LCW Liebert Cassidy Whitmore

Briefing Room

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

September 2018

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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.

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San Francisco | Tel: 415.512.3000
Fresno | Tel: 559.256.7800
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LEGAL IMMUNITY

No Qualified Immunity At Pleading Stage for Police Officers Who Allegedly Directed Political Rally Attendees Toward Violent Crowd.

The U.S. Court of Appeals for the Ninth Circuit declined to extend qualified immunity to police officers accused of directing political rally attendees toward a mob of violent counter-protesters.

The plaintiffs in the case attended a rally at a convention center in San Jose in support of Donald Trump's candidacy for President. They sued the City of San Jose and multiple police officers for due process violations, alleging that the officers directed them out of the convention center and into a crowd of violent anti-Trump protesters.

Seeking to have the lawsuit dismissed, the defendants argued that the officers were shielded from civil liability based on a qualified immunity defense. To overcome this defense at the pleading stage, the plaintiffs were required to have sufficiently alleged a constitutional violation. In addition, the constitutional right that was allegedly violated must have been clearly established at the time of the alleged misconduct, placing the officers on notice.

Generally, citizens do not have a constitutional right to sue police officers for failure to protect them from harm caused by others. However, there is an exception where an officer places the citizen in more danger than he or she would have otherwise experienced. For the exception to apply, the officer must have taken affirmative actions that created a specific and foreseeable danger, and acted with "deliberate indifference."

Here, the Ninth Circuit held, the plaintiffs sufficiently alleged that the danger to them at the rally increased as a result of the officers' affirmative acts. According to the plaintiffs' complaint, the officers directed them to leave the rally from a single exit point; prevented them from using alternative exits; and, once on the street, required them to travel in the direction of violent anti-Trump protesters. The court also found that the plaintiffs adequately claimed that the danger was specific and foreseeable, and that the officers acted with deliberate indifference. The court reasoned that the officers allegedly witnessed earlier violence against

other rally attendees, and that there were reports of attacks before the rally had started.

The Ninth Circuit also found that the officers were on notice that their actions would violate the plaintiffs' clearly established right to be free from state-created danger. It relied on its earlier decision in *Johnson v. City of Seattle*, a case in which police allegedly abandoned crowd control efforts at a Mardi Gras event.

The Ninth Circuit therefore permitted the lawsuit to proceed, but noted that the defendants could re-assert a qualified immunity defense later in the litigation.

Hernandez v. City of San Jose, 897 F.3d 1125 (9th Cir. 2018).

Department's Pursuit Policy Prevents Crash Lawsuit from Proceeding.

Under the California Vehicle Code, an agency that employs peace officers is immune from claims for monetary damages caused by a police chase, but only if the agency "adopts and promulgates a written policy on, and provides regular and periodic training on an annual basis for, vehicular pursuits." (Veh. Code, § 17004.7, subd. (b)(1).) The policy must include "a requirement that all peace officers of the public agency certify in writing that they have received, read and understand the policy. [However,] [t]he failure of an individual officer to sign a certification shall not be used to impose liability on an individual officer or a public entity." (Veh. Code, § 17004.7, subd. (b)(2).)

In a recent California Supreme Court case, City of Gardena police officers bumped a fleeing vehicle during a pursuit, causing the vehicle to spin out and hit a light pole. As a result of the collision, a passenger in the vehicle died.

The passenger's mother sued the City for wrongful death, and claimed that the Vehicle Code's immunity provisions did not apply. Although the City had a written policy on police pursuits, provided training to officers, and required them to electronically certify that they received, read and understood the policy, the City possessed completed written certifications for just 64 of its 92 police officers.

The Supreme Court sided with the City. It found that under the Vehicle Code, immunity was not conditioned on 100 percent compliance with the certification requirement in an agency's pursuit policy. Rather, said the Court, if the legislature had intended to impose a total compliance requirement, it would have said so directly. The Court also noted that such a requirement could create an absurd situation in which the failure of a single officer to complete a written certification would undermine an immunity defense, even though the agency conscientiously implemented its pursuit policy.

Ramirez v. City of Gardena (2018) 5 Cal.5th 995.

LITIGATION

Limitations Period Under Government Claims Act Triggered When Claimant Discovered Alleged Wrongful Conduct, Despite Not Knowing At The Time Who Was Responsible.

Renee Estill was terminated from her employment with the Shasta County Sheriff's Office. Intending to sue the County, she presented a government claim on February 23, 2012. Under the California Government Claims Act, as a prerequisite to her lawsuit, Estill was required to file a claim with the County within six months after she knew about or should have known about the incidents underlying the claim.

Estill stated in her government claim that she first became aware of the relevant incidents on September 9, 2011. Estill alleged that on that date, someone in the Sheriff's Office told her that a Captain had informed employees about the details of an internal affairs investigation that led to her termination.

After filing her government claim, Estill sued the County for invasion of privacy and harassment, among other things. However, during Estill's deposition, the County learned that she became aware of the incidents underlying her lawsuit in 2009, not in 2011 as she had claimed. The County moved to dismiss her lawsuit on the basis that she did not timely present her claims.

The trial court allowed Estill's claims to proceed but the Court of Appeal dismissed the case, finding that Estill did not timely file her government claim. The Court of Appeal rejected Estill's argument that she could not have presented her claim any sooner because she did not know the identity of the specific person who shared information about the internal affairs investigation. The Court explained that ignorance of a defendant's identity did not delay accrual of the lawsuit because Estill could have simply listed a "Doe" defendant, conducted discovery to learn the defendant's identity, and then filed an amended Complaint.

The Court of Appeal also rejected Estill's argument that the County was barred from asserting an untimeliness defense. Under the Government Claims Act, a public entity may give written notice to a claimant that his or her claim is untimely. The notice must warn the claimant that his or her only recourse is to apply without delay to the public entity for leave to present a late claim. Failure to give the warning within 45 days after the claim was presented results in waiver of the defense that the government claim was untimely.

Here, the County had not satisfied this 45-day notice requirement. Nevertheless, the Court of Appeal found that it would be unfair to prevent the County from asserting an untimeliness defense, since the County had relied on Estill's representation in her government claim regarding the date that she learned of the events underlying her lawsuit. Thus, "equitable estoppel" required that the County be able to defend itself from Estill's claims. The Court of Appeal thus dismissed the lawsuit.

Estill v. County of Shasta (2018) 25 Cal.App.5th 702 (2018).

LABOR RELATIONS

PERB Changes its Prior Rule On Employee Use of Email for Protected Communications During Non-work Time.

The Public Employment Relations Board (PERB) broadened the rights of public employees to use employer email during non-work time, and reversed its prior rule on this issue. Although the case was decided under the Educational Employment Relations Act (EERA), this new PERB rule presumably applies to other public agencies that are subject to the Meyers-Milias-Brown Act.

Eric Moberg applied for and accepted a job at the Napa Valley Community College District (NVCCD) for a part-time adjunct instructor position. Moberg's application stated that he was formerly employed by the San Mateo County Office of Education (SMCOE) and that he left SMCOE to move out of the area. In actuality, Moberg left SMCOE as part of a settlement agreement that resolved several unfair practice charges he had brought against that agency. Moberg's application also did not disclose that he was terminated for cause from another school district.

After starting at NVCCD, Moberg sent an email responding to an exchange between the faculty association president and a part-time faculty member. The faculty association president reminded faculty about an upcoming association meeting. An adjunct faculty member suggested that adjuncts should be paid the same salary as full-time instructors. Moberg replied, stating, "How about we take some money from the bloated Pentagon budget that funds death and destruction instead of education and enlightenment." Another faculty member responded directly to Moberg, expressing that she was disturbed by his email. Moberg thanked the faculty member for "joining our discussion" and noted, "I stand by my suggested solution to low pay for educators, which is a working condition that I find both unsatisfactory and remediable." Moberg's department chair asked Moberg to exclude politics from the discussion and referred Moberg to the District email policy. The faculty association president then sent an email message disavowing the email exchange and noting that the association's practice was to use District email only for meeting reminders and to conduct "any official online business of the Association" using non-District email.

Moberg filed a grievance claiming that the directive to refrain from using District email to discuss pay issues violated the collective bargaining agreement between the District and the Association.

Later, the District withdrew Moberg's offer of employment for a subsequent semester because it discovered that Moberg had misrepresented his employment history and omitted material facts from his application. The District's letter to Moberg noted that had it been aware of the facts surrounding his earlier termination, it would not have hired him.

Moberg's Unfair Practice Charge and Protected Activity

Moberg then filed an unfair practice charge with PERB alleging that the District violated the EERA by withdrawing its offer of employment in retaliation for his protected activity. PERB found that Moberg did engage in protected activity by filing a CBA grievance and exchanging emails regarding adjunct instructor pay.

First, PERB noted that an employee engages in protected activity by asserting a violation of a labor agreement even if the employee does so outside of the contractual grievance process. Grievance processing is protected whether an individual or a union representative processes the grievance. PERB therefore found that Moberg's grievance regarding the directive not to discuss salary on employer email was a protected activity.

Second, PERB found that Moberg's email regarding faculty salary was itself protected activity. PERB noted that "the relationship between federal government spending on defense and education and the employment and/or wages of Moberg and other District faculty is not so attenuated that the emails lost their protection under EERA." This was so even though Moberg's proposed method of increasing adjunct salaries (decreasing federal government defense spending) was outside of the District's control. PERB also found it significant that Moberg was responding to a colleague's email regarding adjunct pay.

Public Employee Use of Employer Email for Protected Activity on Non-work Time

PERB also addressed whether public employees have the right to use the employer's email to disseminate statements that are protected by the EERA.

PERB had previously held that an employer can restrict employees' use of its email system so long as the restrictions do not discriminate against use of email for union matters or other protected activity. PERB had followed the rule used by the National Labor Relations Board (NLRB) – the agency that administers federal labor laws covering private sector employers. But the NLRB had itself changed course. The NLRB reversed its 2007 decision and announced a new rule in *Purple Communications*, Inc. (2014) 361 NLRB No. 126. There, the NLRB adopted a new rule that presumes employees can use employer email to engage in protected activity on non-work time, unless the employer rebuts the presumption.

PERB adopted the NLRB rule and disapproved of its own earlier decision. PERB found:

Recognizing that e-mail is a fundamental forum for employee communication in the present day, serving the same function as faculty lunch rooms and employee lounges did when EERA was written, we conclude the better rule which reflects this change in the contemporary workplace, presumes that employees who have rightful access to their employer's e-mail system in the course of their work have a right to use the e-mail system to engage in EERA protected communications on nonworking time. An employer may rebut the presumption by demonstrating that special circumstances necessary to maintain production or discipline justify restricting its employees' rights.

PERB noted that it would be a "rare case" that circumstances require a total ban on non-work time email use, and that in the more typical case, employers may "apply uniform and consistently enforced controls over their email systems" that are no more restrictive than needed to protect the agency's interests.

Because the evidence showed that Moberg was authorized to access the District's email system, and it was not alleged that he sent emails during his work time, PERB presumed that Moberg had a right to use the email system for EERA-protected communications.

Ultimately, however, PERB found that Moberg's retaliation claims were subject to dismissal because his charge failed to assert sufficient facts to show the District possessed a retaliatory motive when it decided not to extend his employment.

Significance for Public Agencies

PERB decided this matter under the EERA, which provides employees the right to "form, join, and participate in the activities of employee organizations" and discuss "matters of legitimate concern to the employees as employees." These employee rights are also provided under the MMBA and other public sector labor statutes enforced by PERB, making the decision widely applicable to many local public agencies.

Agencies should review their email use policies to ensure they comply with the new standard announced in *Napa Valley* CCD. Under PERB's new rule, employee use of an agency's email system during non-work time will be protected if it relates to employee wages, hours, and other terms and conditions of employment. As the decision noted, an agency's restrictions on employee use of its email system during non-work time should be no more restrictive than needed.

However, PERB did not find that agencies must allow employees to use employer email systems for all non-work matters, and has not required public employers to allow email use for protected activity during working time. Agencies may be able to prohibit the use of email for non-work purposes *during working hours*, and may be able to prohibit excessive use of its email system even during non-work hours.

Moberg v. Napa Valley Community College District, PERB Dec. No. 2563 (2018).

NOTE:

LCW's San Francisco office partner **Laura Schulkind** *represented the District in this matter.*

Union Could Pursue Charge of Unilateral Change Due to County's Implementation of New Policy.

SEIU filed an Unfair Practice Charge with the Public Employment Relations Board (PERB), asserting that the County of Monterey violated its duty to bargain when it adopted a revised attendance policy without first notifying and negotiating with the union. SEIU contended that it never received the original version of the policy, and took issue with several sections of the revised policy. One section of the revised policy suggested that, as "a courtesy" employees "arrive and prepare for work 10 minutes early." There was previously, according to SEIU, neither an established past practice nor a policy requiring employees to begin working before the actual start time of their shift. Another section of the policy provided that excessive absenteeism or regular absences could result in adverse consequences, such as suspension of shift-trading privileges or voluntary overtime assignments, or a reduction in the employee's departmental seniority. The policy also provided that if an employee failed to provide a return-to-work doctor note, the absence would be regarded as "unauthorized," and if repeated, could be regarded as job abandonment and result in termination.

The MMBA requires agencies and unions to meet and confer in good faith regarding wages, hours and other terms and conditions of employment. An agency violates that duty when it does not provide the union with reasonable advance notice and a meaningful opportunity to bargain before the agency decides whether it will create or change a policy that affects a negotiable subject. In a unilateral change case, a union's unfair practice charge must show that: (1) the employer took actions to change a policy; (2) the policy concerned a matter within the scope of representation; (3) the agency took action without giving the union notice or an opportunity to bargain over the change; and (4) the agency's actions had an impact on the terms and conditions of bargaining unit members. An agency may violate the duty to bargain if it adopts a new policy without bargaining with the union, unless the union has clearly and unmistakably waived its right to bargain.

PERB found that the revised attendance policy was negotiable. The early log-in portion affected employees' start times and duty-free time at work. Thus, it impacted their hours of work. The absenteeism portion of the policy was also negotiable because it affected wages and hours, which are subjects within the scope of representation.

PERB also noted that, at the pleading stage, if a charge alleges a unilateral change, PERB must issue a Complaint if the MOU does not clearly and unambiguously authorize the agency to unilaterally adopt or change the policies at issue. PERB found that the MOU did not meet this requirement.

Although the MOU contained a "management rights" clause, PERB found that it did not *explicitly* address the County's attendance policies and could be interpreted *not* to waive SEIU's right to negotiate. The MOU language generally reserved the County's right to "direct its employees; take disciplinary action; … issue and enforce rules and regulations; maintain the efficiency of governmental operations… [and] exercise complete control and discretion over its work and fulfill all of its legal responsibilities."

PERB also noted that, during an initial investigation, a charge will be dismissed based upon the affirmative defense of the responding party only if the facts underlying that defense are undisputed. Because the County's waiver argument relied upon disputed interpretations of the MOU, PERB found that a Complaint should issue to provide the County and SEIU with the opportunity to present evidence in support of their competing theories.

SEIU v. County of Monterey, PERB Decision No. 2579 (July 20, 2018).

NOTE:

Whether a union has waived its right to negotiate a subject within the scope of representation is generally difficult to prove, and will depend on the unique language of each MOU and bargaining history between the parties. PERB did not decide this issue in this decision and simply allowed the union's claims to proceed.

CONSORTIUM CALL OF THE MONTH

Members of Liebert Cassidy Whitmore's employment relations consortiums may speak directly to an LCW attorney free of charge regarding questions that are not related to ongoing legal matters that LCW is handling for the agency, or that do not require in-depth research, document review, or written opinions. Consortium questions run the gamut of topics, from leaves of absence to employment applications, disciplinary concerns to disability accommodations, labor relations issues, and more. This feature describes an interesting consortium call and how the question was answered. (Details may have been changed to protect client confidentiality.)

Issue: A public agency's HR Director asked whether the agency is required to provide its represented dispatchers with a meal break before the dispatchers' fifth consecutive hour of work. The HR Director had heard about such a requirement from a colleague, but was not familiar with it. The Director noted that the applicable MOU, and agency policies, did not contain meal break requirements, and no relevant agency practice existed.

Answer: The agency's obligations regarding the scheduling of dispatchers' meal breaks will depend on the applicable wage and hour law, the employees' MOU, and agency policies and practices. The California Wage Orders, which do contain meal and rest period requirements, generally exempt public agencies from these requirements. Meanwhile, the federal Fair Labor Standards Act does not mandate meal or rest periods. Therefore, in the absence of any relevant MOU provision, or agency policy or practice, the requirement referenced by the HR Director's colleague likely would not apply to the dispatchers.

MANAGEMENT TRAINING WORKSHOPS

Firm Activities

Consortium Training

Sept. 26	**"Maximizing Supervisory Skills for the First Line Supervisor"** Central Valley ERC | Fresno | Sue Cercone & Shelline Bennett
Sept. 26	**"Preventing Workplace Harassment, Discrimination and Retaliation"** Humboldt County ERC | Arcata | Erin Kunze
Sept. 26	**"A Guide to Implementing Public Employee Discipline" and "Moving Into the Future"** Sonoma/Marin ERC | Rohnert Park | Lisa S. Charbonneau
Sept. 27	**"Public Sector Employment Law Update"** Bay Area ERC | Webinar | Richard S. Whitmore
Sept. 27	**"Workers Compensation: Managing Employee Inhuries, Disability and Occupational Safety"** Coachella ERC | Indio | Jeremy Heisler
Sept. 27	**"Nuts and Bolts: Navigating Common Legal Risks for the Front Line Supervisor" and "Difficult Conversations"** Gold Country ERC | Roseville | Kristin D. Lindgren
Sept. 27	**Iron Fists or Kid Gloves: Retaliation in the Workplace"** Humboldt County ERC | Arcata | Erin Kunze
Sept. 27	**"Exercising Your Management Rights" and "Terminating the Employment Relationship"** North State ERC | Red Bluff | Jack Hughes
Sept. 27	**"Nuts & Bolts: Navigating Common Legal Risks for the Front Line Supervisor"** South Bay ERC | Manhattan Beach | Danny Y. Yoo
Oct. 3	**"Leaves, Leaves and More Leaves" and "Labor Negotiations from Beginning to End"** Central Coast ERC | Santa Maria | Che I. Johnson
Oct. 3	**"Public Service: Understanding the Roles and Responsibilities of Public Employees"** Monterey Bay ERC | Webinar | Heather R. Coffman
Oct. 4	**"Risk Management Skills for the Front Line Supervisor"** Gateway Public ERC | Commerce | Danny Y. Yoo
Oct. 4	**"The Future is Now – Embracing Generational Diversity and Succession Planning"** Gold Country ERC | Rancho Cordova | Jack Hughes
Oct. 4	**"Maximizing Supervisory Skills for the First Line Supervisor"** Mendocino County ERC | Ukiah | Kristin D. Lindgren
Oct. 10	**"Moving Into the Future" and "The Art of Writing the Performance Evaluation"** NorCal ERC | San Ramon | Lisa S. Charbonneau
Oct. 10	**"Public Sector Employment Law Update" and "Risk Management Skills for the Front Line Supervisor"** San Gabriel Valley ERC | Alhambra | Geoffrey S. Sheldon
Oct. 11	**"Preventing Workplace Harassment, Discrimination and Retaliation"** LA County HR Consortium | Los Angeles | Jolina A. Abrena & Elizabeth Tom Arce

Oct. 11	**"Preventing Workplace Harassment, Discrimination and Retaliation"** LA County HR Consortium | Los Angeles | Jolina A. Abrena & Elizabeth Tom Arce
Oct. 16	**"Maximizing Supervisory Skills for the First Line Supervisor"** Bay Area ERC | Sunnyvale | Kelly Tuffo
Oct. 16	**"Leaves, Leaves and More Leaves"** San Mateo County ERC | Webinar | Lisa S. Charbonneau
Oct. 17	**"Preventing Workplace Harassment, Discrimination and Retaliation"** Orange County Consortium | Buena Park | Jenny-Anne S. Flores
Oct. 17	**"A Guide to Implementing Public Employee Discipline"** South Bay ERC | Palos Verdes Estates | Jennifer Rosner
Oct. 17	**"Maximizing Supervisory Skills for the First Line Supervisor"** Ventura/Santa Barbara ERC | Camarillo | Kristi Recchia
Oct. 18	**"A Guide to Implementing Public Employee Discipline" and "Supervisor's Guide to Public Sector Employment Law"** San Joaquin Valley ERC | Lodi | Jack Hughes
Oct. 18	**"Maximizing Supervisory Skills for the First Line Supervisor"** West Inland Empire ERC | Rancho Cucamonga | Kristi Recchia
Oct. 25	**"The Art of Writing the Performance Evaluation"** Mendocino County ERC | Ukiah | Jack Hughes

Customizing Training

Sept. 26	**"Bias in the Workplace"** ERMA | Emeryville | Suzanne Solomon
Oct.1	**"Preventing Workplace Harassment, Discrimination and Retaliation"** City of San Carlos | Heather R. Coffman
Oct. 3	**"Preventing Workplace Harassment, Discrimination and Retaliation and Mandated Reporting"** East Bay Regional Park District | Oakland | Kelly Tuffo
Oct. 3	**"HR for Non-HR Managers"** ERMA | Chowchilla | Michael Youril
Oct. 5	**"Ethics in Public Service"** Merced County | Che I. Johnson
Oct. 8, 16, 25	**"Preventing Workplace Harassment, Discrimination and Retaliation"** City of Newport Beach | Christopher S. Frederick
Oct. 8	**"ADA"** County of Humboldt | Eureka | Heather R. Coffman
Oct. 9	**"Supervisory Skills for the First Line Supervisor"** City of Glendale | Laura Kalty
Oct. 11	**"Preventing Workplace Harassment, Discrimination and Retaliation"** City of Campbell | Erin Kunze

Oct. 16	**"Preventing Workplace Harassment, Discrimination and Retaliation"** City of Carlsbad | Stephanie J. Lowe
Oct. 16, 30	**"Preventing Workplace Harassment, Discrimination and Retaliation"** East Bay Regional Park District | Oakland | Erin Kunze
Oct. 16	**"Performance Management: Evaluation, Discipline and Documentation"** Fresno County | Bass Lake | Che I. Johnson
Oct. 17	**"Preventing Workplace Harassment, Discrimination and Retaliation"** City of Pico Rivera | Danny Y. Yoo
Oct. 17	**"Mandated Reporting"** City of Stockton | Kristin D. Lindgren
Oct. 18	**"Making the Most of Your Multi-Generational Workforce"** ERMA | Perris | Christopher S. Frederick
Oct. 23	**"Preventing Workplace Harassment, Discrimination and Retaliation"** City of Glendale | Laura Kalty
Oct. 25	**"Ethics in Public Service"** City of La Mesa | Stephanie J. Lowe
Oct. 25	**"Preventing Workplace Harassment, Discrimination and Retaliation"** City of Los Banos | Gage C. Dungy
Oct. 26	**"Embracing Diversity"** Los Angeles Conservation Corps | Los Angeles | Jennifer Rosner

Speaking Engagements

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. 28	**"Legal Update"** Northern California HR Directors Conference | Truckee | Gage C. Dungy
Oct. 10	**"Collective Bargaining in 2018 & Beyond; The Twists & Turns on Things You Need to Know!"** Public Employer Labor Relations Association of California (PELRAC) Annual Conference | Anaheim | Peter J. Brown
Oct. 12	**"Put Your Investigation in the Best Light - Common Areas of Attack in Investigations"** Association of Workplace Investigators (AWI) Annual Conference 2018 | Burlingame | Morin I. Jacob & Megan Lewis
Oct. 19	**"The Significant Impact of Janus v. AFSCME and S.B. 866 on Public Sector Labor Relations"** Municipal Managers Association of Southern California (MMASC) Annual Conference | Indian Wells | Kevin J. Chicas
Oct. 24	**"District Documentation- What to Look For"** California Special District Association (CSDA) | South Lake Tahoe | Che I. Johnson
Oct. 25	**"Labor and Employment Legal Update"** County Counsels' Association of California (CCAC) Employment Law Conference | San Diego | Mark Meyerhoff
Oct. 25	**"U.S. Supreme Court Decision in Janus v. AFSCME - Impact and Tips for Counties"** CCAC Employment Law Conference | San Diego | Mark Meyerhoff
Oct. 26	**"Advanced Workplace Investigations"** CCAC Employment Law Conference | San Diego | Stefanie K. Vaudreuil

Seminars/Webinars

Sept. 26	**"How to Successfully Implement and Defend A Light or Modified Duty Assignment for Temporarily Injured or Ill Employees"** Liebert Cassidy Whitmore | Webinar | Jennifer Rosner & Rachel Shaw
Oct. 1, 2	**"FLSA Academy"** Liebert Cassidy Whitmore Seminar | Piedmont | Richard Bolanos & Lisa S. Charbonneau
Oct. 11	**"The Rules of Engagement: Issues, Impacts & Impasse"** Liebert Cassidy Whitmore | Fullerton | Kristi Recchia & T. Oliver Yee
Oct. 30	**"Bona Fide Plan Assessment & the Cash-In-Lieu Conundrum"** Liebert Cassidy Whitmore | Webinar | Peter J. Brown

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

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