



JAN FRANKEL SCHAU, ESQ.
Employment Specialty Resume



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STATEMENT OF PRACTICE

As a litigator Jan Frankel Schau focused on employment law, representing defense at firms such as Harrington Foxx and plaintiffs in solo practice. Since becoming a fulltime mediator in 2003, she has completed in excess of 80 hours of advanced training specifically on employment ADR from the DFEH/EEOC, the AAA, and FINRA, and has settled and arbitrated scores of employment claims involving wrongful termination, retaliation, wage & hour violations, and all forms of discrimination claims, including civil rights.

ADR TRAINING

Los Angeles Superior Court (Advanced Mediation Trainer, 2008-2009)
DFEH/EEOC 40-hour Mediation Training, 2007
American Arbitration Association, Advanced Training in Arbitration, 2005, 2007
Strauss Institute of Dispute Resolution, Advanced Mediation Skills, 2003, 2005
Western Center for Disability, Advanced Training in Disability Mediation, 2001
L.A. County Bar, Dispute Resolution Services, Mediation Training Certificate, 2000

SELECTED AFFILIATIONS

- ADR Services, Inc. Employment Panel, 2007-current
- Appointed Arbitrator and Mediator for American Arbitration Association, Commercial and Employment Panel, 2005-current
- Civil Service Hearing Officer for the City & County of Los Angeles and the LAUSD, 2005-current
 - Hearings are administrative appeals of decisions by agencies affecting employment, lasting 1-5 days and requiring written reports to the personnel commission.

RECENT PRESENTATIONS

“The Business of Employment Mediation”, SCMA 2010 Employment Conference
“Master Mediator Panel” panelist at SCMA 2008 Employment Conference
California Employment Lawyers Conference, Panel on Mediation, 2006
“Taxability in Employment Cases”, SCMA 2005 Employment Conference
United States Army Employment Mediation Conference “Employing Mediation to Achieve a More Harmonious Force”, 2005
Southern CA Mediation Association, Co-Chair of Employment Conference, 2004-2010

SELECTED PUBLICATIONS

- “Maximizing Your Experience in Arbitrating Employment Cases”, *The Advocate*, May 2008
- “Where’s the Beef: Making Certain Your Settlement is Final”, *The Advocate*, February 2007
- “Settling Employment Cases Just Got Easier: New Tax Excludes Attorneys Fees”, SCMA Newsletter, April 2005

EXAMPLE MEDIATED EMPLOYMENT CASES

Discrimination

- 52-year old Vietnamese CPA downsized and alleged age & ethnic discrimination.
- Lesbian woman executive over 40 sued government agency for wrongful termination and discrimination; defenses included wrongdoing at work regarding protecting her lover's employment.
- Several cases involving disabled employees suing employers (including governmental entities) for wrongful termination in retaliation for taking time off for disability.
- Two Hispanic executives claiming ethnic discrimination and wrongful termination at an agricultural manufacturing company.
- "Failure to accommodate" claim against school district by deaf school teacher.
- Wrongful termination from pregnancy, and other pregnancy discrimination matters.
- Wrongful termination/discrimination on the basis of gender orientation.

Wrongful Termination

- Wrongful termination in violation of executive compensation agreement.
- Wrongful termination following allegedly inaccurate positive drug test.
- Major litigation against governmental entity for wrongful termination in violation of public policy as a result of controller reporting money management violations on a major construction project.

Retaliation/Whistleblower:

- Veterinarian who alleged wrongful termination in retaliation for reporting violations regarding animal care practices.
- Major litigation against public entity for demotion of high level police officer in retaliation for whistleblowing.
- Wrongful termination in retaliation for bringing lawsuit against co-franchisee.
- Retaliation for bringing lawsuits previously against major communications provider.
- Wrongful failure to hire in retaliation for recurrence of cancer (as litigator)

Wage & Hour

- Hispanic dishwashers who alleged wage & hour violations against restaurant. Defenses included claim that one woman was the victim of domestic violence and therefore took refuge at the restaurant, even while not working.
- Construction laborers alleged they were retaliated against based upon complaints of failure to comply with wage & hour requirements on a construction project.
- Wage & hour case against employer of "domestic", including "slavery" allegations.

MORE INFORMATION

Visit Jan Schau's Blog at schausmediationinsights.blogspot.com and sign up for her "Settlement Strategies" newsletter by sending an email to JFSchau@adrservices.org

Learn more at: www.schaumediation.com