



Lisa S. Charbonneau

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EXPERIENCE

Lisa represents cities, counties, and special districts throughout the state as a negotiator, litigator, and trusted advisor in all matters pertaining to labor and employment law. She has extensive experience in Fair Labor Standards Act (FLSA) and wage and hour compliance, the Public Safety Officers' and Firefighters' Procedural Bill of Rights Acts, disciplinary matters, and labor relations. She also works with the firm's school clients on wage and hour matters.

Lisa has secured successful results, including dismissal or summary judgment, for clients in litigation matters ranging from FLSA collective actions to disability discrimination to First Amendment retaliation to independent contractor misclassification. She has also successfully represented clients before the California Labor Commissioner, the U.S. Department of Labor, the California Department of Fair Employment and Housing, and the Equal Employment Opportunity Commission.

A significant part of Lisa's advice and counsel work involves counseling clients on FLSA issues, conducting FLSA audits for clients, reviewing employer compliance with wage and hour laws, and assisting with payroll system upgrades and modifications to achieve compliance with wage and hour laws. Her practice also includes training on such subjects as FLSA compliance, discrimination and harassment, ethics, risk management, and supervisory skills.

She has served as chief negotiator for small and large public agencies in labor negotiations with law enforcement associations, the Teamsters, SEIU 2015 Long Term Care Workers, and various employee associations. Lisa takes a hands-on approach to bargaining and strives to be highly responsive to the unique needs of each client and their governing body.

Lisa received her JD from U.C. Hastings College of the Law in 2006 and was admitted to the California State Bar in December of that year. While at Hastings, Lisa served as an Equal Justice America fellow and received a grant to work on community economic development issues for the City of Detroit. Lisa earned her Bachelor of Arts with Honors in Government from Wesleyan University in Middletown, Connecticut, and soon after that worked at a political magazine, *The American Prospect*, until she began to pursue her law degree.

EDUCATION

JD, University of California, Hastings College of Law
BA, Wesleyan University

LEGAL EXPERTISE

Employment Law
Investigations

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

REPRESENTATIVE MATTERS
LITIGATION

Burris v. City of Petaluma (2019) - U.S. District Court, Northern District. Fair Labor Standards Act collective action involving firefighter overtime. Court approved settlement and case dismissed with prejudice.

Valentine et al. v. Sacramento Metropolitan Fire District (2019) - U.S. District Court, Eastern District. Fair Labor Standards Act collective action involving more than five hundred firefighters. Court approved settlement and case dismissed with prejudice.

Spiller v. City of Petaluma (2018) - U.S. District Court, Northern District. Fair Labor Standards Act collective action involving police department employees. Court approved settlement and case dismissed with prejudice.

Baskin et al. v. City of San Luis Obispo (2018) - U.S. District Court, Central District. Multi-plaintiff Fair Labor Standards Act case. Court approved settlement and case dismissed with prejudice.

Hoffman v. County of Butte (2017) - U.S. District Court, Eastern District. Fair Labor Standards Act collective action brought by sheriff's department employees. Court approved settlement and case dismissed with prejudice.

Stewart v. County of Amador (2017) - U.S. District Court, Eastern District. Fair Labor Standards Act collective action. Court approved settlement and case dismissed with prejudice.

Alviso et al. v. City of San Rafael (2017) - U.S. District Court, Northern District. Fair Labor Standards Act collective action. Court approved settlement and case dismissed with prejudice.

Anderson et al. v. Marinwood Community Services District (2017) - U.S. District Court, Northern District. Multi-plaintiff Fair Labor Standards Act case. Court approved settlement and case dismissed with prejudice.

Drobish et al. v. City of Citrus Heights (2017) - U.S. District Court, Eastern District. Fair Labor Standards Act collective action. Court approved settlement and case dismissed with prejudice.

Maner v. County of Stanislaus, Birgit Fladager (2016) - U.S. District Court, Eastern District. Represented County and District Attorney. Secured complete summary judgment for County and District Attorney in first amendment retaliation claim brought by a former deputy district attorney.

James et. al. v. City of Santa Clara (2016) - Santa Clara County Superior Court. Represented City and secured complete summary judgment for City in age discrimination claim brought by three plaintiffs.

NEGOTIATIONS

City of Los Altos - Chief Negotiator (2019-2020) - Safety and Non-Safety Groups.

County of Mendocino - Chief Negotiator (2019) - Safety and Non-Safety Groups, IHSS Group.

Marin Housing Authority - Chief Negotiator (2020) - SEIU 1021 Unit.

Monterey County Regional Fire District - Chief Negotiator (2020) - Safety and Non-Safety Groups.

AWARDS

Selected for inclusion in Northern California *Super Lawyers Rising Stars* in the field of Employment & Labor Law (2012-2017)

Community Partner Award Recipient for Pro Bono Work, Transgender Law Center, (2010)

PUBLICATIONS

DOL Proposes New Rule to Broaden Application of Fluctuating Workweek Method of Calculating Overtime, Nov 19, 2019

DOL May Update Overtime Rate Regulations for First Time in 50 Years, Sep 13, 2019

PERB Holds that Its Jurisdiction Includes Claims Brought By Employee Organizations that Represent Police Officers and Deputy Sheriffs, Jul 23, 2019

A 3.8 Million Dollar Jury Verdict Is A Good Reminder That The FLSA Guarantees Break Time For Nursing Mothers, May 28, 2019

DOL Proposes Changes to the Rules Governing Payments to Exclude from the Regular Rate, Apr 1, 2019

New DOL Opinion Letter Addresses Employers' Obligation to Designate FMLA Leave, Mar 21, 2019

Is Minimum Wage a Matter of Statewide Concern? The Second Appellate District Says Yes, Applying the State Minimum Wage to Charter Cities (and Counties)., Feb 26, 2019

Origins and Applications of the Home Rule Doctrine, Nov 6, 2018

Challenges Involved in Paying Non-Exempt Employees for Training and Travel Time: An Example, Sep 11, 2018

California Supreme Court Rules that State Law Requires a Different Regular Rate of Pay Calculation than the Fair Labor Standards Act, Mar 7, 2018

Influenza Season Strikes Again: What Employers Should Do to Minimize the Effects on Your Workforce, Feb 6, 2018

California Supreme Court Lets Stand New Case on Officers' Rights to Discovery Prior to Second Interrogation, Nov 7, 2017

Nine LCW Attorneys Selected to the List of 2017 Northern California Super Lawyers and Rising

Stars, *Press Release* Jul 10, 2017

The U.S. Supreme Court Lets Stand an Important FLSA Case on Cash Paid in Lieu of Health Benefits and Overtime Rates, May 15, 2017

Am I a Municipal Corporation? Maybe. Does it Matter? Yes!, Mar 21, 2017

Texas Judge Orders Nationwide Halt of the DOL's New Overtime Rule, Nov 23, 2016

Texas Judge Orders Nationwide Halt of the DOL's New Overtime Rule, Nov 23, 2016

21 States Sue the DOL to Stop Implementation of the New DOL Overtime Rule; Congress Weighs in Too, Oct 4, 2016

Public employers need to be vigilant about overtime rules, Sep 19, 2016

Flores v. City of San Gabriel: The Way Forward, Aug 19, 2016

Don't Blame the Payroll System!, Aug 2, 2016

The Ninth Circuit Holds that Cash Payments Made to Employees in Lieu of Health Benefits Must be Included in the Regular Rate for Overtime Purposes under the FLSA, Jun 7, 2016

Guidance on Transgender Rights in the Workplace - What to Expect, Apr 29, 2016

The DFEH Issues New Guidance on Transgender Rights in the Workplace, Apr 5, 2016

Does My Agency's Absence Control Policy Comply with California's New Kin Care Leave Laws?, Jan 21, 2016

PRESENTATIONS

Introduction to the FLSA, Napa/Solano/Yolo ERC, Webinar, Jan 6, 2021

New Developments in FLSA Litigation: What Fire Command Staff Need to Know, San Diego Fire Districts, Webinar, Dec 3, 2020

The Future is Now - Embracing Generational Diversity and Succession Planning, San Mateo County ERC, Webinar, Dec 1, 2020

FLSA Hot Topics And Legal Updates, California Public Employer Labor Relations Association (CALPELRA) 2020 Annual Training Conference, Webinar, Nov 19, 2020

Ethics in Public Service, City of Sunnyvale, Webinar, May 6, 2020