



## Jennifer Palagi

Associate | Los Angeles

[jpalagi@lcwlegal.com](mailto:jpalagi@lcwlegal.com)

Tel: 310.981.2000

### EXPERIENCE

Jennifer provides representation and counsel to LCW clients in all matters pertaining to employment and labor law with a focus on state and federal wage and hour issues. Jennifer is a seasoned litigator and has experience in all phases of litigation, from the pleading stage through trial. Her experience involves representing employers in a broad range of disputes involving harassment and discrimination of all types, retaliation, wage and hour claims, the Labor Code Private Attorneys General Act (PAGA) class actions, interactive process and reasonable accommodation, and wrongful termination. Jennifer's successes include achieving summary judgment in numerous cases and defending the decisions on appeal, as well as and decertifying collective actions.

Jennifer vigorously defends her clients in state and federal court as well as administrative agencies, including the California Department of Fair Employment and Housing, the Equal Employment Opportunity Commission, the California Division of Labor Standards Enforcement, the federal Department of Labor and Cal/OSHA, among others.

Jennifer is passionate about all aspects of labor and employment law. In addition to litigation, she provides her clients with extensive preventative services, such as advice and counsel, state and federal wage and hour audit services, and management and employee trainings. Jennifer has provided trainings on numerous employment law issues, including disability and the interactive process, the Fair Labor Standards Act, generational diversity and succession planning, leaves, harassment, discrimination and retaliation. Jennifer also counsels employers on establishing, developing and implementing effective employment policies and practices that help enhance employee relations and minimize the risk of costly lawsuits.

### EDUCATION

JD, University of San Diego School of Law  
BS, Rutgers University

### LEGAL EXPERTISE

Employment Law  
Litigation Services  
Private Education  
Public Safety  
Retirement, Health & Disability  
Wage & Hour

### REPRESENTATIVE MATTERS

#### ADMINISTRATIVE HEARINGS

**Deputy Sheriff v. Sheriff's Department (2017)** - Deputy Sheriff was terminated based on findings that he did not have the authorization to order and purchase firearms on behalf of certain deputies, utilize the Department logo to create firearm purchase forms and made false statements during the criminal and internal affairs investigations. The Deputy claimed it was reasonable for him to fill out the sham purchase forms for the deputies since they expressed interest or affirmatively told him they wanted to order the guns. The Civil Service Commission and eventually the trial court rejected the former Deputy's arguments and upheld the termination.

**Employee v. Water District (2017)** - The Hearing Officer found that the District's discipline was appropriate in light of the credible evidence presented by the District at the hearing regarding the supervisor's repeated and intolerable outbursts with other employees, and further found the employee's testimony was not credible. The Board eventually upheld the suspension.

**Deputy Sheriff v. Sheriff's Department (2015)** - Successfully prosecuted the termination of a deputy sheriff who engaged in off-duty conduct with a civilian that violated the Department's Rules of Professional Conduct and several Department Policies. The former deputy claimed that he was acting in self-defense when he pulled a gun on a civilian. The Deputy Civil Service Commission rejected the former Deputy's arguments and upheld the termination.

## LITIGATION

**Association for Los Angeles Deputy Sheriffs, et al. v. County of Los Angeles (2018)** - A Sergeant employed by the Los Angeles County Sheriff's Department worked as a correctional officer. After a Department administrative investigation into an inmates complaint, and subsequent criminal investigation, the District Attorney's Office brought criminal misdemeanor charges against the Sergeant alleging cruel punishment or impairing the health of an inmate. The Department issued the Sergeant notice of its intent to suspend him without pay (consistent with applicable civil service rules), and notified him of his right to respond to the charges. The Department ultimately imposed the suspension and notified the Sergeant of its decision and his right to request a post-suspension hearing to challenge the decision. The Sergeant requested and was granted a hearing, but requested that the hearing be held in abeyance until the conclusion of the criminal case.

The Sergeant then filed a petition in state court claiming that the Department violated his due process rights when it failed to provide him with an evidentiary hearing prior to suspending him. The Department asserted that its pre-suspension *Skelly* meeting provided the Sergeant with sufficient process and he was not entitled to an evidentiary hearing prior to being suspended. The trial and appellate courts agreed with the Department.

**Heath v. City of Desert Hot Springs, et al (2013)** - Plaintiff, a police officer, brought suit to recover for alleged retaliation arising from her reporting of alleged excessive use of force by fellow police officers. The United States Central District Court granted defendants' motion to dismiss in its entirety, with prejudice as to the first two claims - the 42 U.S.C. § 1983/First Amendment free speech claims - and without prejudice as to five remaining state court claims.

**Association for Los Angeles Deputy Sheriffs, et al. v. County of Los Angeles, et al. (2012)** - Handled a Fair Labor Standards Act collective/class action case where the U.S. District Court granted a County law enforcement employer's summary judgment motion. The lawsuit involved the "donning and doffing" claims of approximately 3,000 deputy sheriffs in two different, yet consolidated, collective action lawsuits filed against the County and its Sheriff (collectively "the County"). The district court also granted the County's motion to decertify the remaining "off-the-clock" work claims. The district court's rulings effectively ended two large collective/class action lawsuits after several years of litigation.

**AWARDS**

Selected for inclusion in Southern California *Rising Star*, (2010)

**PUBLICATIONS**

**The Long-Awaited FLSA Salary Basis Update Is Finally Here - Everything California Private Schools Need to Know!**, Sep 30, 2019

**Now is The Time to Consider an FLSA Audit!**, Jan 24, 2019

**Your Employee Is On-Call, But Is Your Employee Working?**, Feb 24, 2015

**PRESENTATIONS**

**Preventing Workplace Harassment, Discrimination and Retaliation**, San Gabriel Valley Mosquito Vector Control District, West Covina, Nov 26, 2019

**The Future is Now - Embracing Generational Diversity & Succession Planning**, City of Glendale, Glendale, Oct 8, 2019