laws” Central State University, Edmond, OK, Nov. 1985

“Statutes Enforced by the EEOC” Central State University, Edmond, OK, Oct. 1985

“Applications, Age Discrimination, & Recordkeeping” Oklahoma Small Manufacturers' Conference, Oklahoma City, OK, Sep. 1984

“Employment Issues For the Older Adult” East Central University, Ada, OK, Aug. 1984

“Age Discrimination - Issues and Liabilities in Layoffs and Early Retirements” Prevention: The Best EEO Policy Conference, Oklahoma City, OK, June 1984

“Hiring & Firing Do's and Don't's” Farmers Coop. Grain Dealers Assn., Enid, OK, May 1985

“Limitations of the Equal Pay Act” Oklahoma Law Day, Oklahoma City, OK, March 1983

“Fair Labor Standards Act Enforcement” Texas Manufacturers' Assn., Dallas, TX, June 1979

“Fair Labor Standards Act” Training Series, Bonanza Restaurants, Richardson, TX, 1977-78
Access Dallas, (Building Accessibility Guide) Dallas, Texas Area, 1975-76 (Chair)
Employment of Different Disability Groups in the Dallas Area, Master's Thesis, University of
Texas Health Science Center, Dallas, TX, May 1975
Employment Opportunities for the Disabled American Psychological Association Convention,
Houston, TX, March 1975