



Steven R. Blackburn

Member of the Firm

San Francisco

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STEVEN R. BLACKBURN is a Member of the Firm in the Employment, Labor & Workforce Management practice and the Managing Shareholder of firm's San Francisco office. Mr. Blackburn's experience includes:

- Extensive trial experience in all aspects of labor and employment law in a variety of different industries throughout the United States
- Representing employers in employment litigation matters before various courts, administrative agencies, arbitrators and mediators
- Counseling clients on day-to-day compliance with employment laws and presenting training programs for managers on employment law issues.

Mr. Blackburn is actively involved in many community-related activities in San Francisco. He has served on the Boards of the San Francisco Chamber of Commerce, the Fort Mason Foundation, the Family Service Agency of San Francisco, and the Advisory Council of the San Francisco Salvation Army.

Prior to joining Epstein Becker Green, Mr. Blackburn was a partner with a San Francisco-based labor and employment firm. Prior to his admission to the California State Bar, Mr. Blackburn practiced employment law in Nashville, Tennessee, and New Orleans, Louisiana.

Mr. Blackburn was selected to the *Northern California Super Lawyers* list (2014 - 2017) in the area of Employment & Labor.

Education

- Vanderbilt University (J.D., 1984)
- Indiana University (B.S., 1981)

Bar Admissions

- California
- Louisiana
- Tennessee

Practice Areas

- Class Actions
- Employment Litigation
- Labor Management Relations
- Non-Competes, Unfair Competition, and Trade Secrets
- Wage and Hour
- Whistleblowing and Compliance

Industries

- Financial Services

Memberships

- American Bar Association, Labor and Employment Law Section
- San Francisco Bar Association, Labor and Employment Law Section
- State Bar of California, Labor and Employment Law Section

News & Publications

July 16, 2017

View from the Courtroom: What to Expect When You Try to Get a TRO in Your Unfair Competition Case

IPWatchdog

May 2017

Employee Mobility and Trade Secret Protection in California: What Works and What Doesn't

Take 5 Newsletter

April 15, 2016

San Francisco Paid Parental Leave

Retail Labor and Employment Law Blog

October 29, 2013

California Court of Appeal Revisits CUTSA "Preemption" of Other Tort Claims, *on the* Trade Secrets and Noncompete Blog

May 30, 2013

Wal-Mart Sues UFCW in Attempt to Get Declaratory Ruling That Union Trespass Inside Retail Stores Is Not Protected, *on the* Management Memo Blog

May 9, 2013

Fallout from *Nosal* Verdict, *on the* Trade Secrets & Noncompete Blog

May 13, 2011

Epstein Becker Green's Wage & Hour Defense Blog Selected as One of the Top 10 Blogs in Compensation and Benefits, by *HR Daily Advisor*

HR Daily Advisor

April 8, 2011

Steven Blackburn Featured in Article About Recent Developments in Labor and Employment Law

California Lawyer

May 19, 2010

BOOK CHAPTER: In Re Novartis Wage and Hour Litigation, *in* Top 20 Food and Drug Cases, 2009 and Cases to Watch, 2010 (FDLI)

January 20, 2010

California Supreme Court Limits Attorney's Fees For Claims Under State's Fair Employment and Housing Act

Case Studies

Epstein Becker Green Obtains Defense Verdict in Pregnancy Discrimination and Retaliation Jury Trial in San Francisco

This case was brought by a former employee of one of Epstein Becker Green's clients, On Lok, inc., which is a nonprofit organization that serves the Bay Area's elderly population ("Organization"). The plaintiff filed a lawsuit after her employment was terminated when she was seven months pregnant and shortly before her anticipated maternity leave was expected to begin. She claimed pregnancy discrimination and retaliation in response to her request for leaves of absence under the California Family Rights Act and the California Pregnancy Disability Leave Law, among other related causes of action.

The Epstein Becker Green defense team, including Steven Blackburn, successfully demonstrated that the termination decision was not motivated by the plaintiff's pregnancy or request for leave, but instead by the plaintiff's misconduct related to an incident that was reported to and thoroughly investigated by the Organization's management shortly before the termination decision. The court allowed the Epstein Becker Green defense team to introduce favorable historical data regarding the Organization's treatment of employees who requested pregnancy-related leaves of absence during the 10 years preceding the plaintiff's termination. Additionally, at the defense team's request, the court allowed a special jury instruction regarding the "business judgment rule," which stated that the jury's role was not to second-guess the Organization's business decision, but it should instead determine whether the plaintiff's pregnancy or request for leave was a motivating reason for the termination decision.

Within a few hours of commencing deliberations, the jury returned a verdict in favor of the Organization. During post-trial interviews, the jurors indicated that the business judgment rule was critical to their decision.

Matthew Goodin also assisted the Epstein Becker Green defense team in preparing for the trial.