

# MusickPeeler

## Kristine E. Kwong

PARTNER

Kristine Kwong is a partner in the Firm's Los Angeles office and advises and counsels clients on a wide range of business, corporate, operational and employment issues, including business counseling, contract negotiation and preparation, restrictive covenant and non-compete agreements, executive mobility issues, due diligence in connection with mergers and acquisitions, and range of employment matters. She represents both public and private sector entities in retail, manufacturing, finance, healthcare, hospitality, real estate, and charitable and tax-exempt organizations, including religious entities, federally qualified health centers, educational institutions from K-12 districts, colleges to charter schools, and public sector agencies, municipalities, commissions and special districts in both litigation and transactional matters. She has defended single plaintiff and class action wage and hour matters, claims under the Private Attorney General Act, discrimination, harassment, retaliation claims, non-compete, trade secrets, restrictive covenants, as well as business and partnership disputes. Ms. Kwong places a special emphasis on the development of practical, preventative measures and provides counsel with corporate related issues arising out of mergers and acquisitions, closures and restructurings.

Ms. Kwong also represents clients in both federal and state courts, and in administrative hearings, including the Division of Labor Standards Enforcement, the California Department of Fair Employment and Housing, Equal Employment Opportunity Commission, the Office of Administrative Hearings, the Public Employment Relations Board and the National Labor Relations Board. In addition, Ms. Kwong is highly experienced in labor negotiations with employee associations, including SEIU, Teamsters, CTA, CSEA and SBPEA.

Ms. Kwong's practice also includes conducting high profile and sensitive internal investigations involving compliance with federal and state laws, claims of illegal personnel and business activities, and corporate and operational matters. Ms. Kwong is also experienced in the drafting and updating of handbooks, operational and policy manuals, codes of conduct, restrictive covenants, trade secret agreements and severance packages. She is a lecturer with CEB, and is also a contributing author to the CEB publication, *Drafting Employment Documents for California Employers* and lecturer with CEB.

Upon graduation from law school, Ms. Kwong clerked for the Honorable Morio L. Fukuto, of the California Court of Appeal, Second District.

In addition to her many years of experience, Ms. Kwong is a prolific and sought-after trainer. She regularly produces and presents training programs throughout the country on current issues of employment law, particularly in the area of government-mandated programs such as the FMLA, FEHA, CFRA, PDL and ADA. Her training programs also include business and operational compliance matters. Ms. Kwong is frequently requested as a speaker and regularly presents to various associations across the country.

Ms. Kwong also writes in her areas of emphasis. Her publications include:

- "Disability Discrimination Under The California Fair Employment and Housing Act," February 2015. "Chipping Away at Restrictive Covenants," California Minority Counsel Program, July 2010.
- "Employee Transfer of Confidential Documents to Home Computer Not a Violation of CFAA," HR spotlight.com, October 2009.
- "Termination of Employee with Syncope Did Not Violate the Americans with Disabilities Act," Council on Education in Management's newsletter, *HR Watch*

, April 2007.

- “Employee’s Complaints About his Medical Condition are Sufficient Notice to Trigger FMLA Leave Entitlement,” *Employment Law Update*, Council on Education in Management’s newsletter, *HR Watch*, March 2007. “When Residents Misbehave: Employer Liability for Third Party Harassment,” *Assisted Living Management Report*, March 2007.
- “Navigating the Disability Maze,” Alliance of Schools for Cooperative Insurance Programs’ newsletter, *ASCIP Views*, December 2006.
- “The First Amendment is Alive and Well in the Public Sector,” *Public Sector Employment Law Update*, August 2006. “Sexual Harassment Among Friends? The Latest Developments in Sexual Harassment,” Council on Education Management, July 2006.
- “California Mandates Sexual Harassment Training,” Cooperative Organization for the Development of Employee Selection Procedures, July 2005.

## Community

Ms. Kwong served as an Adjunct Professor at Cal State Northridge and Fremont College, teaching employment law, and previously served on the Transportation Commission for the City of South Pasadena. She currently serves on the Legal Reform Committee at the California Chamber of Commerce and on the Advisory Committee for Fremont College. A former professional musician, Ms. Kwong currently plays for the Los Angeles Doctor’s Symphony Orchestra and accompanies various choral groups.

## Admissions & Associations

State Bar of California

United States District Court for the Central and Eastern Districts of California

United States Court of Appeal for the Ninth Circuit