LIEBERT CASSIDY WHITMORE

BRIEFING ROOM

News and developments in employment law and labor relations for California Law Enforcement Management

FEBRUARY 2022

INDEX

LCW NEWS

Briefing Room is published monthly for the benefit of the clients of Liebert Cassidy Whitmore. The information in *Briefing Room* should not be acted on without professional advice.

FIRM VICTORY

LCW Wins Dismissal Of Terminated Peace Officer's Lawsuit.

LCW Associate Attorneys **Nathan Jackson** and **Lars Reed** successfully represented a city in a lawsuit that a former police officer brought.

In the spring of 2021, the city's police department launched an internal affairs investigation into the police officer's alleged misconduct. In April 2021, the district attorney's office filed criminal charges against the officer. The officer was represented by counsel both in the criminal proceeding and in the internal affairs investigation. Once the investigation and all pre-disciplinary processes were completed, the department terminated the officer, and the officer appealed.

The memorandum of understanding (MOU) between the city and the police union outlined the exclusive process for the officer to appeal his firing. The MOU contained a multi-step grievance procedure, and each step contained specific deadlines for the officer to request to advance his appeal. The officer's counsel missed the deadline to advance the appeal to arbitration by over a month. The city manager denied the officer's arbitration request on the grounds that the officer waived further appeal rights under the MOU.

The officer filed a lawsuit seeking declaratory relief from the trial court and an order for the city to arbitrate his termination appeal. The officer's counsel indicated that the failure to meet the MOU's deadlines was due in part to members of his family falling ill. He argued that his failure to timely request arbitration was due to excusable neglect. He further argued that relief was appropriate given the fundamental due process rights at stake.

LCW filed a demurrer on behalf of the city. One of the grounds for demurrer was that declaratory relief was not an available remedy for the officer because there was no dispute as to the MOU's language and the officer's rights under it. The court agreed. The officer had not shown the MOU language as ambiguous. The MOU stated that the failure to meet the timelines for advancing the grievance forfeited further grievance rights. The court also found the officer's counsel's failure to timely advance arbitration was not the result of excusable neglect because the failure to meet a simple deadline was not an oversight that a reasonably prudent person would make. The officer sought leave to amend his lawsuit, and this request was denied.

Based on the foregoing, the court sustained the city's demurrer without leave to amend, because the officer's claim arose from an MOU that is subject to only one reasonable interpretation.

NOTE:

A demurrer is a request for a court to dismiss a case because the case is not viable. A demurrer is a powerful tool that can save public agencies money by getting lawsuits dismissed at the pleading stage, without a trial or discovery. LCW attorneys can help public agencies identify legal deficiencies in a lawsuit that may make a case appropriate for demurrer.

POBR

City Properly Terminated Two Peace Officers Who Played Video Games Rather Than Respond To A Robbery, And Who Lied To Cover Up Their Neglect Of Duty.

On April 15, 2017, Louis Lozano and Eric Mitchell, two police officers for the City of Los Angeles (City), were working as partners when they received a radio call for a robbery in progress at a mall near their location. Sergeant Jose Gomez, their patrol supervisor that day, later radioed their patrol unit and requested that they respond to the robbery to assist a captain. The officers did not respond to the Sergeant.

Later that evening, the Sergeant met with the two officers to ask if they had heard the call for backup regarding the robbery. The two officers said that they did not hear the call due to loud noise in their surrounding area. The Sergeant counseled them for not listening to the radio and advised them to move to a location where they could hear their radio in the future. The Sergeant then reviewed the digital in-car video system (DICVS) recording from the day, which showed that the officers did hear the radio communications about the robbery, but elected not to respond. The Department then initiated an investigation, which determined – based on the DICVS recording – that the officers chose to play "Pokémon Go" rather than respond to the radio. Although the officers claimed they were not playing the game while on duty, the investigation determined that they were not truthful.

Based on the investigation's findings, the Department charged the officers with multiple counts of misconduct, including failing to: respond to a robbery-in-progress call; respond over the radio when their unit was called; and handle an assigned radio call. The officers were also charged with playing "Pokémon Go" while on patrol, and making false or misleading statements during the personnel investigation.

A board of rights found the officers guilty on all but one count and unanimously recommended that they be fired. The Department's Chief of Police adopted the board's penalty recommendation and terminated them.

The officers filed a petition for writ of administrative mandate challenging the City's decision to terminate their employment. The trial court denied the petition, and they appealed.

On appeal, the officers alleged the City unlawfully used the DICVS recording in their disciplinary proceeding because the recording captured their private conversations. They alleged the Department violated its Special Order No. 45, which states that the DICVS may not be used to monitor private conversations between employees. The Court of Appeal disagreed, noting that another Department guideline clarified that if a personal communication between employees is recorded on the DICVS, it will not be used to adjudicate a personnel complaint "unless there is evidence of criminal or egregious misconduct".

The officers also alleged that the use of the DICVS recording violated Penal Code section 632, which prohibits intentional eavesdropping by means of any recording device without the consent of all parties. The Court of Appeal disagreed, finding that the officers failed to present any evidence as to who was responsible for turning on the DICVS recording.

The officers also alleged the City denied them protections under the Public Safety Officers Procedural Bill of Rights Act (POBR) because Sergeant Gomez questioned them without affording them the opportunity to have a legal representative present. Again, the Court of Appeal disagreed, finding that the Sergeant's meeting with the officers was a routine contact between supervisor and subordinates. The Court noted that the Sergeant had no evidence when he met with the officers that they had heard and ignored the radio calls. Therefore, Sergeant Gomez did not violate the POBR by meeting with the officers without their representative.

For these reasons, the Court of Appeal affirmed judgment for the City and upheld the officers' terminations.

Lozano v. City of Los Angeles, 2022 WL 71705 (Cal. Ct. App. Jan. 7, 2022).

Note:

The Court of Appeal relied on the Department's unambiguous guidelines that vehicle recordings could be used in some circumstances for personnel investigations and discipline. LCW attorneys regularly assist agencies to ensure that any guidelines or policies align with applicable law.

WHISTLEBLOWER RETALIATION

California Supreme Court Confirms Employee-Friendly Test For Evaluating Whistleblower Retaliation Claims.

Wallen Lawson worked as a territory manager for PPG Architectural Finishes, Inc. (PPG) -- a paint and coatings manufacturer -- from 2015 until he was fired in 2017. PPG used two metrics to evaluate Lawson's

work performance: 1) his ability to meet sales goals; and 2) his scores on "market walks" during which PPG managers shadowed Lawson as he did his work. While Lawson received the highest possible score on his first market walk, his scores thereafter took a nosedive. He also frequently missed his monthly sales targets. In Spring 2017, PPG placed Lawson on a performance improvement plan.

During this same time, Lawson alleged his direct supervisor began ordering him to intentionally mistint slow-selling PPG paint products so that PPG could avoid buying back what would otherwise be excess unsold product. Lawson did not agree with this mistinting order, and he filed two anonymous complaints with PPG's central ethics hotline. He also told his supervisor he refused to participate in mistinting. PPG investigated the issue and told the supervisor to discontinue the order. Yet, the supervisor continued to directly supervise Lawson and oversee his market walk evaluations. After Lawson failed to improve as outlined in his performance improvement plan, his supervisor recommended that he be fired. PPG then terminated Lawson's employment.

Lawson sued PPG. He alleged that PPG had fired him because he "blew the whistle" on his supervisor's mistinting order, in violation of Labor Code Section 1102.5. Section 1102.5 prohibits an employer from retaliating against an employee for disclosing information to a government agency or person with authority to investigate if the employee "has reasonable cause to believe" the information discloses a violation of a state or federal statute, rule, or regulation.

In considering PPG's motion for summary judgment, the district court applied the three-part burden-shifting framework the U.S. Supreme Court laid out in *McDonnell Douglas Corp. v. Green*. Under this framework, the employee must first establish a prima facie case of unlawful retaliation. Next, the employer must state a legitimate reason for taking the challenged adverse employment action. Finally, the burden shifts back to the employee to demonstrate that the employer's stated reason is actually a pretext for retaliation. The district court determined that Lawson could not satisfy the third step of this *McDonnell Douglas* test, and it entered judgment in favor of PPG on Lawson's whistleblower retaliation claim.

On appeal, Lawson argued that the district court was wrong to use the *McDonnell Douglas* framework. Instead, he contended that the court should have followed Labor Code Section 1102.6. Under Section 1102.6, Lawson only needed to show that his whistleblowing was a "contributing factor" in his dismissal. Section 1102.6 did not require Lawson to show that PPG's stated reason was pretextual. The Ninth Circuit asked the California Supreme Court to decide the issue.

The California Supreme Court clarified that Labor Code Section 1102.6, and not M*cDonnell Douglas*, is the framework for litigating whistleblower claims under Labor Code Section 1102.5. After all, Labor Code Section 1102.6 describes the standards and burdens of proof for both parties in a Labor Code Section 1102.5 retaliation case. First, the employee must demonstrate "by a preponderance of the evidence" that the employee's protected whistleblowing was a "contributing factor" to an adverse employment action. Second, once the employee has made that showing, the employer has to prove by "clear and convincing evidence" that the alleged adverse employment action would have occurred for legitimate, independent reasons, even if the employee was not involved in protected whistleblowing activities.

The Court noted that other courts addressing burden-shifting frameworks similar to Section 1102.6 have found the *McDonnell Douglas* framework to be inapplicable. For instance, nearly all courts to address the issue have concluded that *McDonnell Douglas* does not apply to First Amendment retaliation claims, or to federal statutes that are similar to Labor Code Section 1102.6.

Finally, the Court found that there was no reason why Labor Code Section 1102.5 would require employees to prove that any of employer's proffered legitimate reasons were pretextual. This is because Section 1102.5 prohibits employers from considering the employee's protected whistleblowing as any "contributing factor" to an adverse employment action. Requiring an employee to also prove the falsity of any potentially legitimate reasons the employer may have had for an adverse employment action would be inconsistent with the Legislature's intent to encourage reporting of wrongdoing.

Lawson v. PPG Architectural Finishes, Inc., 2022 WL 244731 (Cal. Jan. 27, 2022).

Note:

Although Labor Code Section 1102.6 has specifically stated the framework for adjudicating Labor Code Section 1102.5 claims since 2004, California courts were not consistently applying Section 1102.6's employee-friendly test. Instead, some California Courts were ignoring Section 1102.6 and applying the more employer-friendly McDonnell Douglas *test.*

FAIR EMPLOYMENT AND HOUSING ACT

Trial Court Was Wrong To Reduce Former Employee's Request For Attorney's Fees.

Renee Vines sued his former employer, O'Reilly Auto Enterprises (O'Reilly) for race and age-based discrimination, harassment, and retaliation in violation of the Fair Employment and Housing Act (FEHA). Vines, a 59-year-old Black man, contended his supervisor and others created false and misleading reviews of him, yelled at him, and denied his requests for training that younger, non-Black employees had received. Vines also claimed that although he repeatedly complained to O'Reilly's management regarding the harassment and discrimination, O'Reilly took no remedial action. Instead, he alleged the company began investigating him in order to find a reason to terminate his employment. At the investigator's recommendation, O'Reilly terminated Vines.

The trial court granted judgment for O'Reilly's on Vines' age harassment and age discrimination claims, finding that Vines had failed to present any evidence his age had anything to do with his termination or O'Reilly's alleged discrimination, harassment, or retaliation. However, Vines' race-based and retaliation claims proceeded to a jury trial. The jury then returned a verdict in favor of Vines for his retaliation claim, but against him on his race discrimination and harassment causes of action. The jury awarded Vines $70,200 in damages.

Following the jury trial, Vines moved the court for an award of $809,681.25 in attorneys' fees. Vines supported hismotion with multiple attorney declarations, billing records, and other exhibits. For example, one of Vines' attorneys responded to multiple rounds of written discovery, took more than 10 depositions in several states, and participated in a 10-day jury trial. O'Reilly argued that Vines was not the prevailing party for purposes of an award of attorneys' fees, but even if he was, his fee request should be denied or reduced because the amount of fees he requested was excessive given the nominal jury award and Vines' limited success. Vines had only prevailed on two of his six claims, and while the jury awarded just over $70,000 in damages, Vines had sought over $2.5 million. They also argued that Vines' claim for attorneys' fees included unreasonable billing entries and hourly rates. The trial court issued an order awarding Vines $129,540.44 in attorneys' fees. The trial court found that Vines' unsuccessful discrimination and harassment claims were not significantly related or intertwined with his successful retaliation claim so as to support his request for $809,681.25 in fees. Vines appealed.

Under the FEHA, a court has the discretion to award attorneys' fees and costs. In order to calculate an attorneys' fee award under the FEHA, courts generally use the well-established lodestar method, which is the product of the number of hours spent on the cases, times and applicable hourly rate. The court then has the discretion to increase or reduce the lodestar by applying a positive or negative "multiplier" based on a number of factors.

In California, the extent of an employee's success is a crucial factor in determining the amount of a prevailing party's attorneys' fees. When a prevailing party succeeds on only some claims, courts make a two-part inquiry: first, did the employee prevail on claims that were unrelated to the claims on which he succeeded? Second, did the employee achieve a level of success that makes the hours expended a satisfactory basis for making a fee award? If, however, a lawsuit consists of related claims, the attorneys' fee awarded for an employee who has obtained "substantial relief" should not be reduced merely for the reason the employee did not succeed on each contention raised.

On appeal, Vines argued that the trial court erred when it found that his unsuccessful claims were not sufficiently related to his successful claims. He argued that the trial court failed to recognize that he had to prove the conduct underlying his discrimination and harassment claims in order to prove the reasonableness of his belief that the conduct was unlawful, as was required to succeed on his retaliation cause of action. The California Court of Appeal agreed. In order for Vines to prevail on his retaliation claim, he had to show that his beliefs that O'Reilly was discriminating and harassing him against him were reasonable.

Vines also argued that the trial court wrongly reduced fees for specific billing entries that O'Reilly had contended were unreasonable, such as reducing by two-thirds the amount of fees for the depositions of witnesses in Missouri, not awarding certain fees for travel, and reducing Vines' attorney's hourly rate from $525 to $425, among other things. The court concluded that Vines forfeited his challenge to those reductions by making those arguments too late. In any event, the court reversed the trial court's award and remanded the matter for further proceedings.

Vines v. O'Reilly Auto Enterprises, LLC, 2022 WL 189840 (Cal. Ct. App. Jan. 21, 2022).

NOTE:

Fee awards to prevailing employees in FEHA cases promote the important public policy in favor of eliminating discrimination in the workplace. This case demonstrates that even if an employee wins nominal damages, attorneys' fees can be substantial.

COVID 19

USSC Blocks Federal Vaccination Or Test Rule.

On September 9, 2021, President Biden announced a "new plan to require more Americans to be vaccinated." As part of that plan, the President said that the U.S. Secretary of Labor would issue an emergency rule to require all employers with at least 100 employees "to ensure their workforces are fully vaccinated or show a negative test at least once a week." Two months later, the Secretary of Labor issued the promised emergency standard. After the federal Occupational Safety and Health Administration (OSHA) published the standard on November 5, 2021, scores of parties – including states, businesses, trade groups and nonprofit organizations – filed petitions for review.

The consolidated cases made their way to the U.S. Supreme Court (USSC). Congress authorized OSHA to issue "emergency" regulations if OSHA determines that employees face grave danger from exposure to substances or agents determined to be toxic or physically harmful. Congress also gave OSHA the power to issue emergency standards as necessary to protect employees from such dangers. Despite that broad Congressional authority, the USSC's 6-3 majority decision held that the OSHA rule exceeded its authority. The majority held the rule was a "broad public health measure" rather than a "workplace safety standard." The USSC reinstated a stay of the OSHA vaccine or test rule.

Nat'l Fed'n of Indep. Bus. v. Dep't of Lab., Occupational Safety & Health Admin., 142 S. Ct. 661 (2022).

Note:

In California, it remains to be seen whether the Occupational Safety and Health Standards Board (OSHSB), which disseminates workplace safety standards for employers in California, will adopt similar vaccination/testing requirements. Until OSHSB takes such an action, most employers in California will have discretionary authority to decide whether to require their employees be vaccinated or tested for COVID-19. Employers may choose to mandate vaccinations for their employees, subject to their obligations to reasonably accommodate employees who are unable to be vaccinated due to disability or a sincerely held religious belief.

USSC Upholds Vaccination Mandate For Health Care Facilities.

In November 2021, the U.S Secretary of Health and Human Services announced that, in order to receive Medicare and Medicaid funding, participating facilities must ensure that their staff – unless exempt for medical or religious reasons – are vaccinated against COVID-19. A facility's failure to comply may lead to monetary penalties, denial of payment for new admissions, and ultimately termination of participation in the programs. The Secretary issued the rule after finding that vaccination of health care workers against COVID-19 was necessary for the "health and safety of individuals [for] whom care and services are furnished." The Secretary issued the rule as an interim final rule, rather than through the typical notice-and-comment procedures, after finding "good cause" that the rule should be effective immediately.

Shortly after the interim rule's announcement, two groups of states filed separate actions challenging the rule. After two district courts enjoined enforcement of the rule, the Government requested that the U.S. Supreme Court (USSC) lift the injunctions.

On appeal, the USSC lifted the injunctions. The USSC reasoned that the Secretary's rule fell within his authority to impose conditions on the receipt of Medicare and Medicaid funds that "the Secretary finds necessary in the interest of the health and safety of individuals who are furnished services." Because COVID-19 is a contagious and dangerous disease – especially for Medicare and Medicaid patients – the USSC found the rule fit squarely within the Secretary's power. In addition, the USSC noted that healthcare facilities that wish to participate in Medicare and Medicaid have always been obligated to satisfy a host of conditions. The Secretary also routinely imposes conditions that relate to the qualifications of healthcare workers.

The USSC rejected the states' remaining contentions, finding that the interim rule was not arbitrary or capricious and that the interim rule did consider that it might cause staffing shortages in some areas. It also found that the Secretary had valid justification to forgo notice and comment. Accordingly, the USSC upheld the vaccination mandate for employees in health care facilities.

Biden v. Missouri, 142 S. Ct. 647, 651 (2022).

Note:

In California, this decision should have minimal impact since the California Department of Public Health (CDPH) already requires that health care facilities ensure their workers are fully vaccinated against COVID-19.

WAGE AND HOUR

Trial Court Properly Denied Class Certification For State Law Wage And Hour Lawsuit.

From approximately 2013 to 2016, Jason Cirrincione worked at American Scissor Lift, Inc (ASL) as a non-exempt, hourly employee. ASL rents heavy machinery equipment such a scissor lifts and machine booms. Cirrincione's primary duties included painting and assembling rental equipment. Cirrincione and other hourly employees were eligible for production bonuses each pay period based on the amount of equipment they prepared.

In April 2018, Cirrincione filed a class action complaint against ASL for various California wage and hour violations, including failure to pay overtime wages, failure to pay minimum wages, failure to provide meal and rest breaks, and failure to pay reimbursement expenses. Cirrincione purported to represent as many as 50 former and current employees of ASL. The claims challenged ASL's policy and/or practice of rounding work time, which allegedly resulted in the systematic underpayment of wages.

In October 2019, Cirrincione moved for class certification, seeking to certify multiple subclasses, including: a rounding subclass, two meal break subclasses, two rest break subclasses, a no reimbursement subclass, and a final wage subclass. After a hearing, the trial court issued an order denying the class certification motion because Cirrincione failed to establish the requirements necessary to proceed on a class basis.

With respect to the proposed rounding subclass, the trial court rejected Cirrincione's contention that an employer's practice of rounding work time without a uniform, written rounding policy violates California law. It also noted that ASL's rounding practice varied from location to location and from supervisor to supervisor. For similar reasons, the trial court determined the claims of the other subclasses were not appropriate for class treatment. Cirrincione appealed.

On appeal, Cirrincione contended that the trial court was wrong to conclude that his rounding claim was not suitable for class treatment because ASL had a practice of rounding employee time but no written rounding policy. The California Court of Appeal rejected Cirrincione's arguments, and stated that the trial court properly discussed the law governing the rounding claim. The court found the trial court properly rejected Cirrincione's unsupported assertion that an employer's practice of rounding employees' work time without a written policy violates California law. An employer in California is entitled to round its employees' work time if the rounding is done in a "fair and neutral" manner that does not result, over a period in time, in the failure to properly compensate employees for all the time they have actually worked. Under this standard, an employer's rounding policy or practice is "fair and neutral" if on average, it neither over- or under-pays. Thus, the court concluded that the trial court did not err in refusing to certify the proposed rounding subclass. The court also affirmed the trial court's decision as to the other subclasses.

Cirrincione v. Am. Scissor Lift, Inc., 73 Cal.App.5th 619 (2022).

Note:

This case involves California wage and hour claims that generally do not apply to public agencies. However, the Fair Labor Standards Act (FLSA) regulations (which do apply to public agencies) include similar language on the rounding issues. FLSA regulations allow employers to round time, as long as this rounding does not result in a failure to count as hours worked all the time employees have actually worked over a period of time.

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LCW In The News

To view these articles and the most recent attorney-authored articles, please visit: **www.lcwlegal.com/news**.

- In the January 19th *Behind the Badge* article "SB 2 and the New POST," LCW Associate **Joung Yim** details Senate Bill 2, which is intended to increase accountability for misconduct by peace officers, and highlights the five significant changes enacted by the law.

NEW TO THE FIRM!

Victoria M. Gomez Phillips is an Associate in the Los Angeles office where she advises clients on business and transactional matters, including legal and business risks concerning strategic partnerships, contracts, employment, operations, and company policies.

Madison Tanner is an Associate in the San Diego office where she advises clients on a variety of labor, employment and education matters.

Dana L. Burch is Senior Counsel in the San Francisco office where she is well versed in all phases of litigation including discovery, depositions, law and motion, settlement negotiations, trials, and appeals.

Tyler Shill is an Associate in the San Francisco office where he represents a variety of educational intuitions including school districts, county offices of education, community college districts, universities, and private schools—on labor and employment and education law matters.

Don't Miss Our Upcoming Webinar!

Wednesday, February 23, 2022

10:00am - 11:30am

Presented By: Daniel Seitz & Alexander Volberding

Register here.

What Employers Should Know About the New SPSL Obligations

MANAGEMENT TRAINING WORKSHOPS

Firm Activities

Consortium Trainings

Feb. 23 **"The Art of Writing the Performance Evaluation"**
Bay Area & Central Coast & Humboldt County & Imperial Valley & NorCal & Orange County & San Diego ERCs | Webinar | Stephanie J. Lowe

Feb. 23 **"Iron Fists or Kid Gloves: Preventing and Addressing Retaliation in the Workplace"**
Napa/Solano/Yolo ERC | Webinar | Michael Youril

Mar. 10 **"Prevention and Control of Absenteeism and Abuse of Leave"**
Central Valley & Gateway Public ERCs | Webinar | T. Oliver Yee

Mar. 16 **"Workplace Bullying: A Growing Concern"**
Bay Area & Central Coast ERCs | Webinar | Christopher S. Frederick

Mar. 23 **"The Art of Writing the Performance Evaluation"**
Monterey Bay & Napa/Solano/Yolo & San Gabriel Valley & South Bay & Ventura/Santa Barbara ERCs | Webinar | Stephanie J. Lowe

Mar. 30 **"Managing COVID-19 Issues: Now and What's Next"**
Humboldt County & NorCal & Orange County ERCs | Webinar | Alexander Volberding & Daniel Seitz

Customized Trainings

Feb. 11 **"Maximizing Performance Through Evaluation, Documentation, and Corrective Action"**
Cal Matters | Webinar | T. Oliver Yee

Feb. 15&16 **"ADA"**
Inland Empire Utilities Agency | Webinar | Christopher S. Frederick

Feb. 22 **"Workplace Bullying: A Growing Concern"**
City of Santa Rosa | Heather R. Coffman

Feb. 24 **"Conducting Internal Investigations"**
California Sanitation Risk Management Authority (CSRMA) | Webinar | Heather R. Coffman

Feb. 27 **"Leave Issues"**
The California Chapter of the National Emergency Number Association (CALNENA) | San Diego | English R. Bryant

Feb. 28 **"Difficult Conversations"**
County of Monterey, Health Department | Webinar | Heather R. Coffman

Mar. 1 **"Key Legal Principles for Public Safety Managers - POST Management Course"**
Peace Officer Standards and Training - POST | San Diego | English R. Bryant

Mar. 8 **"Training Academy for Workplace Investigators: Core Principles, Skills & Practices for Conducting Effective Workplace Investigations"**
City of Hanford | Shelline Bennett

Mar. 9, 16&23 **"Investigations"**
Riverside County | Webinar | Danny Y. Yoo

Mar. 22 **"Key Legal Principles for Public Safety Managers - POST Management Course"**
Peace Officer Standards and Training - POST | San Diego | Mark Meyerhoff

Mar. 24 **"Implicit Bias"**
Employmet Risk Management Authority (ERMA) | Reedley | Shelline Bennett

Speaking Engagements

Feb. 17 **"How to Handle Complicated Contract Costing Conversations"**
California Society of Municipal Finance Officers (CSMFO) / 2022 CSMFO Annual Conference | San Diego | Peter J. Brown & Kim Sitton

Feb. 17 **"Big Picture Post COVID-19"**
Southern California Public Labor Relations Council (SCPLRC) Annual Conference | Lakewood | Peter J. Brown

Feb. 17 **"Legal Update"**
SCPLRC Annual Conference | Lakewood | J. Scott Tiedemann

Feb. 18 **"Clarifying CalPERS Rules on Hiring, Reporting and Working After Retirement"**
2022 CSMFO Annual Conference | San Diego | Steven M. Berliner & Renee Ostrander

Feb. 28 **"First Amendment Issues in a Politically Charged World"**
Public Agency Risk Management Association (PARMA) Annual Conference | Anaheim | Mark Meyerhoff

Mar. 23 **"Liability Update"**
Orange County Chiefs of Police & Sheriff's Association (OCCPSA) Tri-County Chiefs Workshop | Rancho Mirage | J. Scott Tiedemann

Seminars/Webinars

Feb. 23 **"What Employers Should Know About the New SPSL Obligations"**
Liebert Cassidy Whitmore | Webinar | Daniel Seitz & Alexander Volberding

Mar. 24 **"Nuts & Bolts of Negotiations - Part 1"**
Liebert Cassidy Whitmore | Webinar | Laura Drottz Kalty & Peter J. Brown

Mar. 31 **"Nuts & Bolts of Negotiations - Part 2"**
Liebert Cassidy Whitmore | Webinar | Laura Drottz Kalty & Peter J. Brown

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