



Michael Youril

Associate | Fresno

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EXPERIENCE

Michael provides representation and legal counsel to Liebert Cassidy Whitmore clients in matters pertaining to employment and labor law.

Michael has extensive experience in retirement law including CalPERS, the '37 Act, and local retirement systems. Michael represents 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. He also litigates CalPERS determinations and disability retirement cases in superior court. Michael also assists agencies in complying with retirement and health benefit laws, including post-retirement work restrictions, independent contractor status, disability retirement, PEPRCA compliance, PEMHCA (i.e. CalPERS medical), health benefits for elected officials, and determining whether compensation is included or excluded from reporting for the purposes of determining pension benefits.

Michael also litigates employment law actions in state and federal courts through all stages of litigation. He regularly litigates cases involving discrimination, harassment, retaliation, whistleblower retaliation, due process, free speech retaliation, Public Safety Officers Procedural Bill of Rights Act, FMLA/CFRA, and wage and hour matters. Michael has also litigated several individual and collective action cases brought under the Fair Labor Standards Act.

Michael provides advice and counsel to employers regarding employee leave rights, engaging in the interactive process with disabled employees, and providing reasonable accommodations to disabled employees. Michael guides public agencies through the entire disability retirement process, including handling administrative hearings and writs of mandate concerning applications for disability retirement.

Michael also represents employers at disciplinary hearings.

Michael graduated *Order of the Coif* from the University of the Pacific, McGeorge School of Law.

EDUCATION

JD, University of the Pacific, McGeorge School of Law

BA, California State University, Sacramento

LEGAL EXPERTISE

Employment Law

Litigation Services

Public Safety

Retirement, Health & Disability

Wage & Hour

REPRESENTATIVE MATTERS

APPELLATE

Keylon v. City of Dos Palos (2014) - The Fifth District Court of Appeal reversed a trial court decision that awarded approximately one year of back pay to a former Dispatcher.

Vallejo Police Officers Association v. City of Vallejo (2017) - Prepared an amicus brief on behalf of the League of California cities in support of the City of Vallejo in which the Court of Appeal agreed with the City and our position that employees do not have a vested right to particular retiree medical benefits contributions. This has statewide impact for all public employers who provide contributions towards the cost of retiree medical benefits.

LITIGATION

Yates v. Mammoth Community Water District (2016) - Mono County Superior Court sustained the District's Demurrer without leave to amend in this matter which alleged violations of Section 1983 retaliation, Unfair Business Practices and Malicious Prosecution.

Graff, et al v. City of Tehachapi (2016) - The U.S District Court, Eastern District granted a motion to dismiss the City from all causes of actions (including Section 1983 First Amendment relation and CA Labor Code section 1102.5).

AFFILIATIONS

Fresno County Bar Association

California Bar Association, Labor and Employment Section

California Young Lawyers Association

AWARDS

Selected for inclusion in Northern California *Super Lawyers Rising Stars* (2017, 2020)

PUBLICATIONS

California Supreme Court Leaves The California Rule Largely Intact in Highly Anticipated Opinion Concerning Public Employee Pension Rights, Jul 30, 2020

CalPERS Issues Circular Letter Explaining How Leave Under the Families First Coronavirus Response Act Should be Tracked and Reported, Apr 20, 2020

Update: CalPERS Suspends Retired Annuitant Work Hour Limitation during COVID-19 Emergency, Mar 19, 2020

High Court Guidance on Unemployment Benefits Public School Employees, Feb 3, 2020

Is this PERSable/Reportable? Reporting and Tracking Temporary Upgrade Pay, Out-of-Class Appointments, and Extra Duty Pays, Aug 13, 2019

CalPERS Issues Circular Letter Regarding Employer Obligations for Out-of-Class Appointments, But Many Questions Remain, Apr 30, 2018

Nine LCW Attorneys Selected to the List of 2017 Northern California Super Lawyers and Rising Stars, *Press Release* Jul 10, 2017

Are They Ever Coming Back? - Taking a Proactive Approach to Leave Management and Employees who are on Long-Term Leaves of Absence, Feb 14, 2017

Unreasonable Request - Is CalPERS Putting You Between a Rock and a Hard Place??, Mar 22, 2016

AB 1660: Discrimination and driver's license status, Jan 27, 2015

AB 2040 Expands Transparency of Special District Employee Compensation, Dec 9, 2014

PRESENTATIONS

Employees and Driving, San Joaquin Valley ERC, Webinar, Jan 21, 2021

Preventing Workplace Harassment, Discrimination and Retaliation, ERMA, Merced, Jan 6, 2021

Ethics For All, Humboldt County ERC, Webinar, Dec 2, 2020

Labor Code 101 for Public Agencies, Central Valley ERC, Webinar, Oct 7, 2020

Preventing Workplace Harassment, Discrimination and Retaliation, California District Attorneys Association, Webinar, Sep 1, 2020

Nuts & Bolts: Navigating Common Legal Risks for the Front Line Supervisor, California District Attorneys Association, Webinar, Aug 27, 2020

Difficult Conversations, Central Valley ERC, Fresno, Apr 2, 2020

Technology and Employee Privacy in the Workplace, ERMA, Reedley, Mar 25, 2020