

## **CHESTER HANVEY, PH.D.**

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## **SUMMARY**

Chester Hanvey provides expert testimony and consulting services on labor and employment matters. Dr. Hanvey has worked with more than 100 organizations across a range of industries including public and private sectors. He specializes in designing and conducting job analyses and conducting statistical analyses to evaluate wage and hour compliance, appropriateness of class certification, allegations of discrimination, and damages. He has authored chapters and journal articles and regularly presents his work on topics including wage and hour litigation, class certification, and statistical analyses. Most notably, he is the editor of *Practitioner's Guide to Legal Issues in Organizations*, a book that offers practical guidance to HR practitioners and experts evaluating a variety of labor and employment legal issues. His experience includes:

### *Wage and Hour*

- Misclassification (e.g., FLSA and State Exemptions, Independent Contractor)
- Off-the-Clock Work (e.g., Security Checks, Walking time, Donning/Doffing)
- Meal and Rest Breaks (e.g., missed, short or late breaks, on-duty meal breaks)
- Time Clock Policies (e.g., time shaving, improper rounding)
- Damages Estimates (e.g., unpaid time, overtime, penalties, interest)
- Statistical Issues (e.g., class certification, sampling)

### *Discrimination*

- Adverse Impact Analysis
- Test Validation (Public and Private sector)
- Compensation Equity
- Physical Abilities Testing
- Disabilities (e.g., Essential Functions)

## **EDUCATION**

**Ph.D.** Industrial/Organizational Psychology (Minor: Quantitative Methods),  
University of Houston, 2011

**M.A.** Psychology, University of Houston, 2008

**B.A.** Psychology (Minor: Spanish), University of Texas at Austin, 2005

## **PRESENT EMPLOYMENT**

**2015-Present Associate Director**  
*Berkeley Research Group, Emeryville, CA*

## **PREVIOUS EMPLOYMENT**

**2014-2015 Senior Managing Consultant**  
*Berkeley Research Group, Emeryville, CA*

**2012-2014 Senior Consultant**  
*Lamorinda Consulting, LLC., Orinda, CA*

**2008-2012 Consultant**  
*Lamorinda Consulting, LLC., Orinda, CA*

**2008 Instructor**  
*University of Houston, Houston, TX*

**2007-2008 Teaching Fellow / Lab Instructor**  
*University of Houston, Houston, TX*

**2007-2008 Consultant (Independent Contractor)**  
*Lamorinda Consulting, LLC., Orinda, CA*

**2006 Consultant (Independent Contractor)**  
*Development Dimensions International, Inc. (DDI), Bridgeville, PA*

## **PROFESSIONAL AFFILIATIONS**

Society of Industrial and Organizational Psychology (SIOP), Member  
American Psychological Association (APA), Member  
San Diego Industrial and Organizational Professionals (SDIOP), Member

## **SERVICE**

SIOP Visibility Committee, Member (2015-Present)  
SIOP Speed Mentor, Topic: Legal Issues (2014)  
SIOP Conference Reviewer (2011-Present)  
Southwest Academy of Management Conference Presentation Reviewer (2008)

## EXPERT WITNESS DISCLOSURES

*Badillo v. SG Labor, Inc.* (2017), Case No.: BCV-15-100192-SPC, Cal. Super. Ct., Kern County.

*Soares v. State of California, et al.* (2017), Case No. 2:16-CV-00128-WBS-EFB, E.D. Cal.

*Berg v. Canadian Hockey League, et al.* (2016), Court File No. CV-14-514423, Ontario Superior Court (Canada).

*Davenport v. Charter Communications* (2016), Case No. 4:12-cv-00007-AGF, E.D. Mo.

*Walter et al. v. Western Hockey League, et al.* (2016), Court File No. 1401-11912, Court of Queen's Bench of Alberta (Canada).

*Stitt, et al. v. San Francisco Municipal Transportation Agency, et al.* (2016), Case No. C-12-03704-YGR, N.D. Cal.

*Johnson et al. v. The City and County of San Francisco* (2015), Case No. CV 09-5503 JSW, N.D. Cal.

*Clayton v. Waste Recycling Services, Inc.* (2014), Case No. 3:14-cv-00262-N, N.D. Tex.

## PUBLICATIONS

### BOOKS AND CHAPTERS

**Hanvey, C.M., & Sady, K.G.** (Eds.) (2015). *Practitioner's Guide to Legal Issues in Organizations*. New York, NY: Springer.

**Hanvey, C.M., & Banks, C.G.** (2015). Wage and Hour Litigation. In C.M. Hanvey and K.G. Sady (Eds.), *Practitioner's Guide to Legal Issues in Organizations*. New York, NY: Springer.

### ARTICLES

**Hanvey, C.M., & Arnold, E.B.** (2016). Are your employees overtime-eligible? *Journal of Compensation and Benefits*. November/December, 20-27.

**Hanvey, C.M., & Arnold, E.B.** (2016). *Evaluating Employee Exempt Status According to Revised FLSA Exemption Criteria* [white paper]. Washington, DC: Berkeley Research Group.

Banks, C.G., & **Hanvey, C.M.** (2016). Wage and Hour Litigation Developments and Trends. *The Industrial-Organizational Psychologist*, 53 (3), 80-87.

Dubin, D.F., & **Hanvey, C.M.** (2015). Criterion-Related Validity: Strategies for Addressing Supervisor Rating Errors. *Quarterly: A publication of the Personnel Testing Council of Metropolitan Washington*, X (2), 5-8.

**Hanvey, C.M.**, & Arnold, E.B. (2012). Nature of the Work: On-Duty Meal Periods. *HR Advisor: Legal and Practical Guidance*, January/February, 20-28.

**Hanvey, C.M.** (2012). Job Analyses to Study FLSA Exemption Misclassification. *Quarterly: A publication of the Personnel Testing Council of Metropolitan Washington*, VIII (1), 6-9.

### **OTHER PUBLICATIONS**

Arnold, E.B., & **Hanvey, C. M.** (2016, April 29). Tools for Studying Your Employees' Duties. *Five on Friday*. [Web log post]. Seyfarth Shaw LLP.

## **SPEAKING ENGAGEMENTS**

### **CONFERENCE PROCEEDINGS**

**Hanvey, C.M.** (Accepted 2017, April). Chair, *Physical Abilities Testing: Lessons Learned in Test Development and Validation*. Panel Discussion presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Orlando, FL.

**Hanvey, C.M.** (Accepted 2017, April). Panelist, *Dos and Don'ts: Thriving as PhD, Masters, and Undergraduate Students*. Panel Discussion presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Orlando, FL.

**Hanvey, C.M.** (2016, April). Panelist, *Implications of Revisions to FLSA Exemptions for Organizations and Employees*. Panel Discussion presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Anaheim, CA.

**Hanvey, C.M.** (2016, April). Application of Bayesian Statistics to Wage and Hour Litigation. In K. Sady (Chair), *Beyond Frequentist Paradigms in Legal Scenarios: Consideration of Bayesian Approaches*. Symposium presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Anaheim, CA.

**Hanvey, C.M.** (2016, April). Panelist, *Do's and Don'ts of Graduate School: Surviving and Thriving 2.0*. Panel Discussion presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Anaheim, CA.

**Hanvey, C.M.** (2015, April). Panelist, *Performance Appraisal: Balancing Business Needs and Legal Defensibility*. Panel Discussion presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Philadelphia, PA.

Dubin, D.F., & **Hanvey, C.M.** (2015, April). Analyzing Nested Data in Criterion-Related Validation. In K. Sady & D. Dubin (Co-Chairs), *Faces in a Crowd: Data Aggregation Issues in Legal Scenarios*. Symposium presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Philadelphia, PA.

**Hanvey, C.M.** (2015, April). Panelist, *Do's and Don'ts of Graduate School: Surviving and Thriving*. Panel Discussion presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Philadelphia, PA.

**Hanvey, C.M.** (2014, May). Evaluating "Statistically Significant" Within-Title Variability. In C. Hanvey (Chair), *Within-Group Variability: Methodological and Statistical Advancements in the Legal Context*. Symposium presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Honolulu, HI.

**Hanvey, C.M.** (2014, May). Chair, *Within-Group Variability: Methodological and Statistical Advancements in the Legal Context*. Symposium presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Honolulu, HI.

**Hanvey, C.M.**, Banks, C. G. & Arnold, E. B. (2013, April). Appropriate Analyses at Different Stages of a Class Action Lawsuit. In C. Hanvey & K. Sady (Co-Chairs), *I-O in the Legal Context: Inconsistencies in Understanding and Application*. Symposium presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Houston, TX.

**Hanvey, C.M.** & Sady, K. (2013, April). Co-Chairs, *I-O in the Legal Context: Inconsistencies in Understanding and Application*. Symposium presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), Houston, TX.

**Hanvey, C.M.**, Arnold, E. B. (2012, August). Nature of the Work: On-Duty Meal Periods. In C. Hanvey (Chair), *Innovation in Job Analysis: Creative Solutions to Unique Challenges*. Symposium presented at the annual meeting of the American Psychological Association (APA), Orlando, FL.

**Hanvey, C.M.**, (2012, August). Chair, *Innovation in Job Analysis: Creative Solutions to Unique Challenges*. Symposium presented at the annual meeting of the American Psychological Association (APA), Orlando, FL.

**Hanvey, C.M.** (2012, April). Chair, *Job Analysis in a Legal Environment*. Panel Discussion conducted at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), San Diego, CA.

**Hanvey, C.M.**, Campion, J. E., Sady, K. (2009, April). *Juror Decisions in Wrongful Termination Cases: A Multi-Level Justice Perspective*. Interactive Poster presented at the annual meeting of the Society for Industrial and Organizational Psychology (SIOP), New Orleans, LA.

#### **SEMINARS AND PRESENTATIONS**

Arnold, E.B. & **Hanvey, C.M.** (2017, April). *Operationalizing and Measuring Key Concepts in Wage and Hour*. Presentation to the Wage and Hour Defense Institute (WDHI), Columbus, OH.

Arnold, E.B. & **Hanvey, C.M.** (2017, April). *Operationalizing and Measuring Key Concepts in Wage and Hour*. Paul Hastings Lunch Presentations, San Francisco, CA.

Arnold, E.B. & **Hanvey, C.M.** (2017, February). *Fair Pay: Is Your Company at Risk?* Presentation with Miller Law Group, San Francisco, CA.

Arnold, E.B. & **Hanvey, C.M.** (2017, February). *Fair Pay: Is Your Company at Risk?* Presentation with Miller Law Group, Palo Alto, CA.

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5/8/17