



Melanie L. Chaney

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EXPERIENCE

Melanie represents and regularly advises cities, counties, community college districts, school districts, public safety departments and special districts regarding employee and labor relations matters. The breadth of her experience as both a negotiator and a litigator informs her practical approach to the myriad of labor and employment issues faced by public entities.

Melanie expertly guides clients through the meet and confer process including through impasse, mediation and factfinding. She negotiates, drafts and provides guidance for interpreting collective bargaining agreements and memoranda of understanding under the Meyers-Milias-Brown Act (MMBA) and the Educational Employment Relations Act (EERA). She also handles all aspects of labor disputes including unfair labor practice charges before the California Public Employment Relations Board (PERB).

Melanie is also an experienced litigator who has successfully handled employment cases involving claims such as harassment, discrimination, retaliation and wage and hour claims. She has received favorable verdicts in state and federal court before judges and juries.

Melanie frequently handles arbitrations and administrative proceedings including disciplinary actions and grievances, and regularly represents public safety departments in police officer discipline matters. She has successfully handled matters before administrative bodies such as the Office of Administrative Hearings, Labor Commissioner, Equal Employment Opportunity Commission, and the Department of Fair Employment and Housing. She also conducts and assists with workplace investigations and provides advice on creating and updating personnel procedures and policies.

Melanie serves on the executive committees of the firm's Labor Relations and Public Education practice groups. She is also a contributing author to the firm's [California Public Agency Labor & Employment Blog](#).

A lawyer since 1994, Melanie has been selected for inclusion in *Southern California Super Lawyers* by her peers on numerous occasions. Before joining LCW, Melanie focused her practice on handling complex litigation from pleading through trial and appeal. She also advised entertainment media companies regarding free expression, employment issues and business affairs.

EDUCATION

BA, University of California, Los Angeles
JD, University of Southern California Law School

LEGAL EXPERTISE

Employment Law

Labor Relations & Collective Bargaining
Investigations
Litigation Services
Public Education
Public Safety
Wage & Hour

REPRESENTATIVE MATTERS

ADMINISTRATIVE HEARINGS

Employee v. City (2017) - Obtained decision from Hearing Officer and City upholding termination of police department dispatcher for misconduct including inappropriate and disruptive outbursts towards coworkers and supervisors.

Police Officer v. City (2015) - Obtained decision from Hearing Officer and City upholding the termination of a police officer for misconduct including engaging in numerous on-duty sexual encounters with multiple women.

Police Officer v. City (2014) - Obtained decision from Hearing Officer and City upholding the termination of a police officer for misconduct including damaging a police vehicle and then lying about it during the investigation.

Employee v. City (2013) - Obtained decision from Hearing Officer and City Personnel Commission upholding the termination of maintenance supervisor for misconduct including using obscene language, engaging in violence in the workplace and engaging in retaliatory action against a subordinate employee.

APPELLATE

Siegmund v. County of Orange (2011) - 700 deputy sheriffs alleged that the County failed to pay overtime at the correct regular rate in violation of the FLSA. LCW obtained summary judgment for the County, and the Ninth Circuit Court of Appeals affirmed the ruling for the County, finding that the deputy sheriffs failed to show that any employee was paid less than the FLSA requires for any pay period.

LITIGATION

Sotelo v. City of Oxnard (2015) - Successfully defended the City of Oxnard against five causes of actions, including FEHA discrimination and whistleblower retaliation claims, brought against it by the City's former City Manager in a jury trial in federal court. The jury returned a defense verdict on all claims.

Community College v. Former Faculty Member (2013) - Represented a community college district in a case where the District and the faculty member entered into a settlement agreement to resolve an administrative appeal of his dismissal from employment. The District agreed to keep the faculty member on the payroll so that he could retire from CalSTRS and then apply for District's paid retiree health benefits. The District upheld its end of the settlement, but the faculty member, after collecting over one year of pay on administrative leave, asserted that the settlement agreement did not require him to retire from CalSTRS. As a result, he did not timely retire from CalSTRS, which rendered him ineligible to receive the District's health benefits. After a bench trial, the court held that the faculty member was not a District retiree as a result of his own actions and that the District is not responsible for any losses suffered as a result of his failure to timely retire from CalSTRS.

Williams v. Chino Valley Independent Fire District (II) (2012) - Obtained dismissal of a Federal Court disability discrimination lawsuit filed by a retired fire captain, who alleged he was discriminated against in his efforts to be re-hired into the position from which he disability retired several years ago. LCW attorneys had previously obtained dismissal of a prior action filed by this retired fire captain in state court. When he then tried to re-litigate his claims in the federal court system, the motion was filed to dismiss pursuant to Rule 12 (b)(6) arguing the state court judgment on these claims precluded the fire captain from re-litigating in federal court. They also argued the federal complaint failed to state a viable claim because the District's limit to a one year requalification period applied to anyone who wanted to be re-hired into a prior previously held position, not just disabled individuals.

Taylor v. LAUSD (2010) - Taylor was a teacher with LAUSD who was terminated for cause for unsatisfactory performance and rude conduct towards students. Melanie successfully represented the District in the underlying termination appeal hearing by Petitioner Darryl Taylor. Subsequently, she obtained a denial from the Los Angeles County Superior Court of Taylor's writ appealing the Commission on Professional Competence's decision terminating him.

NEGOTIATIONS

Ventura Regional Sanitation District - SEIU, IUOE

San Bernardino County Employees' Retirement Ass'n - SEIU Local 721

City of Los Alamitos - POA, Teamsters

City of Claremont - POA

City of Ventura - SEIU Local 721, VMEA (municipal employees)

Rancho Santiago Community College District- FARSCCD (Faculty), CEFA (Part-time Non-Credit Faculty)

Chaffey Community College District - CSEA (classified)

City of Simi Valley - Legal Support for PMA (police management)

Los Angeles Metropolitan Transit Authority - Legal Support for SMART (transit operators), TCU

City of Glendora - POA, AFSCME

Orange County - Teamsters

City of Santa Paula -POA, VCPFA (Fire), SEIU Local 721

Desert Community College District - CSEA (classified)

Hope Elementary School District - HDTA (teachers)

PERB

Constantino Gabriel v. LACCD (2014) - Successfully represented the District against unfair practice charge alleging unlawful retaliation under the EERA. PERB dismissed the charge without leave to amend.

GMEA v. City of Glendora (2011) - After receiving City's response, PERB office dismissed UPC alleging, among other things, that City failed to exercise good faith during impasse procedure when it unilaterally imposed furloughs on its members.

AFFILIATIONS

California Council of School Attorneys (CCSA)

AWARDS

Selected for inclusion in *Southern California Super Lawyers*, (2008-2010)

PUBLICATIONS

Democracy in Action, Feb 19, 2019

Conducting Effective Workplace Investigations Is Essential To Minimizing The Risk Of Liability On A Failure To Prevent Harassment Claim, Oct 9, 2018

Three Tips For An Effective Workplace Security Plan, Mar 15, 2018

Time for Districts to Certify Compliance with SB 1379 is Near, Jun 12, 2017

Cleaning of Your Personnel Rules - Don't Delay Getting Started, May 3, 2017

Great Time to Conduct Annual Spring Cleaning of Your Personnel Rules, Apr 13, 2017

Spring Cleaning - Have You Reviewed Your Personnel Rules Lately?, Feb 28, 2017

Three Common Pitfalls in the Reasonable Accommodation Process, Oct 20, 2016

2016 is the Year of the FLSA Audit!, Aug 22, 2016

Factfinding, Jan 20, 2016

Three Tips For An Effective Workplace Security Plan, Jan 5, 2016

Liebert Cassidy Whitmore Announces Melanie Chaney, Heather DeBlanc, and Frances Rogers Named Partners, *Press Release* Sep 14, 2015

City of Oxnard Prevails in Federal Lawsuit Brought by its Former City Manager, *Press Release* May 28, 2015

Screening For A History Of Domestic Violence: Do, Don'ts, Oct 29, 2014

PRESENTATIONS

Conducting Disciplinary Investigations: Who, What, When and How, San Gabriel Valley ERC, Alhambra, Feb 19, 2020

Management Guide to Public Sector Labor Relations, San Gabriel Valley ERC, Alhambra, Feb 19, 2020

Managing the Marginal Employee, LA County Human Resources Consortium, Webinar, Jan 30, 2020

Exercising Your Management Rights, SCCCDCD ERC, Anaheim, Oct 18, 2019

MOU Auditing and The Book of Long Term Debt, Coachella Valley ERC, La Quinta, Sep 19, 2019

Labor Code 101 for Public Agencies, Coachella Valley ERC, La Quinta, Sep 19, 2019

Preventing Harassment, Discrimination and Retaliation in the Private and Independent School Environment, Park Century School, Culver City, Aug 29, 2019

Preventing Workplace Harassment, Discrimination and Retaliation, City of Compton, Compton, Jun 24, 2019

Maximizing Performance Through Evaluation, Documentation and Corrective Action, Orange County Consortium, Buena Park, Jun 19, 2019

Workplace Bullying: A Growing Concern, Los Angeles County Counsel, Los Angeles, May 23, 2019