



BRIEFING ROOM

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

OCTOBER 2020

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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.



DAMAGES

City May Deduct Post-Termination Earnings From Award In Wrongful Termination Case.

In 2017, the California Court of Appeal concluded that the City and County of San Francisco wrongly terminated Paulo Morgado from his job as a police officer. As a remedy, the court directed the City to vacate Morgado’s termination and reinstate him pending an administrative appeal. The City did reinstate Morgado. But, the City then suspended him without pay retroactive to his 2011 termination. Morgado argued that the retroactive suspension was inconsistent with the court order. The court agreed and issued an order holding the City in contempt. The contempt order required the City to “unconditionally” vacate Morgado’s termination and suspension, and compensate him with front pay and benefits he would have earned between his termination and court victory.

Next, Morgado argued that the City was only partially complying with the court’s order. Instead of paying him in full, the City offset the payment owed to Morgado based on his post-termination earnings as a mortgage broker. Morgado argued that the City used his tax returns for the years he was employed as a broker and suspended as a police officer to deduct \$181,402. Morgado obtained a second order of contempt against the City directing it to repay the amount deducted. That ruling made its way to the California Court of Appeal.

On appeal, the sole issue was whether the “front pay”- or the future wages Morgado lost for the time between his termination and his court victory-- was subject to an \$181,402 deduction for the side income he earned during that time. In public and private employment cases, the governing remedial principle is that the remedy should return the employee to the financial position he would have been in had the employer’s unlawful conduct not occurred. Employees, however, are generally not entitled to recover in excess of make-whole damages.

The court first considered whether an employer can offset front pay. Morgado argued that front pay is immune to offset. The Court of Appeal disagreed. The court noted that there was no basis “in logic or fairness” to exclude front pay from the principle of “make-whole relief.” The court reasoned that the purpose is to make a wrongfully terminated employee whole. Thus, front pay must be subject to deduction to avoid overcompensation.

The court then evaluated whether the City could take a deduction for income generated by “moonlighting” or side employment. The court noted that if an employee would have earned such income regardless of his employment status, the income cannot be deducted from the wrongful termination compensation. Here, the court reasoned that if Morgado had not been terminated and suspended, he would not have been able to take up secondary employment as a mortgage broker and he would not have earned the disputed income. Thus, the City was justified in deducting the compensation from his front pay award.



Finally, the court analyzed whether the City calculated the \$181,402 deduction properly. The court noted that the \$181,402 was based on the total pre-tax income Morgado made as a broker. The court concluded that taking away \$181,402 from Morgado, when he earned only a portion of that figure after taxes, would deprive him of money that he was properly owed. The court remanded the issue for the parties to determine the proper post-tax amount of the deduction.

Morgado v. City & Cty. of San Francisco, 53 Cal. App. 5th 1216 (2020).

NOTE:

This case demonstrates the complexities of offsetting damages awards in employment cases. Agencies should ensure they are considering mitigating income when paying employees both back pay and front pay.

QUALIFIED IMMUNITY

Qualified Immunity Does Not Apply To First Amendment Retaliation Claim Against County.

Natia Sampson is the paternal aunt of a minor named H.S. In 2014, after learning that H.S.'s parents had been incarcerated, Sampson volunteered to become H.S.'s legal guardian. The Los Angeles County juvenile dependency court ordered H.S. to be placed in Sampson's care pending Sampson's guardianship application. The Los Angeles County Department of Children and Family Services (DCFS) assigned social worker Ahmed Obakhume to H.S.'s case.

While Obakhume was assigned to H.S.'s case, he commented on Sampson's appearance and marital status, urged her to end her marriage, touched her inappropriately, and attempted to coerce her into riding in his vehicle. After several months of unwanted advances, Sampson complained about Obakhume's conduct to his supervisor, Nicole Davis. In responding to Sampson's complaint, Davis said that Obakhume was "one of her best" social workers and the only one willing to work with H.S.'s biological parents. Obakhume's conduct continued.

Sampson also experienced two other issues dealing with DCFS officials. One issue was that DCFS required Sampson to supervise visits between H.S. and the biological parents, even though Sampson expressed her unwillingness to do so. The other issue was that when Sampson had difficulties obtaining a special type of funding for caregivers, DCFS officials continued to incorrectly tell her there were unsatisfied requirements. Despite Sampson's numerous complaints and DCFS's assurances they would remedy these issues, they never

did.

In August 2015, the juvenile court granted legal guardianship of H.S. to Sampson. Thereafter, H.S.'s biological father absconded with H.S. in October 2015 during a visit that Obakhume had said could be unsupervised. Obakhume visited Sampson's house to discuss the incident and told her that the social workers "stick together" and "cover for each other."

A month later, with Davis' permission, Obakhume filed unsupported allegations that Sampson was neglecting and abusing H.S. DCFS then sought an order from the juvenile court to remove H.S. from Sampson's care. After significant litigation and a brief period in which H.S. was removed from Sampson's custody, the California Court of Appeal returned H.S. to Sampson's care realizing that DCFS's allegations of abuse and neglect were unfounded.

Sampson subsequently sued DCFS and four individual DCFS employees, including Obakhume and Davis, under 42 U.S.C. § 1983. Sampson alleged sexual harassment in violation of the Equal Protection Clause of the Fourteenth Amendment, retaliation in violation of the First Amendment, and other constitutional claims. The district court granted qualified immunity to DCFS on Sampson's First and Fourteenth Amendment claims and dismissed all other causes of action. Sampson appealed the district court's dismissal based on qualified immunity for her Fourteenth Amendment equal protection and First Amendment retaliation claims.

In order to state a claim under Section 1983, Sampson had to plausibly allege that she was deprived "of a federally protected right" and that the "alleged deprivation was committed by a person acting under color of state law." In Section 1983 actions, qualified immunity protects government officials from liability for civil damages so long as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known. To determine whether qualified immunity exists, a court will consider whether: 1) the person suing has plausibly alleged a violation of a constitutional right; and 2) the constitutional right was clearly established at the time.

The Ninth Circuit vacated the district court's grant of qualified immunity to DCFS on Sampson's First Amendment retaliation claim. The court reasoned that at the time of DCFS's misconduct, it was clearly established that the First Amendment prohibits public officials from threatening to remove a child from an individual's custody to chill protected speech. In other words, DCFS should have known that it was unconstitutional to retaliate against Sampson for speaking out about the sexual harassment she allegedly suffered. The court then

remanded the claim to the district court to determine whether Sampson could meet the first prong of the test, namely whether she plausibly alleged a retaliation claim under the First Amendment.

Regarding Sampson's Fourteenth Amendment equal protection claim, the Ninth Circuit affirmed the district court's grant of qualified immunity. The court noted that unlike Sampson's retaliation claim, the right of private individuals to be free from sexual harassment at the hands of social workers was not clearly established at the time. However, the court nonetheless determined that moving forward, public officials, including social workers, violate the Equal Protection Clause of the Fourteenth Amendment when they sexually harass individuals while providing them social services.

Sampson v. Cty. of Los Angeles, 2020 WL 5405672 (9th Cir. Sept. 9, 2020)

NOTE:

While this case dealt with the Equal Protection Clause as it relates to social workers, prior case law clearly establishes the right under the Equal Protection Clause to be free from sexual harassment by public officials in the workplace.

DISCRIMINATION

Sheriff's Department Prevails Due To Lack Evidence Of Adverse Employment Actions.

The Los Angeles County Sheriff's Department hired Dr. Marcel Obi as an Informational Systems Analyst II in 2000. In 2009, the Department promoted Obi to Information Systems Supervisor II. In that job, he supervised others working in Web development and had a private office.

In 2014, the Department reclassified Obi as a Principal Information Systems Analyst (PISA) after consolidating aspects of the Data Systems Bureau. During this period, Captain Paul E. Drake oversaw that Bureau. At Obi's request, Captain Drake reclassified Obi to a different position (Principal Operations Systems Analyst (POSA), which resulted in an increase in his compensation. According to Obi, however, his new job duties, including managing infrastructure like generators and air conditioning units, were unrelated to his previous job duties and experience in Web development.

Following the reassignment and transfer, Captain Drake emailed Obi with expectations for the POSA position. Captain Drake also stated, "If you cannot rise to the occasion you will be replaced." In a separate email that included Obi's subordinates, Captain Drake wrote

that Obi's request for information to respond to another colleague's inquiry was "immaterial." Obi responded that Captain Drake's email "humiliate[d] me in front [of] my subordinates" and wrote: "I just hope you realize you are constantly harassing me in many fronts and put a stop to it."

When a Department supervisor seeks to correct a POSA, they issue a Performance Log Entry (Log Entry), which can be used to reprimand or discipline employees. These Log Entries are discarded after one year. Between March 2015 and July 2017, Obi's supervisors issued Obi approximately 40 Log Entries. Obi's supervisors also began keeping daily logs about Obi with mostly negative comments and documentation of Obi's daily activities.

Obi received Performance Expectation Plans in 2015 and 2017 for failing to address issues in the Log Entries. Obi's Performance Expectation Plan in 2015 informed Obi that he could not delegate tasks to subordinates without supervisor approval, which was not required of other POSAs. Obi's Performance Expectation Plan in 2017 threatened discipline if he failed to perform to standards. Despite this, Obi admitted that he received positive performance evaluations between 2014 and 2017.

In March 2016, the Department transferred Obi to a new work location, which had no offices. Obi no longer had a private office.

One of Obi's supervisors assigned Obi as project manager for the Department's "HyperV" project. Obi refused to attend meetings on the project because he believed the project was fake and the meetings constituted harassment. Obi attended trainings for the project, but later claimed he was not given appropriate training. In November 2017, Obi was removed from the HyperV project.

Obi then sued the Department and his supervisors, alleging that they subjected him to adverse employment actions because of his race and national origin as an African-American of Nigerian descent in violation of the Fair Employment and Housing Act. To support his claims of discrimination, retaliation and harassment, Obi also alleged he overheard his supervisors ask, "What does he [Obi] get from his country?"

The trial court granted summary judgment for the Department and Obi's supervisors on the grounds that they did not take adverse employment action against Obi. The trial court found no connection between the Department's alleged actions and Obi's race or national origin.

Obi appealed, alleging there were triable issues as to whether the Department took adverse employment actions against him due to his race and national origin.

The Court of Appeal disagreed and affirmed summary judgment for the Department and Obi's supervisors.

The Court of Appeal held that Obi's job assignment, transfer, and loss of a private office were not adverse employment actions. Quoting *Simers v. Los Angeles Times Communications LLC* (2018) 18 Cal.App.5th 1248, the Court of Appeal acknowledged that "job reassignment may be an adverse employment action when it entails materially adverse consequences." However, Obi's reclassification resulted in an increase in compensation, and Obi offered no evidence that there was an available position that would have allowed him to work in his preferred field (computer science rather than infrastructure). Obi also offered no evidence that his new office location was materially adverse, especially since there was no evidence that other POSAs had private offices.

The Court of Appeal also held that the criticism from Obi's supervisors, including the Log Entries, Performance Expectation Plans, and emails by Captain Drake, were not adverse employment actions. Obi admitted that he received positive performance evaluations during the period at issue, and offered no evidence that the conduct at issue substantially or materially changed his employment enough to impair prospects for advancement.

The Court of Appeal held there was insufficient evidence that Obi was given an unreasonable workload related to the HyperV project or denied training opportunities. The court acknowledged that Obi did attend trainings but was ultimately removed from the project after he refused to work on it. Therefore, the HyperV project could not have led to extra work or impaired his performance. Similarly, Obi's allegations that he was deprived of supervisory authority were either too isolated or trivial to be sufficiently adverse, or were not supported with evidence.

Since the Court of Appeal concluded there were no adverse employment actions, it did not consider whether any actions by the Department or Obi's supervisors were linked to alleged animus based on Obi's race or national origin.

Obi v. Los Angeles County Sheriff's Department, 2020 WL 4783354 (2020).

NOTE:

Although this case is unpublished and therefore generally not citable, it is a notable reminder that not all employment actions contrary to an employee's preferences constitute actionable adverse employment actions under the California Fair Employment and Housing Act.

LEGISLATIVE HIGHLIGHTS: EMPLOYMENT-RELATED, PUBLIC SAFETY BILLS AT A GLANCE

California Legislature's lawmaking season ended on September 30. Below, LCW summarizes some important, employment-related portions of public safety bills that have survived the legislative process and which the Governor either signed into law or vetoed by the September 30, 2020 deadline.

Peace Officer Qualifications.

SIGNED INTO LAW-- AB 846 (Burke D) Expands the minimum standards for peace officers to include that the officer is free from protected- status bias. Requires law enforcement agencies to review and amend peace officer job descriptions to emphasize community-based policing.

Current law (Government Code section 1031) requires peace officers to meet specified minimum standards, including that peace officers be evaluated by a doctor and found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer. Effective January 1, 2021, this new law amends Government Code section 1031 to require that the mental evaluation also include whether the candidate has bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation. Also effective January 1, 2021, this law adds new Penal Code section 13651 to require law enforcement agencies to review the job description of peace officers and make changes that emphasize community-based policing, familiarization between law enforcement and community residents, and collaborative problem solving, while de-emphasizing the paramilitary aspects of the job.

Attorney General Investigation Of Some Officer-Involved Shootings

SIGNED INTO LAW—AB 1506 (McCarty) Authorizes State Attorney General to investigate officer-involved shootings of unarmed civilians; requires AG to prepare an investigation report and post on the internet; and requires AG to prosecute criminal actions as warranted against peace officers.

Effective January 1, 2021, this law adds new Government Code section 12525.3. This law authorizes the State Attorney General to investigate incidents of officer-involved shootings of unarmed civilians as defined.

The Attorney General must prepare a written investigation report with recommendations for modifications to policies, and post the report on the internet (with redactions as required by law). If criminal charges are warranted, the Attorney General must initiate and prosecute criminal charges against the officer.

Release Or Reporting Of Peace Officer Information And Records.

VETOED -- AB 1299 (Salas D) Would have required a law enforcement agency to notify POST about peace officer terminations, or resignations or retirements with a pending complaint, charge or investigation of a serious nature. Would have required POST reporting of same to law enforcement agencies conducting pre-employment background investigations.

The Governor's September 30, 2020 veto message stated that he agreed with the intent of this bill that peace officers with a history of misconduct should not be able to resign in lieu of termination and move to a different department without a completed investigation or a file of misconduct. The veto message stated that the bill did not go far enough, and that the Governor felt that signing this bill would slow the momentum for broader decertification measures in future legislative sessions. Finally, the veto message stated that the Governor supports the development of legislation with a broader approach.

VETOED -- SB 1220 (Umberg D) As of January 1, 2022, would have required law enforcement agencies to notify prosecuting agencies, annually and upon request, of sustained findings of peace or custodial officer sexual assault, some forms of dishonesty, moral turpitude or group bias. Would have given peace officers opportunity to challenge Brady listing.

The Governor's September 30, 2020 veto message stated he voted this bill because it imposes a significant and costly state mandate. The Governor's veto message said that he does support the goal of this bill to require transparency and due process for criminal defendants. To that end, the Governor's veto message directs the California Highway Patrol and the California Department of Corrections and Rehabilitation to develop a process to proactively provide information, in the form of a list with officer names and badge numbers, to the 58 California District Attorneys to assist them in their prosecutorial discovery obligations.

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NEW TO THE FIRM

English Bryant is an Associate in LCW's San Diego office, where she assists clients in all matters pertaining to labor and employment. Prior to joining LCW, English served as a legal advisor the San Diego County Sheriff's Department, handling high-level personnel issues, civil service hearings, and *Pitchess* motions, and overseeing Internal Affairs investigations and medical standards issues.

She can be reached at ebryant@lcwlegal.com.



FIRM PUBLICATIONS

To view these articles and the most recent attorney-authored articles, please visit: www.lcwlegal.com/news.

Partner **Pilar Morin**, Senior Counsel **David Urban** and Associate **Anni Safarloo** authored the *Daily Journal* article, "Review New Title IX Regulations, Effective This Month," discussing the new Title IX regulations that went into effect August 14, 2020.

Partner **Gage C. Dungy** was quoted in the *Law360* article, "Newsome Takes Aim at 'Gap' in COVID-19 Paid Sick Leave Law," discussing the recent signing of AB 1867, which gives Californians who have been exposed to or test positive for COVID-19 access to paid sick time for the remainder of 2020.

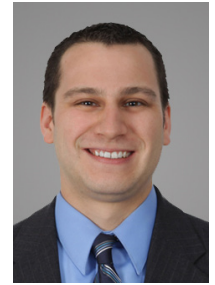
Partner **Brian P. Walter** and Associate **Alexander Volberding** authored the *Western City* article, "Best Practices to Avoid Employment Litigation Related to COVID-19," discussing how public agencies can avoid costly litigation in the era of COVID-19.

LCW

Congratulations to Our New Partners!



Introducing LCW's newest partners, Grace Chan & Michael Youril!



Grace Chan represents private educational institutions in all aspects of education and employment law. Grace works extensively in handling various employment and student issues, such as drafting employment agreements, employee handbooks, enrollment agreements and student handbooks, defending claims of alleged harassment and discrimination, among others. She regularly advises boards on governance issues, including updating bylaws, articles and board policies, and advising on board functions and operations, fiduciary duties and obligations, and risk management practices.

Michael Youril has extensive experience in retirement law including CalPERS, the '37 Act, and local retirement systems. Michael represents public agencies in all aspects of the CalPERS audit and determination process and in disability retirement proceedings. Michael regularly represents agencies before the Office of Administrative Hearings and various retirement Boards. Michael also litigates employment law actions in state and federal courts through all stages of litigation. He regularly litigates cases involving discrimination, harassment, retaliation, and whistleblower retaliation, among others. Michael has also litigated several individual and collective action cases brought under the Fair Labor Standards Act. Michael was named a Northern California Super Lawyers Rising Star in 2017 and 2020.

To view our tribute to Grace and Michael, and their remarks, please visit our [website](#).

Save the Date!

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February 18 - 19, 2021

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<https://www.lcwlegal.com/events-and-training/lcw-conference>

Upcoming Webinars

2021 Legislative Update for Public Safety



[Register here!](#)

THURSDAY, OCTOBER 22, 2020 | 10:00 AM - 11:00 AM

While every year brings change to the laws that impact public safety, this year the Legislature was busy considering legislation that will materially impact public agencies and their employees, particularly those that work in or for law enforcement. This one hour webinar will cover new legislation driven largely by calls for social justice as well as recent court decisions that will most significantly impact public safety departments in a variety of areas of the law. This webinar will help attendees understand and navigate changes to personnel laws that will most impact the management of public safety departments, including laws affecting hiring, investigation and discipline of personnel, civilian oversight, and civil rights liability issues.



**PRESENTED BY
Geoffrey S. Sheldon**

MANAGEMENT TRAINING WORKSHOPS

Firm Activities**Consortium Training**

- Oct. 7** **“Finding the Facts: Employee Misconduct & Disciplinary Investigations”**
Central Coast ERC | Webinar | Shelline Bennett
- Oct. 7** **“Finding the Facts: Employee Misconduct & Disciplinary Investigations”**
South Bay ERC | Webinar | Shelline Bennett
- Oct. 7** **“Labor Code 101 for Public Agencies”**
Central Valley ERC | Webinar | Michael Youril
- Oct. 8** **“Managing the Marginal Employee”**
East Inland Empire ERC | Webinar | Christopher S. Frederick
- Oct. 8** **“Managing the Marginal Employee”**
Monterey Bay ERC | Webinar | Christopher S. Frederick
- Oct. 8** **“Maximizing Supervisory Skills for the First Line Supervisor - Part 2”**
Mendocino County ERC | Webinar | Kristi Recchia
- Oct. 8** **“Maximizing Supervisory Skills for the First Line Supervisor - Part 2”**
San Diego ERC | Webinar | Kristi Recchia
- Oct. 8** **“Maximizing Supervisory Skills for the First Line Supervisor - Part 2”**
San Joaquin Valley ERC | Webinar | Kristi Recchia
- Oct. 8** **“Navigating the Crossroads of Discipline and Disability Accommodation”**
Orange County ERC | Webinar | Jennifer Rosner
- Oct. 13** **“Difficult Conversations”**
San Mateo County ERC | Webinar | Heather R. Coffman
- Oct. 14** **“Supervisor’s Guide to Public Sector Employment Law”**
North State ERC | Webinar | Jack Hughes
- Oct. 14** **“Family and Medical Care Leave Acts”**
San Gabriel Valley ERC | Webinar | Danny Y. Yoo
- Oct. 14** **“Family and Medical Care Leave Acts”**
Ventura/Santa Barbara ERC | Webinar | Danny Y. Yoo
- Oct. 15** **“Principles for Public Safety Employment”**
Bay Area ERC | Webinar | Suzanne Solomon
- Oct. 21** **“Maximizing Supervisory Skills for the First Line Supervisor - Part 2”**
Coachella Valley ERC | Webinar | Kristi Recchia
- Oct. 21** **“Maximizing Supervisory Skills for the First Line Supervisor - Part 2”**
Gold Country ERC | Webinar | Kristi Recchia
- Oct. 21** **“Maximizing Supervisory Skills for the First Line Supervisor - Part 2”**
Humboldt County ERC | Webinar | Kristi Recchia

Oct. 21	“Administering Overlapping Laws Covering Discrimination, Leaves and Retirement - Part 1” Sonoma/Marin ERC Webinar Richard Bolanos & Jessica A. Tyndall
Oct. 28	“Unfair Practice Charges and PERB” Central Valley ERC Webinar Che I. Johnson
Oct. 28	“Moving Into the Future” Monterey Bay ERC Webinar Erin Kunze
Oct. 28	“Human Resources Academy I” Ventura/Santa Barbara ERC Webinar Kristi Recchia
Oct. 29	“Maximizing Supervisory Skills for the First Line Supervisor - Part 2” Napa/Solano/Yolo ERC Webinar Kristi Recchia
Oct. 29	“Maximizing Supervisory Skills for the First Line Supervisor - Part 2” North San Diego County ERC Webinar Kristi Recchia
Oct. 29	“Maximizing Supervisory Skills for the First Line Supervisor - Part 2” West Inland Empire ERC Webinar Kristi Recchia
Oct. 29	“Public Sector Employment Law Update” Orange County ERC Webinar Richard S. Whitmore
Nov. 4	“Advanced Misconduct and Disciplinary Investigations” Central Coast ERC Webinar Shelline Bennett
Nov. 4	“Advanced Misconduct and Disciplinary Investigations” Humboldt County ERC Webinar Shelline Bennett
Nov. 4	“Advanced Misconduct and Disciplinary Investigations” South Bay ERC Webinar Shelline Bennett
Nov. 4	“Supervisor’s Guide to Understanding and Managing Employee’s Rights: Labor, Leaves and Accommodations” LA County HR Consortium Webinar Laura Drottz Kalty
Nov. 5	“The Art of Writing the Performance Evaluation” Gateway Public ERC Webinar Stephanie J. Lowe
Nov. 5	“The Art of Writing the Performance Evaluation” Mendocino County ERC Webinar Stephanie J. Lowe
Nov. 5	“Administering Overlapping Laws Covering Discrimination, Leaves and Retirement - Part 2” Sonoma/Marin ERC Webinar Richard Bolanos & Jessica A. Tyndall
Nov. 12	“Exercising Your Management Rights” Central Valley ERC Webinar Melanie L. Chaney
Nov. 12	“Exercising Your Management Rights” East Inland Empire ERC Webinar Melanie L. Chaney
Nov. 12	“Workers Compensation: Managing Employee Injuries, Disability and Occupational Safety - Part 1” Coachella Valley ERC Webinar GMK Attorney
Nov. 12	“Workers Compensation: Managing Employee Injuries, Disability and Occupational Safety - Part 1” San Gabriel Valley ERC Webinar GMK Attorney

- Nov. 12** **“Difficult Conversations”**
Napa/Solano/Yolo ERC | Webinar | Heather R. Coffman
- Nov. 12** **“Moving Into the Future”**
San Diego ERC | Webinar | Alysha Stein-Manes
- Nov. 18** **“File That! Best Practices for Employee Document and Record Management”**
Bay Area ERC | Webinar | Erin Kunze
- Nov. 18** **“File That! Best Practices for Employee Document and Record Management”**
North State ERC | Webinar | Erin Kunze
- Nov. 18** **“The Future is Now - Embracing Generational Diversity and Succession Planning”**
Gold Country ERC | Webinar | Jack Hughes
- Nov. 19** **“Prevention and Control of Absenteeism and Abuse of Leave”**
Imperial Valley ERC | Webinar | T. Oliver Yee
- Nov. 19** **“Difficult Conversations”**
NorCal ERC | Webinar | Heather R. Coffman
- Nov. 19** **“Nuts & Bolts: Navigating Common Legal Risks for the Front Line Supervisor”**
North San Diego County ERC | Webinar | Laura Drottz Kalty
- Nov. 19** **“Maximizing Performance Through Evaluation, Documentation and Corrective Action”**
San Mateo County ERC | Webinar | Christopher S. Frederick
- Nov. 19** **“Maximizing Performance Through Evaluation, Documentation and Corrective Action”**
West Inland Empire ERC | Webinar | Christopher S. Frederick

Customized Training

Our customized training programs can help improve workplace performance and reduce exposure to liability and costly litigation. For more information, please visit www.lcwlegal.com/events-and-training.

- Oct. 8** **“Maximizing Performance Through Evaluation, Documentation, and Corrective Action”**
City of Long Beach | Webinar | Stacey H. Sullivan
- Oct. 8** **“Understanding Our Unconscious Bias”**
Southern California Association of Governments (SCAG) | Webinar | Shelline Bennett
- Oct. 13** **“Bias Is A Four Letter Word - But It Doesn’t Have to Be”**
Riverside County District Attorney’s Office | Webinar | Suzanne Solomon
- Oct. 20** **“Legal Aspects of Violence in the Workplace”**
City of Stockton | Webinar | Kristin D. Lindgren
- Oct. 27** **“Key Legal Principles for Public Safety Managers - POST Management Course”**
Peace Officer Standards and Training - POST | San Diego | Mark Meyerhoff
- Oct. 27** **“Preventing Workplace Harassment, Discrimination and Retaliation”**
City of Stockton | Webinar | Brian J. Hoffman
- Oct. 28** **“Preventing Workplace Harassment, Discrimination and Retaliation”**
City of Millbrae | Webinar | Kelsey Cropper

- Oct. 29** **“Ethics in Public Service”**
Merced County | Webinar | Michael Youril
- Nov. 5** **“Ethics in Public Service”**
Merced County | Webinar | Michael Youril
- Nov. 5** **“Preventing Workplace Harassment, Discrimination and Retaliation”**
City of Millbrae | Webinar | Kelsey Cropper
- Nov. 5, 6** **“Preventing Workplace Harassment, Discrimination and Retaliation”**
ERMA | Webinar | Heather R. Coffman
- Nov. 10** **“Creating an Ethical Mindset and Embracing Diversity”**
Midpeninsula Regional Open Space District | Webinar | Erin Kunze
- Nov. 17** **“Preventing Workplace Harassment, Discrimination and Retaliation”**
City of Glendale | Jenny Denny
- Nov. 17** **“Performance Management: Evaluation, Documentation and Discipline”**
City of Stockton | Webinar | Brian J. Hoffman
- Nov. 17** **“FLSA”**
Los Angeles World Airports (LAWA) | Los Angeles | Elizabeth Tom Arce

Speaking Engagements

- Oct. 9** **“Layoffs, Furloughs, & Concessions - Negotiating in Challenging Times”**
League of California Cities 2020 Annual Conference | Webinar | Peter J. Brown & Laura Drottz Kalty
- Oct. 9** **“Telecommuting Policies - Hot Topics & Key Issues to Consider”**
League of California Cities 2020 Annual Conference | Webinar | T. Oliver Yee & Kristi Recchia
- Oct. 28** **“Labor Negotiations from Beginning to End”**
Municipal Management Association of Southern California (MMASC) Annual Conference | Webinar | Kevin J. Chicas
- Nov. 4** **“Defining Board & Staff Roles and Relationships”**
Special District Leadership Academy (SDLA) | Webinar | Mark Meyerhoff
- Nov. 5** **“Defining Board & Staff Roles and Relationships”**
Special District Leadership Academy (SDLA) | Webinar | Mark Meyerhoff
- Nov. 6** **“Labor and Employment Litigation Update”**
League of California Cities 2020 City Attorneys’ Conference | Webinar | Brian P. Walter
- Nov. 6** **“Battle Lessons from Trial Warriors”**
League of California Cities 2020 City Attorneys’ Conference | Webinar | Geoffrey S. Sheldon & Jennifer Rosner
- Nov. 13** **“Harassment Prevention Training”**
California State Association of Counties (CSAC) Virtual Annual Meeting | Webinar | Jack Hughes
- Nov. 16** **“The Independent Contractor Compliance Review: Overlapping Issues & Legal Compliance”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar | Gage C. Dungy & Elizabeth Tom Arce

- Nov. 17** **“Layoffs, Furloughs, And Concessions: Navigating & Negotiating During Financially Challenged Times”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar
| Richard Bolanos & Shelline Bennett
- Nov. 17** **“Negotiating Retirement And Health Benefits In Tough Economic Times”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar
| Steven M. Berliner & Jack Hughes
- Nov. 18** **“Telecommuting Policies: Hot Topics & Key Issues To Consider”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar
| Kristi Recchia & T. Oliver Yee
- Nov. 18** **“Managing Public Safety Employee Injuries And Illnesses: Navigating The Interactive Process, Labor Code 4850 And Similar Laws So That They Can Either Be Returned To Work Or Retired”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar
| J. Scott Tiedemann & Jennifer Rosner
- Nov. 19** **“Legislative & Legal Update”**
Public Employer Labor Relations Association of California (PELRAC) | Webinar | Peter J. Brown
- Nov. 19** **“Meet & Confer Obligations During An Emergency: Lessons Learned From COVID-19 & Preparing For The Next Crisis”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar
| Peter J. Brown & Che I. Johnson
- Nov. 19** **“FLSA Hot Topics And Legal Updates”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar
| Lisa S. Charbonneau & Brian P. Walter
- Nov. 20** **“Labor Relations Game Show!”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar
| J. Scott Tiedemann & Laura Drottz Kalty
- Nov. 20** **“Recent Developments In Public Sector Labor And Employment: A National Perspective”**
California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference | Webinar
| Peter J. Brown & Will Aitchison

Seminars / Webinars

For more information and to register, please visit www.lcwlegal.com/events-and-training/webinars-seminars.

- Oct. 15** **“New Changes To The California Family Rights Act - SB 1383 - What You Need To Know”**
Liebert Cassidy Whitmore | Webinar | Peter J. Brown
- Oct. 22** **“2021 Legislative Update for Public Safety”**
Liebert Cassidy Whitmore | Webinar | Geoffrey S. Sheldon
- Nov. 9** **“Train the Trainer Refresher: Harassment Prevention”**
Liebert Cassidy Whitmore | Webinar | Christopher S. Frederick

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