

PUBLIC LABOR AND EMPLOYMENT

Public Agency Employment Law Services

Rutan & Tucker represents governmental agencies on a wide variety of personnel matters. We have successfully represented public agency clients in literally hundreds of legal proceedings before civil service and personnel boards, arbitrators, the Public Employment Relations Board (PERB), state and federal EEO and other administrative agencies and the courts. We have developed personnel systems for our clients, handled both grievance and disciplinary hearings and disability and retirement matters and defended agencies in labor disputes. We have also counseled clients on both federal and state wage and hour requirements, and have successfully represented public agency clients and their officials in harassment, discrimination, retaliation, whistle-blowing, and Labor Code section 132a (discrimination due to workers compensation) claims. Our office routinely responds to discrimination complaints filed with the EEOC and DFEH. We regularly advise public agency clients on a full range of personnel and labor law matters, including compliance with the ADA, FLSA, FMLA/CFRA, employee benefits and other applicable labor laws, rights to privacy, First Amendment issues, due process issues, proper documentation of problem employees, layoffs and reductions in force, and related issues.

Labor Relations and Negotiation Services

Rutan & Tucker has successfully negotiated hundreds of labor agreements for its public agency clients, including cities, counties, special districts and school and college districts. Team members are experienced in collaborative/interest based bargaining techniques as well as the more traditional labor negotiations approach.

Members of the firm have extensive experience representing our public agency clients with personnel issues stemming from labor relations and unionization efforts. We have represented our clients in all phases of PERB proceedings, from responses to Unfair Labor Practice claims through PERB hearings and court appeals. Our activities include representing public employers in connection with representation process and union recognition, union decertification petitions, collective bargaining process, impasse resolution, protected employee activity and employee rights, discipline and discharge of public employees, strikes and concerted activities and organizational security.

In addition to conducting negotiations for public agency clients, we work with public agencies that conduct their own negotiations. This arrangement involves all aspects of consultation and related services, including reviewing and writing bargaining proposals, providing advice concerning protected employee activities and employee rights, negotiating strategies, and giving general advice when problems arise during negotiations.