



Erin Kunze

Associate | San Francisco

ekunze@lcwlegal.com

Tel: 415.512.3095

EXPERIENCE

Erin provides representation and legal counsel to Liebert Cassidy Whitmore clients on a variety of employment and education law matters including retirement and healthcare benefits, labor relations in the public and private nonprofit sectors, public safety, and safety planning in schools.

Erin regularly audits collective bargaining agreements and personnel rules to advise clients on current legal standards and best practices. She additionally represents clients in labor negotiations and in labor disputes, providing legal counsel through mediation, arbitration and before administrative agencies.

A member of the Retirement, Health and Disability Practice, Erin regularly advises clients on issues pertaining to retirement, health care benefits, and related taxation issues. She has advised clients on pension system member enrollment obligations, employer and employee pension contribution issues, the disability retirement process, retired annuitant issues, and issues pertaining to Public Employees' Medical Hospital Care Act (PEMHCA) compliance. She also advises clients on responsibilities under the Affordable Care Act, including the employer's status as an applicable large employer under the Act, employee eligibility, and the employer's year-end reporting obligations.

As a member of the firm's Business & Facilities Practice, she provides advice and representation on the variety of issues encountered in day to day operations, including reviewing and drafting vendor and service contracts, negotiating contract terms, leases, and other business arrangements. She also helps clients in matters involving real property, including construction matters, project delivery methods, agreements to acquire or sell property, the use and operation of facilities, easements, and related laws. Through the Business & Facilities Practice, Erin assists academic institutions and nonprofit clients in complying with foundation, donation, and exempt organization issues. She also regularly advises clients on issues specific to community college district foundations, including those with auxiliary organization status.

Erin also provides advice and training to LCW clients in the areas of performance management, harassment and discrimination, and mandated reporting. Erin assists academic institutions with Title IX compliance and brings to her work valuable insight and expertise from her prior work with the Hastings College of Law's Center for Gender and Refugee Studies and the Political Asylum/Immigration Representation Project.

Prior to joining the firm, Erin developed diverse legal experience through her work with various philanthropic organizations doing human rights and immigration work, including serving as a Legal Intern in the Office of the Prosecutor of the International Criminal Tribunal for the Former Yugoslavia in the Netherlands. Erin has worked with nonprofit arts organizations including California Lawyers for the Arts, Volunteer Lawyers for the Arts of Massachusetts, and the New England Foundation for the Arts. With those agencies, Erin worked on issues relating to nonprofit incorporation, governance, and development. She remains passionate about human rights issues and now enjoys working through legal issues relating to these subjects with LCW clients.

Erin was selected for inclusion in Northern California *Super Lawyers Rising Stars* in 2017 and 2018. She received her undergraduate degree from Boston University (magna cum laude) and her J.D. from Suffolk University Law School (cum laude).

EDUCATION

JD, Suffolk University Law School, Boston, Massachusetts
BA, Boston University

LEGAL EXPERTISE

Audit Services
Business, Construction, and Facilities
Employment Law
Investigations
Labor Relations & Collective Bargaining
Litigation Services
Public Education
Retirement, Health & Disability
Wage & Hour

REPRESENTATIVE MATTERS

ADMINISTRATIVE HEARINGS

BART v. BART POA (2013) - Represented BART Police Department as first-chair in a final and binding arbitration proceeding. Successfully upheld the termination of a police officer who had been terminated by the police chief after it was discovered he had been drinking while on duty, had recreationally used drugs with a neighbor, and was subsequently accused of rape by the neighbor the same evening he used drugs with her.

NEGOTIATIONS

Sacramento Metropolitan Fire District - Fire and Administrative Units.

Escuela Bilingue Internacional - Teacher and Non-teaching Units.

LITIGATION

SEIU v. County of Mendocino (2016) - Represented the County in a bench trial and secured a judgment on the claims before the court wherein SEIU alleged that the County had illegally contracted out for mental health services with private providers. The court found that the County was legally authorized to contract out with private providers for mental health services in an attempt to provide such services to a vulnerable sector of the community, and denied SEIU's request for a writ of mandate and injunctive relief.

Dennis Wallace v. Stanislaus County, Jury Trial #2 (2013) - Represented the County in a 4-week long jury trial and obtained a unanimous defense verdict on both claims before the jury: failure to accommodate a disability and failure to engage in the interactive process. Deputy Wallace, who had filed 15 workers' compensation claims while on duty, had a list of physical restrictions that were established by his doctor, and as a result was re-assigned to "light duty" as a bailiff. Wallace refused the re-assignment, and after saying that he did not agree with doctor's restrictions, asked for a different assignment. When his request

was denied, he sued the County.

AWARDS

Selected for inclusion in *Northern California Super Lawyers - Rising Stars* (2017, 2018, 2019)

PUBLICATIONS

Court Confirms Commute Time in Company Vehicle is Non-Compensatory, Dec 18, 2018

Top 10 Questions about Senate Bill 866 - New State Legislation Impacting How Public Employers Communicate with Employees and Manage Employee Organization / Union Membership Dues, Jun 27, 2018

Agency Policy Bars Lawsuit: Employee Must First Exhaust Internal Agency Process, Mar 20, 2018

ACA Reporting Relief - Written Statement to Covered Individuals Now Due March 2, 2018; Good Faith Penalty Relief Extended, Jan 4, 2018

Sexual Harassment Training Under Scrutiny: It's Not Just What You Say, But What You Do That Matters, Dec 19, 2017

Supreme Court Petition Submitted Regarding Application of U.S. Civil Rights Act to Sexual Orientation Discrimination, Oct 3, 2017

Legislation to Watch: California Rules on Government Ethics, Jul 11, 2017

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

Responding to Requests for Public Records on Behalf of an Auxiliary Foundation., *Business & Facilities* May 18, 2017

Application of the U.S. Civil Rights Act to Sexual Orientation Discrimination, Apr 25, 2017

Court Affirms that PEPRRA Does Not Limit County's Right to Repeal COLA Pickup, Jan 26, 2017

2017 is Here! Be Aware of These New Laws and Ordinances, Jan 14, 2017

Six Statutes for the New Year, Jan 10, 2017

Do You Have Seasonal Workers? What To Know About Health & Retirement Benefit Obligations, Sep 6, 2016

Courts Continue to Chip Away at Vested Rights, Aug 23, 2016

Pension Reform Follow Up, Feb 3, 2016

Is your Contractor Licensed? Protections Against Unlicensed Contractors Abound Under California Law, *Business & Facilities* Jul 2, 2015

Districts Entering into Lease-Leaseback Agreements May Validate the Action by Not Filing a Validation Action, *Business & Facilities* Oct 23, 2014

PRESENTATIONS

Harassment Prevention: Train the Trainer Refresher (San Francisco, CA), Dec 9, 2019

Harassment Prevention: Train the Trainer (San Francisco, CA), Dec 4, 2019

Preventing Workplace Harassment, Discrimination and Retaliation and Mandated Reporting, East Bay Regional Park District, Oakland, Nov 6, 2019

Preventing Workplace Harassment, Discrimination and Retaliation and Mandated Reporting, East Bay Regional Park District, Oakley, Oct 29, 2019

Preventing Workplace Harassment, Discrimination and Retaliation and Mandated Reporting, East Bay Regional Park District, Oakland, Oct 2, 2019