LCW Liebert Cassidy Whitmore

# Briefing Room

News and developments in employment law and labor relations for California Law Enforcement Management.

August 2018

## INDEX



## LCW NEWS



*Briefing Room* is published monthly for the benefit of the clients of Liebert Cassidy Whitmore. The information in *Briefing Room* should not be acted on without professional advice.

**Los Angeles** | Tel: 310.981.2000
**San Francisco** | Tel: 415.512.3000
**Fresno** | Tel: 559.256.7800
**San Diego** | Tel: 619.481.5900
**Sacramento** | Tel: 916.584.7000



## POBR

### *POBR's One-Year Limitations Period for Completing Misconduct Investigation Was Not Triggered by Discovery of Alleged Wrongdoing During Confidential Criminal Probe.*

The Public Safety Officers' Procedural Bill of Rights Act (POBR) requires that investigations into officer misconduct be completed within one year after a "person authorized to initiate an investigation" first discovers the alleged misconduct. In a recent case involving officers of the San Francisco Police Department (SFPD), the California Court of Appeal held that the POBR's one-year limitations period did not trigger upon the discovery of alleged officer misconduct by an SFPD lieutenant while he was assisting federal authorities in a confidential criminal probe.

In late 2012, while investigating corruption allegations against an SFPD sergeant, federal authorities obtained offensive text messages between the sergeant and other SFPD officers. The text messages were also reviewed by select members of the SFPD who were assisting in the federal investigation under an agreement that required confidentiality. Leading the SFPD team was a lieutenant who was designated as a "firewall" beyond whom no information about the case would be disclosed up the SFPD chain of command.

The federal investigation ultimately resulted in various indictments. The text messages thereafter became part of criminal discovery, and were subject to a protective order entered by the U.S. District Court.

In December 2014, convictions were handed down in the criminal case. A few days later, the texts were released to the administrative unit of SFPD's Internal Affairs Division, which subsequently investigated the officers who had exchanged the offensive texts. By April 2015, the Chief of Police issued disciplinary charges against multiple officers.

Although just a few months passed between the release of the offensive texts in December 2014 and the issuance of discipline charges in April 2015, the officers challenged the charges as untimely. They argued that the POBR's one-year limitations period started to run in late 2012

when the lieutenant assisting in the federal investigation became aware of the texts.

The Court of Appeal rejected the officers' argument. It held that when the lieutenant discovered the texts, he was not a person authorized to initiate an investigation of officer misconduct under the POBR. It explained that, whereas the lieutenant was aiding a *criminal* probe regarding SFPD personnel, the SFPD's practice was to allow only officers in the *administrative* unit of the Internal Affairs Division to initiate a misconduct investigation. In addition, although SFPD policy authorized "senior-ranking" officers to conduct an initial inquiry and then report any alleged misconduct, there was no evidence that the subject officers were subordinate members of the lieutenant's unit such that he would have been their "senior-ranking" officer.

The court also found that even if the lieutenant did have authority to initiate an investigation under the POBR, this authority was suspended during the federal criminal investigation and ensuing criminal trial, due to the confidentiality restrictions imposed by federal authorities and the protective order entered in the criminal case.

Finally, the court provided an alternative justification for why the misconduct charges were timely. The POBR states that if the alleged misconduct is also the subject of a criminal investigation or prosecution, the one-year limitations period is tolled while the criminal investigation or prosecution is pending. In this case, the court found that the officers' misconduct – i.e. exchanging offensive text messages – was the subject of the federal criminal investigation. The court explained that while the text messages did not contain evidence of criminal activity, they did make the officers persons of interest in the criminal investigation. The Court of Appeal therefore found that the POBR's one-year limitations period began to run only when the texts were released following the convictions in the criminal trial.

*Daugherty v. City and County of San Francisco, 24 Cal.App.5th 928 (2018).*

***NOTE:***

*Although this decision turned on a unique set of facts, it demonstrates how the POBR allows local agencies to cooperate with outside investigators without sacrificing the ability to timely investigate and address officer misconduct.*

## DUE PROCESS

### *Pre-Suspension Evidentiary Hearing Was Not Required for Correctional Officer Suspended After Being Criminally Charged with Mistreating Inmate.*

Following administrative and criminal investigations, a sergeant in the L.A. County Sherriff's Department (LASD) was charged with a misdemeanor and arrested for allegedly mistreating a prison inmate.

After the arrest, the LASD issued a notice of intent to suspend the sergeant without pay for up to 30 days beyond judgment of the pending criminal charge, and offered him a pre-discipline *Skelly* meeting. The LASD ultimately imposed the suspension and notified the sergeant of his right to request a post-discipline hearing to challenge the decision. In turn, the sergeant requested and was granted a hearing, but sought to have the hearing held in abeyance until the conclusion of the criminal case.

The sergeant then filed a petition for writ of mandate claiming that the Department violated his due process rights by failing to

provide him with an evidentiary hearing prior to suspending him. The LASD asserted that by offering the sergeant a pre-suspension Skelly meeting, it satisfied any due process obligations.

Affirming the trial court, the Court of Appeal rejected the sergeant's contention that due process entitled him to an evidentiary hearing prior to the suspension. The court relied in part on *Gilbert v. Homar*, in which the U.S. Supreme Court indicated that a public employer is not always required to provide an evidentiary hearing to a tenured public employee before taking disciplinary action.

Applying the principles articulated in *Gilbert*, the Court of Appeal found that the sergeant's significant interest in receiving a paycheck was "lessened by the fact that he was temporarily suspended, rather than terminated," and that he would have obtained a hearing within about three months after the suspension if not for his request for an abeyance. The court also found the scope of the hearing to be adequate, given the issues that were set to be addressed, including whether there was a nexus between the criminal charge and the sergeant's job duties, whether suspension was appropriate, and any defenses asserted by the sergeant.

The court also acknowledged the LASD's significant interest in an immediate suspension given the nature of the criminal allegations. In addition, while *Gilbert* involved a felony charge rather than a misdemeanor, the court declined to draw a distinction on this basis. "Although it may not be true of all misdemeanor charges, there is no question that a charge of inflicting cruel punishment on an inmate calls into question an officer's ability to do his or her job," the court said.

*Los Angeles County Professional Peace Officers Association v. County of Los Angeles, 2018 WL 2382152 (unpublished).*

***NOTE:***

*LCW attorneys* **Geoff Sheldon**, **Jennifer Palagi** *and* **David Urban** *secured this victory for the Los Angeles County Sherriff's Department.*

### *Administrative Finding that Employee Was Justifiably Terminated Barred Later Claim That Her Firing Was Discriminatory*

After being dismissed from the South Orange County Community College District (District) for unsatisfactory performance and inappropriate behavior, tenured librarian Carol Wassmann challenged the dismissal during a five-day administrative hearing conducted pursuant to the California Education Code.

An Administrative Law Judge (ALJ) presided at the hearing, and Wassmann had the opportunity to present witnesses. Although under the Education Code, Wassman could have challenged her dismissal "on any ground," she did not assert at the hearing that she was dismissed for discriminatory reasons. The ALJ ultimately upheld the District's decision, and issued a 20-page written decision finding that Wassmann was separated for cause. Wassman then challenged the ALJ's decision in court through a petition for writ of mandate, but lost.

Later, Wassmann filed a civil lawsuit against the District and other parties, claiming, among other things, that she was terminated because of her race and age in violation of the Fair Employment and Housing Act (FEHA). However, the trial court dismissed the claims on summary judgment, finding they were barred by res judicata and collateral estoppel, legal principles that prevent a party from re-litigating issues or claims that were already decided in another forum.

Affirming the trial court, the Court of Appeal explained that Wassman's hearing before the ALJ had a "sufficiently judicial character" to bar her civil lawsuit. For example, the hearing was conducted by an impartial decision-maker and Wassmann had the opportunity to subpoena and examine witnesses, introduce evidence, and present written and oral argument. In addition, witnesses testified under oath, the proceedings were transcribed, and the ALJ issued a written decision. Following Wassmann's unsuccessful court challenge to the ALJ's decision through writ proceedings, the decision became final and binding.

Because Wassmann already had the opportunity to present evidence to the ALJ that her termination was discriminatory, she could not re-litigate that issue in a subsequent lawsuit. Thus, Wassmann was barred from suing the District for allegedly terminating her for discriminatory reasons.

*Wassmann v. South Orange County Community College District, 24 Cal.App.5th 825 (2018).*

### *Retirement Board Must Provide Pensioner with Due Process to Determine Whether Felony Conviction Arose Out of Performance of Official Duties.*

Under Government Code section 7522.72 of the Public Employees' Pension Reform Act (PEPRA), a public pensioner forfeits a portion of retirement benefits if convicted of a felony for conduct occurring in the performance of official duties. In a recent case, a California Court of Appeal upheld the constitutionality of this law and ruled that the applicable retirement board must provide appropriate due process.

The case involved an illegal gambling operation run by Tod Hipsher, a firefighter with the Los Angeles County Fire Department (LAFD). After federal authorities charged Hipsher with managing the operation, he retired from the LAFD, and was later convicted of a felony.

Following the conviction, the Los Angeles County Employees Retirement Association (LACERA) sent Hipsher a letter stating that, pursuant to PEPRA, it was required to reduce his retirement benefits. According to the letter, the County's Human Resources Department had determined that Hipsher's felony conviction arose out of his performance of official duties. Human Resources relied on criminal investigation reports stating that Hipsher met with undercover agents at a fire station and showed them a room from where he conducted the gambling operation.

LACERA reduced Hipsher's retirement benefits and advised him that no administrative remedies were available to challenge the benefits reduction. Hipsher sued LACERA and named the County as a real party in interest, challenging the determination that his felony conviction related to his performance of official duties. Hipsher also claimed that the PEPRA provision at issue was unconstitutional as it interfered with his vested right to a pension.

On the constitutionality issue, the Court of Appeal ruled against Hipsher, finding that although Hipsher's right to a pension was vested at the time of LACERA's determination, a felony criminal conviction arising from official public duties was a valid justification for limited forfeiture.

However, the Court of Appeal also held that LACERA failed to provide Hipsher adequate due process in determining that the misconduct underlying his felony conviction arose out of the performance of official duties. The court noted that Hipsher had a protected interest in retirement benefits, but that PEPRA provided no mechanism for him to challenge the adverse

determination. It found that, at a minimum, Hipsher was entitled to reasonable written notice of the pending forfeiture, and to contest the action before an impartial decision-maker. Noting that, under the California Constitution, a public pension retirement board holds the "sole and exclusive responsibility" to administer its retirement system, the Court ruled that LACERA, rather than the County, was required to provide the necessary due process.

*Hipsher v. Los Angeles County Retirement Association, 24 Cal. App.5th 740 (2018)*

***NOTE:***

*LCW attorneys and public retirement experts* **Steven M. Berliner**, **Joung H. Yim**, **Christopher Frederick** *and* **Jennifer Rosner** *successfully represented the County of Los Angeles in this matter before both the trial court and the Court of Appeal.*

## DISCRIMINATION

### *Supervisor Who Mocked Employee's Stutter Violated FEHA's Prohibition on Disability Harassment.*

A California Court of Appeal upheld a $500,000 jury award for a prison guard whose supervisor repeatedly mocked his stutter in front of colleagues.

Augustine Caldera, a correctional officer in a state prison, has a speech impediment that causes him to stutter or stammer. Over a period of about two years, Caldera's supervisor at the prison mocked him several times in front of colleagues. For example, after Caldera made an announcement over the prison's radio system, the supervisor got on the radio and mimicked what Caldera had said. Caldera filed a formal complaint with his employer, the Department of Corrections, and raised concerns with his superiors after learning that the supervisor was being reassigned to his work area. Following the reassignment, the mocking continued.

Caldera sued the Department of Corrections, alleging claims under the Fair Employment and Housing Act (FEHA) including disability harassment and failure to prevent harassment. At trial, Caldera called witnesses who testified to having observed the mocking on approximately a dozen occasions and who told jurors that there was a "culture of joking" around Caldera's stutter.

To prevail on a FEHA claim, an employee must prove that he or she experienced harassment that was severe or pervasive. The jury found here that Caldera experienced harassing conduct that was both severe *and* pervasive, and awarded him $500,000 in noneconomic damages.

The Court of Appeal upheld the jury verdict. It found that there was sufficient evidence to support the jury's factual determination that Caldera experienced actionable harassment, noting that the harassing conduct in this case was verbally directed and specifically aimed at Caldera, that Caldera personally witnessed the harassing conduct on at least five occasions, and that the harassment occurred in the presence of other employees.

*Caldera v. Department of Corrections and Rehabilitation, et al., 235 Cal.Rptr.3d 262 (2018).*

***NOTE:***

*In order to fulfill its duty to prevent harassment, a public agency employer must promptly investigate and remedy complaints of harassing conduct based on any protected status.*

### *California Expands Protections Against National Origin Discrimination*

Effective July 1, 2018, California's Fair Employment and Housing Commission regulations expand protections against "national origin" discrimination under the Fair Employment and Housing Act (FEHA).

### Newly Expanded Definition of "National Origin"

Prior to July 1, 2018, the FEHA did not define "national origin." However, the new regulations now define the term broadly to include actual or perceived:

1. Physical, cultural, or linguistic characteristics associated with a national origin group;
2. Marriage to or association with persons of a national origin group;
3. Tribal affiliation;
4. Membership in or association with an organization identified with or seeking to promote the interests of a national origin group;
5. Attendance or participation in schools, churches, temples, mosques, or other religious institutions generally used by persons of a national origin group; and
6. A name that is associated with a national origin group.

"National origin groups" is defined to include, among other things, ethnic groups, geographic places of origin, and countries that are not presently in existence.

### Further Restrictions on "English-Only" Policies

The new regulations also establish additional restrictions on employer policies that limit or prohibit employees from speaking a particular language in the workplace. Workplace language restrictions are prohibited unless the restriction is justified by a "business necessity"; the restriction is narrowly tailored; and the employer effectively notifies employees of the circumstances and time when the restriction must be observed and the consequences for violating the restrictions. A "business necessity" does not exist where the restriction is based on mere "business convenience."

The new regulations also specify that employment discrimination based on an individual's accent is unlawful, unless the employer proves the accent "interferes materially" with job performance. An employer is also prohibited from discriminating based upon English proficiency, unless the action is justified by "business necessity." It is not unlawful for employers to ask applicants or employees for information related to proficiency in any language if the inquiry is justified by a business necessity.

### Restrictions on Employment Actions Related to Immigration Status

The new regulations apply to undocumented job applicants to the same extent as any other applicant or employee. The regulations also establish specific prohibited "immigration-related" practices related to an individual's immigration status. For example, employers are prohibited from inquiring into an applicant or employee's immigration status or discriminating based on immigration status, unless the employer clearly and convincingly shows that doing so is necessary to comply with federal immigration law. Under the Federal Immigration Reform and Control Act of 1986 (IRCA), employers must verify new employee authorization to work in the United States using federal Form I 9. IRCA also

prohibits employers from knowingly hiring or continuing to employ individuals who are not authorized to work in the country.

Additionally, under the new regulations, employers may not take adverse action against an employee who updates or attempts to update his or her personal information because of a change in the employee's name, social security number, or government-issued employment documents.

***NOTE:***

*Agencies are encouraged to review existing handbooks, application materials, and other policies to ensure they comply with the new FEHA regulations. A full copy of the revised regulations is available here:* https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2018/05/FinalTextRegNationalOriginDiscrimination.pdf

## LABOR RELATIONS

### *U.S. Supreme Court Rules That Mandatory Agency Shop Fees are Unconstitutional.*

In a long-awaited decision, the U.S. Supreme Court held that requiring public employees to pay agency shop service fees as a condition of continued employment violates the First Amendment to the U.S. Constitution. The *Janus v. AFSCME* decision reversed the Court's 1977 ruling in *Abood v. Detroit Bd. of Education* (1977) 431 U.S. 209, and became effective immediately on June 27, 2018.

Under an agency shop arrangement, employees within a designated bargaining unit of a labor organization (i.e., a union or local labor association) who decline full membership must pay a proportionate "fair share" agency shop fee to the labor organization as a condition of employment. Agency shop fees are different from union dues, which union members voluntarily pay to unions.

Examining an Illinois law authorizing agency shop fees, the U.S. Supreme Court in *Janus* ruled that "public-sector unions may no longer extract agency fees from non-consenting employees." The Court reasoned that the First Amendment right to free speech includes the right to refrain from speaking. It found that mandatory agency shop fees are tantamount to compelling a public employee to subsidize political speech, since union positions in collective bargaining have "political and civic consequences."

*Janus v. American Federation of State, County, and Municipal Employees, 138 S.Ct. 2448 (2018).*

### *Responding to* **Janus**, *Senate Bill 866 Provides Public Employee Unions Greater Control Over Dues, Communications and New Employee Orientations.*

Immediately after the U.S. Supreme Court decided *Janus*, California Governor Jerry Brown signed into law Senate Bill 866 (SB 866). SB 866 is urgency legislation that applies to all California public employers effective June 27, 2018.

Among other things, SB 866 requires public agencies to honor union requests to deduct voluntary union membership dues and initiation fees (distinct from agency fees) from employee wages, and requires agencies to rely on union certifications that the union has and will maintain member dues deduction authorizations. (Gov. Code, §§ 1152, 1157.3.) Also, if an employee requests to "cancel or change deductions," the agency must direct the employee to the union. (Gov. Code, § 1157.12.) Unions are responsible for processing these requests, not the public employer.

Additionally, SB 866 adds section 3553 to the Government Code, which defines a "mass communication" as a "written document, or script for an oral or recorded presentation or message, that is intended for delivery to multiple public employees." A public agency that chooses to send mass communications to its employees or applicants concerning the right to "join or support an employee organization, or to refrain from joining or supporting an employee organization" must first meet and confer with the union about the content of the mass communication. If the employer and the union do not come to an agreement about the content of the communication, the employer may still choose to send its communication, but must simultaneously send a communication of reasonable length provided by the union.

SB 866 also requires that new employee orientations be confidential. In addition to the existing legal requirement to provide unions with mandatory access to new employee orientations, newly enacted Government Code section 3556 states that the "date, time, and place of the orientation shall not be disclosed to anyone other than the employees, the [union], or a vendor that is contracted to provide services for the purposes of the orientation."

§


The ***Briefing Room*** is available via email. If you would like to be added to the email distribution list or If you know someone who would benefit from this publication, please visit www.lcwlegal.com/subscribe.aspx. **Please note:** By adding your name to the e-mail distribution list, you will no longer receive a hard copy of the ***Briefing Room***.
If you have any questions, call Morgan Favors at 310.981.2000.

Management Training Workshops

## Firm Activities

**Consortium Training**

| | |
|---|---|
| Sept. 5 | **"Preventing Workplace Harassment, Discrimination and Retaliation" and "The Future is Now – Embracing Generational Diversity and Succession Planning"**<br>NorCal ERC \| San Ramon \| Joy J. Chen |
| Sept. 5 | **"Public Service: Understanding the Roles and Responsibilities of Public Employees"**<br>Ventura/Santa Barbara ERC \| Webinar \| Kristi Recchia |
| Sept. 6 | **"Maximizing Performance Through Evaluation, Documentation and Discipline"**<br>Gateway Public ERC \| Pico Rivera \| Christopher S. Frederick |
| Sept. 6 | **"Maximizing Supervisory Skills for the First Line Supervisor"**<br>Napa/Solano/Yolo ERC \| Fairfield \| Kristin D. Lindgren |
| Sept. 12 | **"Navigating the Crossroads of Discipline and Disability Accommodation" and "Leaves, Leaves and More Leaves"**<br>San Gabriel Valley ERC \| Alhambra \| T. Oliver Yee |
| Sept. 13 | **"Managing the Marginal Employee" and "Nuts & Bolts Navigating Common Legal Risks for the Front Line Supervisor"**<br>East Inland Empire ERC \| Fontana \| Danny Y. Yoo |
| Sept. 13 | **"Disciplinary and Harassment Investigations: Who, What, When and How" and "Principles for Public Safety Employment"**<br>San Diego ERC \| Chula Vista \| Stefanie K. Vaudreuil |
| Sept. 18 | **"Maximizing Performance Through Evaluation, Documentation and Discipline" and "12 Steps to Avoiding Liability"**<br>North San Diego County \| San Marcos \| Stephanie J. Lowe |
| Sept. 20 | **"Difficult Conversations"**<br>Los Angeles County Human Resources \| Los Angeles \| T. Oliver Yee |
| Sept. 20 | **"A Supervisor's Guide to Labor Relations"**<br>Monterey Bay ERC \| Webinar \| Che I. Johnson |
| Sept. 20 | **"Public Sector Employment Law Update"**<br>Orange County Consortium \| San Juan Capistrano \| Geoffrey S. Sheldon |
| Sept. 20 | **"Maximizing Supervisory Skills for the First Line Supervisor"**<br>San Joaquin Valley ERC \| Ceres \| Kristin D. Lindgren |
| Sept. 20 | **"Conducting Disciplinary Investigations: Who, What, When and How"**<br>San Mateo County ERC \| Brisbane \| Suzanne Solomon |
| Sept. 26 | **"Preventing Workplace Harassment, Discrimination and Retaliation"**<br>Humboldt County ERC \| Arcata \| Erin Kunze |
| Sept. 26 | **"A Guide to Implementing Public Employee Discipline" and "Moving Into the Future"**<br>Sonoma/Marin ERC \| Rohnert Park \| Lisa S. Charbonneau |
| Sept. 27 | **"Public Sector Employment Law Update"**<br>Bay Area ERC \| Webinar \| Richard S. Whitmore |

| | |
|---|---|
| Sept. 27 | **"Difficult Conversations" and "Nuts and Bolts: Navigating Common Legal Risks for the Front Line Supervisor"**<br>Gold Country ERC \| Roseville \| Kristin D. Lindgren |
| Sept. 27 | **"Iron Fists or Kid Gloves: Retaliation in the Workplace"**<br>Humboldt County ERC \| Arcata \| Erin Kunze |
| Sept. 27 | **"Exercising Your Management Rights" and "Terminating the Employment Relationship"**<br>North State ERC \| Red Bluff \| Jack Hughes |
| Sept. 27 | **"Nuts & Bolts: Navigating Common Legal Risks for the Front Line Supervisor"**<br>South Bay \| Manhattan Beach \| Danny Y. Yoo |

**Customized Training**

| | |
|---|---|
| Aug. 28 | **"Legal Issues Regarding Hiring"**<br>City of Glendale \| Mark Meyerhoff |
| Aug. 28 | **"Key Legal Principles for Public Safety Managers - POST Management Course"**<br>Peace Officer Standards and Training - POST \| San Diego \| Frances Rogers |
| Aug. 29 | **"Preventing Workplace Harassment, Discrimination and Retaliation"**<br>City of La Habra \| Lee T. Patajo |
| Aug. 30 | **"Unconscious Bias and Microaggressions"**<br>City of Chino Hills \| Kristi Recchia |
| Aug. 30 | **"Risk Management Skills for the Front Line Supervisor"**<br>Zone 7 Water Agency \| Livermore \| Lisa S. Charbonneau |
| Sept. 5 | **"Preventing Workplace Harassment, Discrimination and Retaliation"**<br>City of Campbell \| Erin Kunze |
| Sept. 12 | **"Preventing Workplace Harassment, Discrimination and Retaliation and Mandated Reporting"**<br>East Bay Regional Park District \| Castro Valley \| Erin Kunze |
| Sept. 12 | **"Laws and Standards for Supervisors"**<br>Orange County Probation \| Santa Ana \| Christopher S. Frederick |
| Sept. 13 | **"Performance Management: Evaluation, Documentation and Discipline"**<br>ERMA \| Tulare \| Kristin D. Lindgren |
| Sept. 13 " | **Ethics in Public Service and Preventing Workplace Harassment, Discrimination and Retaliation"**<br>San Francisco Bay Area Rapid Transit District \| Oakland \| Morin I. Jacob |
| Sept. 14 | **"Preventing Workplace Harassment, Discrimination and Retaliation"**<br>County of San Luis Obispo \| Christopher S. Frederick |
| Sept. 17 | **"Ethics in Public Service"**<br>City of Sunnyvale \| Erin Kunze |
| Sept. 18 | **"File That! Best Practices for Documents and Record Management"**<br>City of Concord \| Heather R. Coffman |
| Sept. 19 | **"Courageous Authenticity & Conflict Resolution, Do You Care Enough To Have Critical Conversations?"**<br>City of Pico Rivera \| Kristi Recchia |

Sept. 24, 25 **"Ethics in Public Service"**
Merced County | TBD

Sept. 25 **"POBR"**
City of Alameda Police Department | Morin I. Jacob

Sept. 25 **"Preventing Workplace Harassment, Discrimination and Retaliation"**
City of Stockton | Gage C. Dungy

Sept. 27 **"MOU's, Leaves and Accommodations"**
City of Santa Monica | Laura Kalty

**Speaking Engagements**

Aug. 27 **"Janus Webinar"**
League of California Cities Human Resources Webinar | Webinar | Jack Hughes

Sept. 11 **"Role of the Chief Class"**
California Police Chiefs Association (CPCA) | Buena Park | J. Scott Tiedemann

Sept. 13 **"It Can Happen to #YouToo: Harassment Claims against City Officials"**
League of California Cities 2018 Annual Conference | Long Beach | J. Scott Tiedemann & Kirsten Keith & Tammy Letourneau

Sept. 20 **"Labor Relations Training"**
California State Association of Counties (CSAC) Labor Relations Class | Martinez | Richard S. Whitmore & Richard Bolanos & Gage C. Dungy

Sept. 20 **"Legal Update"**
Riverside County Law Enforcement Executives Association (RCLEAA) | Temecula | Geoffrey S. Sheldon

Sept. 20 **"10 Things You Can Do Now to Comply CalPERS Rules"**
Southern California Public Labor Relations Council (SCPLRC) Meeting | Cerritos | Steven M. Berliner

Sept. 26 **"Top Missteps Special Districts Should Avoid to Comply with Wage & Hour"**
California Special Districts Association (CSDA) Annual Conference | Indian Wells | Peter J. Brown

Sept. 26 **"Town Hall- Legal Eagles"**
CSDA Annual Conference | Indian Wells | Peter J. Brown

Sept. 26 **"Tackling Challenges in Accommodating Mental Disabilities in the Workplace"**
Public Agency Risk Managers Association (PARMA) Chapter Meeting | La Palma | Danny Y. Yoo

Sept. 27 **"Drugs & Alcohol in the Workplace"**
California Fire Chiefs Association (CFCA) | Sacramento | Morin I. Jacob

**Seminars/Webinars**

Sept. 12 **"Releasing Probationary Employees --More Complex Than you Might Think"**
Liebert Cassidy Whitmore | Webinar | Suzanne Solomon

Sept. 13 **"The Public Employment Relations Board (PERB) Academy"**
Liebert Cassidy Whitmore | Citrus Heights | Che I. Johnson & Kristi Recchia

Sept. 26 **"How to Successfully Implement and Defend A Light or Modified Duy Assignment for Temporarily Injured or Ill Employees"**
Liebert Cassidy Whitmore | Webinar | Jennifer Rosner & Rachel Shaw

LCW Liebert Cassidy Whitmore
6033 West Century Blvd., 5th Floor | Los Angeles, CA 90045
CalPublicAgencyLaborEmploymentBlog.com | @lcwlegal



***Briefing Room*** is published monthly for the benefit of the clients of Liebert Cassidy Whitmore.
The information in ***Briefing Room*** should not be acted on without professional advice. To contact us, please call 310.981.2000, 415.512.3000, 559.256.7800, 619.481.5900 or 916.584.7000 or e-mail info@lcwlegal.com.