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2026 TOP LABOR & EMPLOYMENT LAWYERS

The annual list of California's top labor and employment lawyers specializing in litigation, PAGA matters, unlawful terminations and workplace investigations.



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Erin Connell has practiced for 24 years, all of them at Orrick. She gravitated toward employment law for its human dimension and has stayed for its evolution, particularly in California.

"The ever-changing nature of employment law keeps our work fresh and interesting and provides a constant opportunity to think creatively, both in litigation and when it comes to counseling and compliance," Connell said.

She has built a practice around emerging areas: pay equity, pay transparency and the use of AI in employment settings. Several of her current matters sit at the front edge of those issues.

In a current matter, she is defending claims of algorithmic discrimination tied to Workday's AI-powered hiring software. *Mobley v. Workday, Inc.*, 23-cv-00770 (N.D. Cal., filed Feb. 21, 2023).

The case advances a theory that Workday, as a software vendor, acts as an agent of its customers. As Connell describes it, the case is significant "not only for its potential impact on Workday, but also for how it could shape the way courts across the country evaluate liability for AI-powered software, both in the employment context and beyond."

Connell is also defending a series of Washington Equal Pay and Opportunities Act class actions, including matters for Snap, TikTok, ByteDance, Meta and Oracle, which allege that job postings omit pay ranges. The statute provides a private right of action and statutory damages, and the plaintiffs' bar has filed more than 400 class actions on behalf of serial plaintiffs. Connell has secured early results: she defeated class certification for Snap, one of the first such decisions under the EPOA, and for Meta, she won a ruling that a 2025 amendment to the statute's damages provision does not apply retroactively.

In a California Equal Pay Act class action paired with a PAGA claim, Connell redefined the class to include only women who had not signed arbitration agreements, reducing it by roughly 70%, then defeated class certification by striking

the plaintiffs' statistical expert. The individual cases resolved, leaving the PAGA action. *Feuer v. Zendesk, Inc.*, CGC-22-599855 (S.F. Super. Ct., filed May 27, 2022).

The pay transparency docket carries a particular demand. "There is very little precedent to draw on — we have had to draw analogies from other areas and make judgment calls about the strongest arguments," Connell said.

Connell points to several trends shaping the field: the Ending Forced Arbitration Act prompting plaintiffs to add sexual harassment claims to stay in court, the spread of pay transparency laws, the current administration's skepticism toward disparate impact theory driving private disparate impact class actions and a rise in claims alleging discrimination against American workers tied to the H-1B and PERM programs.

The career matter she names is *OFCCP v. Oracle America, Inc.*, in which she served as lead litigation and trial counsel. The Department of Labor sought \$800 million for alleged systemic pay and job assignment discrimination. After years of litigation, a two-week trial in December 2019 and post-trial briefing that ran into 2020, the administrative law judge dismissed the case in a decision exceeding 200 pages. "I consider this win a defining moment because the stakes were so high and everything felt stacked against us," Connell said.