LCW Liebert Cassidy Whitmore

Fire Watch

News and developments in employment law and labor relations
for California Fire Safety Management.

January 2020

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

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DISCIPLINE

Civil Service Commission Abused Its Discretion by Reducing Deputy's Discipline.

In 2010, Los Angeles County Sheriff's Department (Department) Deputies Mark Montez and Omar Lopez strip-searched an inmate who stole items from a commissary cart. Lopez searched the inmate while Montez monitored the hallway to provide security. During the search, Lopez struck the inmate multiple times with his fist. Montez was aware of the assault, but did not participate.

After the inmate threatened the commissary employee who reported the theft, Lopez took the inmate to a control booth and shoved his face into a wall, causing severe bleeding. Montez was not present during the second assault, but he arrived shortly thereafter. Montez also stood in front of the bloody wall, which led the Department to determine he was aware of the second assault. Montez did not report either assault. A custody assistant, a non-sworn employee working in the facility, also observed the second assault but did not report it.

In the subsequent investigation, Montez denied hearing any indications of assault during the first incident, and denied observing blood on the wall after the second incident. As a result, the County terminated Montez for failing to report the use of force and making false statements during the investigation.

Montez appealed his discharge to the County's Civil Service Commission. The Commission found that the Department had proven the misconduct. But, the Commission decided Montez's penalty was too severe because of the lesser penalty a non-sworn custody assistant received. The custody assistant, who witnessed but failed to report the second assault, also made false statements during the investigation. The custody assistant, however, received only a five-day retraining discipline with pay. The Commission reduced Montez's discharge to a 30-day suspension without pay.

The County petitioned the trial court to overturn the Commission's penalty determination. The trial court agreed with the County, and issued an order directing the Commission to set aside its decision to reduce Montez's discipline. Montez appealed.

On appeal, the court determined that the Commission abused its discretion when it reduced Montez's discipline. Courts will not change the disciplinary penalty that an administrative body – like the Commission – imposes, unless there has been an abuse of discretion. In public employee discipline cases, the primary consideration in assessing the disciplinary penalty is the extent to which the employee's conduct resulted in harm to the public service. Other relevant factors are the circumstances surrounding the misconduct, and the likelihood of its recurrence. If the administrative body's findings are not in dispute, however, an abuse of discretion occurs when the findings do not support its decision.

In this case, the Commission's findings were not in dispute. Montez had failed to report two incidents of inmate abuse and had not been truthful in the Department's investigation. Peace officers are held to higher standards of conduct than civilian employees. Courts consider peace officer dishonesty to be highly injurious to the employing agencies and the public service. The court concluded that Montez's failure to report two incidents of abuse of an inmate constituted an "inexcusable neglect of his duty to safeguard the jail population," and his lies during the subsequent investigation "brought discredit upon his position and department, and forever undermined his credibility."

Moreover, Montez never recanted the false statements he made to the Department's investigators, and repeated them at the hearing before the Commission. The court found that honesty is not an isolated or transient behavior; instead, it is a continuing trait of character. The court found that the County did not need to retain deputies who lie to protect other deputies who harm inmates.

Thus, the court found that the Commission's decision to reduce Montez's discharge to a 30-day suspension was unsupported by its own findings.

County of Los Angeles v. Civil Service Com. of County of Los Angeles, 40 Cal.App.5th 871 (2019).

Note:

> *This case is another in a long line of cases that finds that termination is an appropriate penalty for peace officer dishonesty. Also important to this decision was that the deputy continued to be dishonest at his appeal hearing.*

DISABILITY

Case Dismissed Because Employee Presented No Evidence Of An Adverse Employment Action And Failed To Notify Employer Of A Disability.

John Doe worked as a psychologist at Ironwood State Prison for the California Department of Corrections and Rehabilitation (CDCR). Between 2013 and 2016, Doe submitted three accommodation requests to assist him with his concentration, including a quieter workspace, a thumb drive, and a small recorder. In support of his requests, Doe submitted medical notes from his physician, which indicated that Doe had a "learning disability," a "chronic work related medical condition" and a "physical disability" that made him "easily distracted" and disorganized when under stress.

When CDCR could not accommodate Doe's requests, he voluntarily took two paid medical leaves of absence. In 2016, during a third leave of absence, Doe submitted his resignation. Doe then sued CDCR, alleging discrimination, retaliation and harassment based on disability in violation of the Fair Employment and Housing Act (FEHA). Doe alleged he had two disabilities: asthma and dyslexia. Doe also alleged CDCR violated FEHA by failing to both accommodate his disabilities and engage in the interactive process. The trial court granted summary judgment for CDCR and Doe appealed. The California Court of Appeal affirmed summary judgment for CDCR on the following grounds.

The California Court of Appeal held that Doe's discrimination and retaliation claims failed because he presented no evidence that he was subjected to an adverse employment action—an essential element of both claims. Doe alleged CDCR subjected him to adverse employment actions by (i) criticizing his work performance, (ii) ordering a wellness check when he was out sick, (iii) suspecting him of bringing his personal cell phone into work in violation of work policy, (iv) assigning him to a primary crisis position on the same day as a union meeting, and (v) forcing him to take medical leave when he did not receive his requested accommodations.

The Court of Appeal held that the CDCR's alleged actions were minor conduct that upset Doe, but did not threaten to materially affect the terms and conditions of his job. Therefore, the actions did not reach the level of an adverse employment action. Further, Doe's decision to take medical leave was not an adverse employment action because the leave was voluntary and Doe requested it. The Court of Appeal also affirmed that CDCR's failure to accommodate Doe's alleged disability did not qualify as an adverse employment action for the purposes of a discrimination or retaliation claim.

As for Doe's harassment claim, the Court of Appeal held that none of the alleged conduct was subjectively severe enough to constitute harassment. Rather, each incident involved a personnel decision by Doe's supervisor within the scope of his supervisory duties. Simply because Doe felt his supervisor performed those duties in a negative or malicious way did not transform the conduct into disability harassment.

Finally, the Court of Appeal held that Doe's accommodation and interactive process claims failed because he presented insufficient evidence to support that CDCR was on notice that he had a FEHA-covered disability. Doe's medical notes indicated that he had a "chronic work related medical condition" and "physical disability," but did not state that Doe had asthma or dyslexia. Further, the medical notes failed to describe the extent of limitations his disability caused, which rendered CDCR unable to determine whether it could reasonably accommodate Doe.

Doe v. Department of Corrections and Rehabilitation, 2019 WL 6907515 (2019).

Note:

Employers should request employees provide reasonable documentation to support a request for accommodation for an alleged disability. This allows the employer to determine whether there is an FEHA-covered disability and to consider the full range of potential accommodations in the interactive process.

LABOR RELATIONS

Union Not Required To Exhaust Administrative Remedies Because MOU Did Not Provide For Class Grievances.

The Association for Los Angeles Deputy Sheriffs (ALADS) represents non-management deputy sheriffs and peace officers employed in the County of Los Angeles District Attorney's office. In 2017, the memorandum of understanding (MOU) between ALADS and the County contained provisions requiring the County to match compensation increases given to other safety employee unions. The MOU also contained a grievance procedure that ended in binding arbitration, to resolve any alleged violations of the MOU's terms. However, the MOU did not provide for class grievances.

During the MOU's effective period, the County approved a salary adjustment for another County safety employee union. ALADS thereafter initiated two grievances concerning the County's alleged failure to increase the salaries of ALADS's members to match the salary adjustment approved for other safety employees. As part of the grievance procedure, ALADS sent written requests for arbitration to the Employee Relations Commission (ERCOM). The County objected to the requests because ALADS could not initiate a grievance on behalf of the individuals it represents. According to ALADS, the County also refused to comply with a discovery order from ERCOM. As a result, the arbitrator handling the grievances took the scheduled arbitrations off calendar.

ALADS then sued the County; its lawsuit requested a writ of mandate requiring the County to comply with the MOU's compensation provisions. The County filed a demurrer on the grounds that ALADS failed to exhaust the administrative remedies provided by the MOU. The trial court agreed and sustained the demurrer without leave to amend.

The California Court of Appeal reversed and remanded the case back to the trial court for further proceedings. The failure to arbitrate in accordance with the grievance procedures in a MOU is a failure to exhaust administrative remedies. The Court of Appeal examined an exception to the exhaustion of remedies requirement. Under that exception, exhaustion of administrative remedies is not required if the available remedy is inadequate, or if pursuing that remedy would be futile.

ALADS argued that because class-wide relief was not available through the MOU's grievance process, it would need to prosecute separate individual grievance actions on behalf of each of its 7,800 members. The Court of Appeal agreed that would be an onerous, time-consuming process. The Court of Appeal decided that remedy was inadequate and that the exception to the exhaustion requirement applied.

There is no need to exhaust administrative remedies if the judicial action seeks relief on behalf of a class, and the available administrative procedures do not provide class-wide relief. Although ALADS's action against the County was a representative action on behalf of its members and not a class action, that distinction was immaterial because ALADS sought relief on behalf of a designated group of persons (its members), which was similar to a class action.

ALADS v. County of Los Angeles, 2019 WL 6463183 (2019).

Note:

This case illustrates why an agency may not always rely on a failure to exhaust administrative remedies defense despite a failure to use an MOU grievance procedure. Accordingly, agencies should closely examine their grievance procedures and consider whether to provide for class grievances.

County And Privately-Owned Medical Clinics Were Joint Employers.

Ventura County owns and operates Ventura County Medical Center (VCMC). VCMC contracts with a number of privately-owned clinics to provide medical services throughout the County.

The contracts between VCMC and the clinics are almost identical. Each clinic is owned by a physician, who serves as the clinic's medical director. Under the contracts, the clinics manage day-to-day operations and provide physicians and staff. However, the County provides and maintains the facilities, equipment, and furnishings for the clinics to operate; approves the operating budget for each clinic; and owns all revenues and accounts payable that the clinics generate. The County also trains clinic employees on VCMC policies. Clinic employees must attend a VCMC orientation and wear a badge that affiliates them with VCMC. Further, the County periodically reviews the work of clinic employees and conducts audits. Clinic employees could be disciplined if they did not follow VCMC policies.

SEIU, Local 721 (SEIU) sought to represent clinic employees. However, the County refused to process the representation petition. The County said it was not the "employer, joint or otherwise, of the persons SEIU purports to represent." Subsequently, SEIU filed an unfair practice charge with the Public Employment Relations Board (PERB) alleging that the County violated the Meyers-Milias-Brown Act by denying the petition.

The Administrative Law Judge (ALJ) dismissed the unfair practice charge. The ALJ found that PERB did not have jurisdiction because the County was not a single or joint employer of the clinic employees. SEIU challenged the ALJ's decision, and PERB reversed the ruling. PERB found that SEIU had meet its burden of proof under both the single and joint employer doctrines. The County then petitioned the California Court of Appeal to review PERB's decision.

The court affirmed PERB's decision and concluded that the County and the private medical clinics are joint employers. A joint employer relationship exists when two or more employers exert significant control over the same employees so as to share or co-determine essential terms and conditions of employment. A joint-employer relationship is established if an entity retains the right to control and direct the activities of the person rendering service, or the manner and method in which the work is performed. The court found that substantial evidence supported PERB's finding that the County was a joint employer of clinic employees.

For example, the clinic employees' salaries and benefits were part of the clinic's annual operating budget, which the County had to approve. The County also owned all revenues and accounts payable that a clinic generates. Moreover, the County had a right to control patient care and personnel policies, training, and other employment conditions. Finally, the County indicated that it had a right to control clinic operations on its various federal and state reporting forms. Thus, the court determined PERB correctly found the County was a joint employer of the clinic employees.

County of Ventura v. Public Employment Relations Bd., 254 Cal. Rptr.3d 902 (2019).

Note:

> *Many agencies believe that contracting for services prevents a joint employment. This case shows that significant control can create a joint employment relationship.*

WAGE AND HOUR

Judge Not Required To Approve FLSA Litigation Settlement.

Mei Xing Yu worked as a sushi chef at a restaurant owned and operated by Hasaki Restaurant, Inc. Yu sued Hasaki in New York State, on behalf of other similarly situated employees, for violating the Fair Labor Standards Act (FLSA) overtime provisions and New York labor laws. About three months later, Hasaki sent Yu a settlement offer for $20,000 plus reasonable attorneys' fees pursuant to Federal Rule of Civil Procedure 68 (Rule 68 offer).

Within a month, Yu sent the court notice that he was accepting the Rule 68 offer. The judge did not enter judgment. Instead, the judge directed the parties to submit a joint letter explaining why the settlement was fair and reasonable. Alternatively, the judge allowed the parties to argue why they believed that the judge was not required to approve their Rule 68 settlement.

The parties submitted a joint letter stating their opinion that the judge was not required to approve their settlement. The US Secretary of Labor submitted

an amicus brief stating that judicial approval was required for FLSA settlements. Although Rule 68 contains mandatory language requiring the clerk of the court to enter judgment without judicial approval, the judge noted that there were narrow exceptions to that rule for bankruptcy and class action settlements. The judge decided that FLSA settlements also fell within that narrow exception of Rule 68 offers that require judicial approval. The parties appealed to the US Court of Appeals for the Second Circuit.

The Second Circuit reviewed whether a Rule 68 offer of judgment that disposes of a FLSA claim in litigation needs to be reviewed by a district court or the US Department of Labor (DOL) for fairness before the clerk of the court can enter judgment.

The Second Circuit found that although FLSA authorizes the DOL to bring FLSA actions and to supervise the payment of unpaid wages or overtime pay, nothing in the FLSA commands that FLSA litigation can only be settled with a judge's approval. Conversely, the bankruptcy law, for example, explicitly requires judicial approval of settlements.

The Second Circuit also reviewed and dismissed several arguments that the amici parties raised to support their contention that judicial review and approval was required for FLSA settlements. The Second Circuit decided that no implied requirement for judicial approval could be read into Supreme Court or other court precedents, the FLSA's legislative history, or the remedial purpose of the FLSA.

Mei Xing Yu, et al v. Hasaki Restaurant, et al., 2019 WL 6646618 (2019).

Note:

This case is limited to FLSA cases that are filed in the Second Circuit and settled through Rule 68 offers of compromise. It is unknown if the Ninth Circuit, which covers California, would follow this precedent. Because this case is thorough and well-reasoned, however, it is persuasive.

CALIFORNIA PUBLIC RECORDS ACT

Attorneys' Fees Awarded To Newspaper That Defeated A Reverse-CPRA Action.

The Metropolitan Water District (MWD) is a cooperative water wholesaler with 26 members including the City of Los Angeles Department of Water and Power (DWP). In 2014, following then-Governor Brown's declaration that California was in a drought, MWD began a Turf Removal Rebate Program. The Program provided money or rebates to customers of its member agencies who replaced their grass with drought tolerant landscaping. MWD paid $370 to $450 million in rebates. There were about 40,000 participants in the Program, 7,800 of whom were DWP customers. The City of Los Angeles's Controller questioned the utility of the Program and observed that the rebates were concentrated in certain neighborhoods and certain businesses.

On May 19, 2015, a reporter for the San Diego Union Tribune (Tribune) made a California Public Records Act (CPRA) request to MWD for information related to the participants in the Program including their names, addresses, and rebate amounts.

Before responding to the Tribune's request, the MWD provided a copy of the request to DWP. DWP objected to revealing its customers' names and addresses. DWP and MWD thereafter agreed that MWD's disclosure would be limited and redacted.

On July 31, 2015, DWP sued to prevent MWD from releasing information about anyone (even individuals who were not DWP customers) who participated in the Program. This type of lawsuit is referred to as a "reverse CPRA" action. Reverse CPRA actions are viewed as necessary to protect the privacy rights of individuals whose personal information may be contained in government records. The trial court issued a temporary restraining order to prevent the disclosure of DWP customer information. The West Basin Municipal Water District, Foothill Municipal Water District, and the Upper San Gabriel Municipal Water Districts (Utility Intervenors) thereafter joined DWP's lawsuit and sought similar retraining orders for their own customers.

On August 6, 2015, the Tribune intervened in DWP's lawsuit against MWD and at the same time, filed a

CPRA cross-petition against MWD to compel the disclosure of the names and addresses of Program recipients.

On January 15, 2016, the trial court denied DWP's writ petition and granted the Tribune's cross-petition to compel disclosure of the records from MWD. The trial court also awarded the Tribune's attorneys' fees for intervening in the reverse CPRA lawsuit. However, the trial court declined to award the Tribune attorneys' fees for the legal briefing on the Tribune's fee motion.

The California Court of Appeal upheld the trial court's decision to award attorneys' fees to the Tribune on the reverse CPRA action. The Court of Appeal found that the Tribune meet the requirements of Code of Civil Procedure section 1021.5, which is known as the "private attorney general" exception to the general rule that parties bear their own attorneys' fees. The court reasoned that the Tribune was attempting to enforce the public's right to know how the government uses public money, and that disclosure of the records sought would confer a significant benefit to the public.

The Court of Appeal overturned the trial court's decision to deny the Tribune its fees for work related to briefing on its motion for attorneys' fees. The Court of Appeal found that the attorney work was not duplicative, and the Tribune was entitled to those fees as the prevailing party.

City of Los Angeles v. Metropolitan Water District, 42 Cal.App.5th 290 (2019).

Note:

> *Agencies considering bringing a reverse CPRA action must consider the possibility of an attorneys' fee award against the agency if the party seeking the records intervenes in that action, and receives a ruling ordering disclosure of the records at issue.*

ADMINISTRATIVE APPEAL

Terminated Officers' Mandatory Hearing Before Board Of Rights Satisfied POBR Administrative Appeal Right.

This case examined the administrative appeal rights of two former Los Angeles Police Department (LAPD) sergeants under the Public Safety Officers Bill of Rights Act (POBR). Both sergeants were subject to separate investigations for unrelated allegations of misconduct. The trial court coordinated the hearing on both sergeants' cases because they presented an identical POBR issue.

The City of Los Angeles's charter mandates that any decision to remove a peace officer from duty requires a hearing before and decision by a Board of Rights (Board). In 2010 and 2015, the LAPD initiated two separate internal investigations into two sergeants for alleged misconduct. Following the investigations, their commanding officers recommended termination of both, pending Board review in accordance with the City's charter. After complying with Skelly procedures, LAPD's Chief of Police also determined that both sergeants would be removed from their positions with the LAPD based upon the investigations' sustained findings, pending Board review.

After full evidentiary hearings, the Board found the sergeants were guilty of many of the sustained findings against them. The Chief then executed removal orders for both sergeants.

The sergeants then filed petitions for writ of mandate, alleging the City violated their POBR rights by failing to provide a fair administrative appeal, as required by Government Code section 3304(b). Notably, the sergeants did not argue that the Board hearings were insufficient to satisfy the POBR. Rather, they both argued that the Board hearings occurred before the agency issued its "final" sanction against them (i.e., the Board hearing was an interim step on the way to a final disciplinary action).

The trial court agreed, ordering the City to vacate the terminations and provide the sergeants with an opportunity for an administrative appeal as required by the POBR.

The Court of Appeal disagreed and reversed, holding that the hearing before the Board was the administrative appeal that Government Code section 3304(b) requires. Specifically, the Court of Appeal held that the Chief identified removal as the specific sanction against both sergeants before the Board hearing, and therefore the Board hearing constituted an administrative appeal that satisfied Section 3304(b). The Court of Appeal held that the City charter's requirement of a Board hearing is part of the procedure the POBR requires. The Court of Appeal declined to require the City to provide any more than what the POBR mandates.

Gonzalez v. City of Los Angeles, 42 Cal.App.5th 1034 (2019).

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NEW TO THE FIRM

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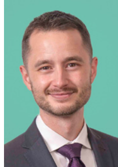

Shane Young is an Associate in our San Francisco office where he advises clients in labor and employment matters including employee hiring, firing, and discipline, personnel grievances, complaints by and against employees, internal policies, and labor relations.

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Savana Manglona is an Associate in our Sacramento office and provides advice and counsel to clients pertaining to labor and employment law and litigation. She also supports the firm's legislative tracking efforts on labor and employment law legislation.

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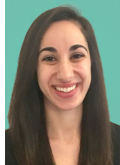

Daniella Bahrynian is an Associate in our Los Angeles office. She assists public sector agencies and educational institutions on a variety of matters including labor, employment, and education law. Prior to becoming a lawyer, Daniella taught third grade for three years through Teach for America.

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FIRM PUBLICATIONS

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

Congratulations to San Francisco Partner Linda Adler for being quoted in a *Law360* article about AB 5 and the new Independent Contractor test and how businesses should take a close look in light of the new law.

Fresno Partner Che Johnson and Sacramento Attorney Lars Reed authored an article for the *Daily Journal* on the looming pension reform for public agencies.

Sacramento Partner Gage Dungy and Associate Savana Manglona authored an article for *Bloomberg Law* on the new lactation accomodation requirements that take effect Jan. 1, 2020.

Sacramento Partner Gage Dungy and Associate Savana Manglona authored an article for Law.com's *The Recorder* on "What Employers Should Know About California's New Lactation Accommodation Requirements."

Los Angeles Partner Oliver Yee and Associate Kaylee Feick authored an article for the *Daily Journal* on "Navigating the Impacts of AB5 for Public Agency Employers."

Announcing LCW's On-Demand Harassment Prevention Training Tool

In 2018, California legislature passed **SB 1343** and **SB 778** expanding the requirement for who has to be trained on sexual harassment issues, largely in response to the #MeToo movement. The law requires employers with **five or more employees** to provide harassment prevention training to **all employees.** Supervisors must receive 2 hours of training every two years or within 6 months of their assumption of a supervisory position. Non-supervisory staff must participate in the **1-hour course every two years**.

If it sounds like a daunting task to get **ALL** of your employees trained, not to fear! LCW has you covered. Leaders in preventative training, we have training programs designed to meet your needs and ensure that your organization remains compliant.

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Our engaging, interactive, and informative on-demand training satisfies California's harassment prevention training requirements. This training is an easy-to-use tool that lets your employees watch at their own pace. Our on-demand training has quizzes incorporated throughout to assess understanding and application of the content and participants can download a certificate following the successful completion of the quizzes.

Our online training allows you to train your entire workforce and provides robust tracking analytics and dedicated account support for you.

This training is compatible with most **Learning Management Systems**.

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Online options are available for both the **Two-Hour Supervisory Training Course** and the **One-Hour Non-Supervisory Training Course**.

The use of this seal confirms that this activity has met HR Certification Institute's® (HRCI®) criteria for recertification credit pre-approval.

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Management Training Workshops

Firm Activities

Consortium Training

Jan. 8 **"Managing the Marginal Employee"**
North State ERC | Webinar | Michael Youril

Jan. 9 **"Public Sector Employment Law Update"** & **"Navigating the Crossroads of Discipline and Disability Accommodation"**
East Inland Empire ERC | Fontana | Geoffrey S. Sheldon

Jan. 9 **"Finding the Facts: Employee Misconduct & Disciplinary Investigations"**
Gateway Public ERC | Lakewood | James E. Oldendorph

Jan. 9 **"Legal Issues Regarding Hiring and Promotion"**
San Mateo County ERC | Brisbane | Lisa S. Charbonneau

Jan. 15 **"Public Sector Employment Law and Legislative Update"**
Bay Area, NorCal & San Diego ERC | Webinar | Richard S. Whitmore

Jan. 15 **"Advanced Investigations of Workplace Complaints"**
San Diego Fire Districts | Bonita | Stefanie K. Vaudreuil

Jan. 16 **"Labor Code 101"**
South Bay ERC | Webinar | Stephanie J. Lowe

Jan. 16 **"Public Service: Understanding the Roles and Responsibilities of Public Employees"** & **"Preventing Workplace Harassment, Discrimination and Retaliation"**
West Inland Empire ERC | Diamnond Bar | Ronnie Arenas

Jan. 29 **"Exercising Your Management Rights"**
Gold Country ERC | Webinar | Richard Bolanos

Jan. 30 **"Managing the Marginal Employee"**
L.A. County Human Resources Consortium | Webinar | Melanie L. Chaney

Feb. 5 **"Nuts & Bolts: Navigating Common Legal Risks for the Front Line Supervisor"** & **"Navigating the Crossroads of Discipline and Disability Accommodation"**
Central Valley ERC | Clovis | Jesse Maddox

Feb. 5 **"Finding the Facts: Employee Misconduct & Disciplinary Investigations"** & **"Public Sector Employment Law Update"**
Coachella Valley ERC | Palm Desert | Geoffrey S. Sheldon

Feb. 6 **"Addressing Workplace Violence"** & **"Iron Fists or Kid Gloves: Retaliation in the Workplace"**
Imperial Valley ERC | El Centro | Stefanie K. Vaudreuil

Feb. 6 **"Administering Overlapping Laws Covering Discrimination, Leaves and Retirement"**
North San Diego County ERC | Rancho Santa Fe | Frances Rogers & Jeremiah Heisler

Feb. 12 **"Navigating the Crossroads of Discipline and Disability Accommodation"** & **"Management Guide to Public Sector Labor Relations"**
Central Coast ERC | Arroyo Grande | Che I. Johnson

Feb. 12 **"Disaster Service Workers - If You Call Them, Will They Come?"** & **"The Future is Now - Embracing Generational Diversity and Succession Planning"**
NorCal ERC | Pleasant Hill | Lisa S. Charbonneau

Feb. 12 **"The Future is Now - Embracing Generational Diversity and Succession Planning"** & **"Disaster Service Workers - If You Call Them, Will They Come?"**
North State ERC | Redding | Gage C. Dungy

Feb. 12 **"Navigating the Crossroads of Discipline and Disability Accommodation"** & **"Privacy Issues in the Workplace"**
Ventura/Santa Barbara ERC | Simi Valley | T. Oliver Yee

Feb. 13 **"A Guide to Implementing Public Employee Discipline"**
Gateway Public ERC | Long Beach | Mark Meyerhoff

Feb. 13 **"Management Guide to Public Sector Labor Relations"**
San Mateo County ERC | Webinar | Richard Bolanos

Feb. 13 **"12 Steps to Avoiding Liability"** & **"Nuts & Bolts: Navigating Common Legal Risks for the Front Line Supervisor"**
West Inland Empire ERC | Diamond Bar | Laura Drottz Kalty

Feb. 19 **"Finding the Facts: Employee Misconduct & Disciplinary Investigations"** & **"Management Guide to Public Sector Labor Relations"**
San Gabriel Valley ERC | Alhambra | Melanie L. Chaney

Feb. 19 **"Prevention and Control of Absenteeism and Abuse of Leave"**
South Bay ERC | Palos Verdes Estates | Danny Y. Yoo

Feb. 20 **"The Future is Now - Embracing Generational Diversity and Succession Planning"**
LA County Human Resources Consortium | Los Angeles | Christopher S. Frederick

Feb. 20 **"Legal Issues Regarding Hiring"** & **"File That! Best Practices for Document and Record Management"**
Napa/Solano/Yolo ERC | Napa | Jack Hughes

Feb. 24 **"Progressive Discipline for the Regressive Employee: Building an Effective Case to Discipline Underperformers"**
San Diego Fire Districts | Alpine | Mark Meyerhoff

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/training.

Jan. 8 **"Communications"**
City of San Bernardino Municipal Water Department | San Bernardino | Kristi Recchia

Jan. 8 **"Preventing Workplace Harassment, Discrimination and Retaliation and Maximizing Supervisory Skills for the First Line Supervisor"**
Mono County | Mammoth Lakes | Gage C. Dungy

Jan. 15 **"Nuts & Bolts Navigating Common Legal Risks for the Front Line Supervisor"**
City of Westminster | Danny Y. Yoo

Jan. 15 **"Labor Negotiations from Beginning to End!"**
Port of Stockton | Stockton | Gage C. Dungy

Jan. 16 **"Preventing Workplace Harassment, Discrimination and Retaliation"**
City of Mountain View | Heather R. Coffman

Feb. 4 **"Maximizing Performance Through Evaluation, Documentation, and Corrective Action"**
City of Ventura | Kristi Recchia

Feb. 6 **"Inclusive Leadership"**
San Diego County Water Authority | San Diego | Kristi Recchia

Feb. 11 **"Maximizing Supervisory Skills for the First Line Supervisor"**
City of Clovis | Shelline Bennett

Feb. 19 **"Preventing Workplace Harassment, Discrimination and Retaliation"**
City of La Habra | Christopher S. Frederick

Feb. 26 **"Preventing Workplace Harassment, Discrimination and Retaliation and Performance Evaluations"**
San Ramon Valley Fire Protection District | San Ramon | Morin I. Jacob

Speaking Engagements

Jan. 9 **"2020 Public Sector Employment Law Updates"**
International Public Management Association for HR (IPMA-HR) Sacramento-Motherlode Chapter | Auburn | Gage C. Dungy

Jan. 16 **"2020 Legislative Update"**
Inland Empire Public Management Association for Human Resources (IEPMA-HR) | Rancho Cucamonga | Laura Drottz Kalty

Jan. 16 **"2020 Public Sector Employment Law Updates"**
IPMA-HR Sacramento-Motherlode Chapter | West Sacramento | Gage C. Dungy

Feb. 20 **"Labor Relations in 2020"**
Southern California Public Labor Relations Council (SCPLRC) Annual Conference | Lakewood | Laura Drottz Kalty

Feb. 20 **"Legal Trends"**
SCPLRC Annual Conference | Lakewood | J. Scott Tiedemann

Seminars

Jan. 22 **"Costing Labor Contracts"**
LCW Conference 2020 | San Francisco | Kristi Recchia & Che I. Johnson

Jan. 23-24 **"LCW Conference"**
LCW Conference 2020 | San Francisco

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