



SHAW LAW GROUP PC
WORKPLACE ADVICE • TRAINING • INVESTIGATIONS

**RESPONSE TO THE
CITY OF CARSON'S**

**REQUEST FOR PROPOSALS NUMBER: 23-038
EMPLOYEE DISCIPLINARY INVESTIGATIONS**

November 7, 2023

PROPOSAL CONTACT:

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November 7, 2023

SUBMITTED VIA PLANETBIDS

Ms. Shelly McGhee
Human Resources/Administration
City of Carson
701 E. Carson Street, Suite 144
Carson, CA 90745

RE: Response to RFP 23-038 for Employee Disciplinary Investigations

Dear Ms. McGhee:

Shaw Law Group, PC ("Shaw Law Group" or the "Firm") is pleased to submit this response to the above-referenced RFP issued by the City of Carson (the "City") to provide workplace investigation services on a project specific, task order basis.

1. COMPANY CERTIFICATION AND PERSONNEL VERIFICATION

This proposal is submitted by Jennifer Shaw, President, of Shaw Law Group, PC. The Firm is in good standing with the California Secretary of State.

A. About Our Firm

Shaw Law Group, PC has an unparalleled reputation for providing employment law related advice, training, investigation, and representation to public sector employers. Our competitive advantage is the quality of services we provide, and our state-of-the-art infrastructure. We are small by design so we may tailor a unique approach to each client's individual needs at a reasonable price. We also use large-firm technology to support our commitment to responsiveness and communication with our clients.

We are certified as a small business by the State of California Department of General Services (Office of Small Business and DVBE Certification) and as a woman-owned business by the Women's Business Enterprise and National Council.

With diverse backgrounds and experience that runs both deep and wide, our lawyers solve clients' employment law issues efficiently and creatively.

B. Our Investigations Practice

Our impartial investigations practice is widely recognized as among the best in the field. We conduct hundreds of investigations for public sector employers every year.

We commence investigations within 24 hours of contact, and complete them within 60 days, absent unusual circumstances. Within two business days of the initial consultation and receipt of the complaint and relevant documentation, we will provide the City with an investigation plan, including scope, potential witnesses, evidence to be reviewed and/or collected, identification of applicable legal issues, and an estimated cost and timeline.

The amount of time each attorney spends on investigations depends on our workload, but once we are assigned an investigation, the attorney works quickly to set up interviews and draft the investigation report. There can be unanticipated delays in completing an investigation for a number of reasons, but we are committed to ensuring we finish them as soon as possible while still delivering a solid and defensible product.

Unlike many of our competitors, we do not utilize the services of HR consultants, paralegals, or private investigators who are unfamiliar with workplace laws. Our attorneys know the rules of evidence, and understand the substantive elements of the matters we investigate. Because of our legal expertise, we anticipate issues, identify key areas for questions, and prepare concise investigation reports that tell the story and provide management with the information they need to move on to the next step. We always adapt our investigation approach to fit the individuals involved and the needs of the situation.

All of our investigators are licensed attorneys and members of the Association of Workplace Investigators. Many of them also are members of the Association of Title IX Administrators. They all have extensive experience investigating workplace complaints.

Our attorneys have conducted investigations involving public sector employees at all levels, including:

- Elected officials
- In-house counsel and CEAs at control agencies and other departments
- Executives at large public agencies
- Sworn police and fire officials
- Rank-and-file staff and front-line management

C. Personnel

All of our attorneys are experienced in matters involving the California Fair Employment and Housing Act, the California Civil Rights Department, the Public Safety Officers Procedural Bill of Rights, and the Firefighters Bill of Rights, as well as recent employment-related court decisions and legislation. We possess all permits, licenses, and professional credentials necessary to perform the required services, and supply quality and legally defensible deliverables.

The Firm will assign the most qualified attorney to handle each matter. Below is a list of our Firm's attorney investigators as of the date of this response:

<u>Employee</u>	<u>Title</u>
Jennifer Shaw, Esq.	President
Trish Higgins, Esq.	Of Counsel
Eric Glassman, Esq.	Of Counsel
Melissa Whitehead, Esq.	Of Counsel
Brooke Kozak, Esq.	Of Counsel
Megan Donaghey, Esq.	Of Counsel
Jasmin Darron, Esq.	Associate
Julienne Correa, Esq.	Associate

Resumes for each of these individuals are enclosed as Attachment 1.

2. SUBCONTRACTOR LIST

The Firm does not utilize subcontractors.

3. COST PROPOSAL

We will bill the City at our discounted public sector rate of \$395 an hour for the first year of the contract. Our hourly rate for the second year will be \$405, and hour hourly rate for the third year will be \$415.

4. MODIFICATIONS, CHANGES OR EXCEPTIONS TO THE CITY CONTRACT OF SERVICES AGREEMENT TEMPLATE

We do not require any changes or exceptions to the City contract of services agreement template.

5. CONCLUSION

We are honored to submit this response to the RFP. Please let me know if you have any questions or concerns.

Very truly yours,

SHAW LAW GROUP, PC



Jennifer Shaw

JBS:rs

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ATTACHMENT 1

**Jennifer Shaw***(Founder)*

Jennifer Shaw is the founder of Shaw Law Group, and a 2019 recipient of the Sacramento Business Journal's "Women Who Mean Business" award.

A well-respected expert in employment law for more than 25 years, employers regularly rely on Jennifer to counsel them on a broad range of employment law issues. Jennifer's practical advice covers subjects such as wage-hour compliance, anti-discrimination and harassment policies and procedures, reasonable accommodation/leave of absence issues, and hiring/separation processes. She is a trusted advisor to in-house counsel, HR professionals, and leadership across a broad spectrum of public sector and private sector employers.

Jennifer, a member of the Association of Workplace Investigators, has considerable expertise conducting neutral investigations. Other attorneys and employers frequently engage her to assist with challenging and high-profile matters. Jennifer also teaches HR professionals how to conduct effective internal investigations.

Widely recognized for developing and conducting innovative, effective training for executives, management and non-supervisory employees, Jennifer uses case studies, audience participation, and storytelling to bring employment law to life. Through private, on-site sessions, open public sessions, and webinars, she trains thousands of people each year. She also trains and coaches senior executives on an individual basis.

Jennifer is a regular contributor to the Daily Recorder and other publications, is often quoted in print media, and appears frequently on radio and television as a subject matter expert. Her weekly podcast, "Workplace Wake-Up," is a "must do" for hundreds of employers.

An active member of the Society for Human Resource Management and the Legal and Legislative Group of the Sacramento Area Human Resources Association, Jennifer often delivers keynote addresses at their conferences.

Education:

J.D. summa cum laude, University of San Francisco School of Law

B.A., University of California, Santa Cruz

Bar Admissions:

California

Certifications, Memberships, and Awards:

Member, Association of Workplace Investigators



Named to Northern California Super Lawyers List, 2009-2021



Best of the Bar 2013, 2014, 2016, 2019

Certifications, Memberships, and Awards (continued):

Among highest-rated speakers at annual SHRM Conferences since 2009



Rated AV 5.0 (highest rating) by Martindale-Hubbell



Jennifer is the founder of 100+ Women Who Care Sacramento Valley, a local giving circle, and active in many legal pro bono activities.

On the weekends you can find Jennifer: Hanging out with her daughter and learning to be a better cook.



Trish Higgins

(Senior Advisor • Investigator (Title IX) • Trainer • Expert Witness • Hearing Officer)

Trish Higgins litigated employment law cases for more than 30 years before joining Shaw Law Group as an investigator, advisor, and trainer.

An Association of Workplace Investigators (AWI) member and certified Title IX investigator and hearing officer, Trish conducts impartial investigations of workplace issues for employers in the private, public, and non-profit sectors. Employers rely on her to handle complex complaints, including those involving high-level executives. Trish's expertise in trauma-informed investigation techniques is a unique asset to clients dealing with sexual assault and related matters.

Trish has served as an expert witness on a variety of employment law issues, including the adequacy of workplace investigations.

Clients ranging from Fortune 100 companies to small start-ups rely on Trish to provide practical advice based on their individual business needs and objectives. Her extensive litigation background allows her to provide realistic risk assessments and practical guidance.

Trish also puts her litigation skills to work for our clients on various administrative matters, including before the Equal Employment Opportunity Commission, the Department of Labor, the California Department of Fair Employment and Housing, and the Division of Labor Standards Enforcement.

An experienced negotiator, Trish frequently helps clients resolve disputes through various forms of alternative dispute resolution, including mediation and arbitration. For many years, she has served as a Settlement Judge Pro Tem for the Sacramento County Superior Court.

An engaging facilitator, Trish has trained hundreds of managers, employees, and elected officials on maintaining a respectful workplace and EEO compliance.

Education:

J.D., University of California, Berkeley

B.A., University of California, Santa Cruz

Bar Admissions:

California

Certifications, Memberships, and Awards:

Member, Association of Workplace Investigators
Association of Workplace Investigators,
Certificate Holder in Investigations, CH-I



Certifications, Memberships, and Rewards (Continued):



Rated AV 5.0 (highest rating) by
Martindale-Hubbell

Trish is a frequent lecturer, author, and commentator on employment issues. She has served as the Chair of the Wage-and-Hour Subcommittee of the ABA Employment & Labor Relations Law Committee, and Chair of the Labor & Employment Section of the Sacramento County Bar Association.

Prior to joining the Shaw Law Group, Trish practiced employment law at a global law firm and clerked for a federal district court judge.

On the weekends you can find Trish: Riding her bike, swimming, and enjoying her husband's great cooking.

**Eric Glassman***(Training Practice Leader • Senior Investigator)*

For more than 25 years, Eric Glassman has provided some of the nation's top employers with legal advice, training, and litigation-related services to private corporations, non-profit organizations, and public agencies.

Eric has conducted thousands of seminars and workshops for managers and employees on a variety of employment law topics. Attendees praise Eric's comfortable and relatable style, and his ability to convey complex legal concepts without resorting to using "legalese."

A respected and sought-after independent workplace investigator, Eric is adept at interviewing witnesses and interpreting key documents. He works discreetly and efficiently to provide necessary, timely, and accurate information even in the most complex of investigations, and is a member of the Association of Workplace Investigators.

Eric is also an accomplished litigator, having taken more than 40 arbitrations to verdict, and a prolific author of employment law-related articles.

By training and experience, Eric has developed a passion for advancing diversity and inclusivity in the workplace. A long-time advocate for healthcare issues, he currently serves on the board of directors for DYF, a non-profit focused on improving the quality of life for children, teens, and families affected by diabetes.

On the weekends you can find Eric: Exploring Northern California, watching college football, and attending rock concerts or music festivals.

Education:

J.D., Georgetown University Law Center, magna cum laude

Clerk, Honorable Oliver W. Wanger (ret.)

M.A., B.S., University of California, Los Angeles

Bar Admissions:

California

Certifications, Memberships, and Awards:

Member, Association of Workplace Investigators



Rated AV 5.0 (highest rating) by Martindale-Hubbell

**Alayna Schroeder***(Advice and Audit Practice Leader)*

Alayna Schroeder is a trusted advisor on workplace issues for many employers. She provides practical advice and counsel to employers in all areas of employment law, including wage and hour, leaves of absence and accommodation, background investigations, performance management, and harassment, discrimination and retaliation prevention.

Alayna regularly assists clients with strategic compliance development, conducts comprehensive Human Resources audits, and partners with HR professionals and in-house counsel to address the day-to-day realities of employee relations management.

In addition to delivering on-the-fly assistance to our clients, Alayna has a knack for drafting easy-to-read “how to” forms, policies, procedures, training manuals, and guides for clients. She also regularly drafts employment, separation, and compensation agreements; reviews handbooks, policies, and forms; develops and customizes training programs for employees in a variety of industries.

Although Alayna has particular expertise in California law, her practice includes multistate and multijurisdictional compliance on issues like sick leave, “Ban the Box,” wage and hour, and leaves of absence.

Clients benefit from Alayna’s HR background and experience writing plain English legal books. Her easy communication style and practical business approach are assets to every organization she assists. Alayna sees herself as partner on each client’s team, and loves to make people forget she’s a lawyer.

People would be surprised to know: Before joining the team and discovering her passion for legal advice work, Alayna gave up the practice of law permanently (or so she thought!) and joined the Peace Corps.

Education:

J.D., University of California,
Hastings College of the Law

B.A., University of California, Davis

Bar Admissions:

California



Julia Melnicoe Insel

(Senior Advisor • Handbook/Policy Practice Leader • Pre-Litigation Advocate)

Julia Melnicoe Insel's practice primarily focuses on providing advice and counsel to employers on workplace topics. She partners with clients to prepare employee agreements and policies, including confidentiality and arbitration agreements. In her role as the firm's Employee Handbook and Policy Leader, Julia regularly prepares and updates employee handbooks and workplace policies. She also provides behind-the-scenes guidance to HR and management faced with making complex employment decisions.

Education:

J.D., Cornell Law School

B.A., University of California,
Santa Cruz

Bar Admissions:

California

Julia holds a Diversity and Inclusion certificate from Cornell University, and offers attorney-led diversity, equity, and inclusion consulting tailored to client needs. She provides customized training, audits, and practical tips to help clients launch legally compliant DEI programs.

As a former litigator, Julia provides clients with invaluable practical and accurate risk assessments. She also assists employers respond to complaints filed with various administrative agencies, including the California Civil Rights Department and Housing and the National Labor Relations Board.

People would be surprised to know: Julia loves workplace coaching, and is excited to expand her practice to include this area.



Melissa Whitehead

(Advisor • Trainer • Investigator • Pre-Litigation Advocate)

Melissa Whitehead's practice primarily focuses on providing advice and counsel to employers, conducting impartial workplace investigations, and providing substantive training to employers and HR professionals. She also represents clients before administrative agencies on a wide variety of employment matters, including wrongful termination, harassment, discrimination, retaliation, wage and hour, FEHA/EEOC claims.

Melissa draws on her years of experience defending employers in litigation to provide sound, practical advice on a wide variety of issues that face employers on a daily basis – on subjects ranging from personnel decisions, navigating leaves of absences and accommodation requests, wage and hour issues – and creating policies and templates that will benefit clients on an ongoing basis. Melissa loves getting to know clients and their businesses, which enables her to provide practical and insightful guidance.

Melissa also reviews and drafts a variety of forms, policies, manuals, procedures, and guides, including employee handbooks, employment, commission, and separation agreements, performance evaluation and discipline forms/templates, and hiring/separation checklists. She also helps employers with communications to applicants and employees regarding reasonable accommodation requests and leaves of absence. Melissa enjoys partnering with clients on wage-hour compliance and other audits, and keeping employers up-to-date on legal developments.

An experienced investigator, Melissa regularly conducts impartial workplace investigations involving complex issues, including claims of sexual harassment, hostile work environment, racial discrimination, and retaliation. Melissa's expertise in this area is appreciated by public and private sector employers.

Among Melissa's other passions, she relishes training employees of all levels on topics such as EEO compliance, effectively managing accommodations, and the legal implications of COVID-19. Her humor and real-life case studies bring these subjects to life and keep participants engaged.

On the weekends you can find Melissa: Traveling as much as possible, whether it's a day trip to the beach or an international adventure, with her husband and two kids!

Education:

J.D., University of the Pacific, McGeorge School of Law

B.A., Westmont College

Bar Admissions:

California

Certifications, Memberships, and Awards:

Member, Association of Workplace Investigators

Association of Workplace Investigators, Certificate Holder in Investigations, CH-I

Northern California Super Lawyer Rising Star, 2016-2021

Placer County Bar Association, Women Lawyers Section, Secretary (2019 – current)

**Brooke Kozak***(Investigation Practice Leader • Trainer)*

Brooke Kozak is an accomplished and well-respected investigator. She has served as the lead investigator on a variety of complex and sensitive workplace investigations involving high-level executives, elected officials, and multiple respondents, among other challenging circumstances.

Brooke regularly investigates allegations of harassment, discrimination, retaliation, failure to accommodate, workplace violence, unfair hiring practices, and general employee misconduct. She also advises employers in all areas of employment law, and facilitates training sessions for employees on key topics such as harassment prevention, respect and professionalism at work, and conducting effective internal investigations.

A former human resources professional focused on employee relations, policy development, and recruiting, Brooke brings practical business and management experience to her practice. She previously worked with association, non-profit, and insurance organizations.

Brooke is a certified Professional in Human Resources (PHR) and an Association of Workplace Investigators (AWI) Certificate Holder. She provides pro bono assistance to clients with legal problems associated with debt collection and bankruptcy for the Voluntary Legal Services Program of Northern California.

On weekends you can find Brooke: Trying to keep up with her spirited daughter, usually exploring something new!

Education:

J.D., University of the Pacific, McGeorge School of Law

B.S., The Florida State University

Bar Admissions:

California

Certifications, Memberships, and Awards:

Member, Association of Workplace Investigators
Association of Workplace Investigators, Certificate Holder in Investigations, CH-I



Professional in Human Resources, HRCI



Megan Donaghey

(Senior Investigator • Advisor • Auditor • Trainer)

Megan Donaghey is an experienced attorney and human resources professional who conducts impartial investigations, provides employment law advice and counsel, and conducts training on workplace issues.

As an investigator, Megan evaluates complex and sensitive workplace complaints of sexual and other workplace harassment, discrimination, retaliation, and wage-hour violations.

Megan also provides advice to employers on a variety of employment law topics, including Form I-9 compliance, managing leaves of absence, and EEO issues. Clients appreciate Megan's business-minded approach to solving workplace challenges.

Megan provides dynamic and interactive training sessions on a variety of employment law topics including EEO compliance.

Prior to joining Shaw Law Group, Megan worked for an employment law boutique, and spent 15 years as an Employee Relations Director for an international Fortune 500 company.

Megan is a certified Senior Professional in Human Resource Management, an Association of Workplace Investigators (AWI) Certificate Holder, and a current board member of the Northern California Employment Roundtable (NCERT).

On the weekends you can find Megan: Camping, hiking with her husband and dogs, or reading.

Education:

J.D., University of the Pacific, McGeorge School of Law

M.B.A Business, Kent State University

B.A., Kent State University

Bar Admissions:

California

Certifications, Memberships, and Awards:

Member, Association of Workplace Investigators

Association of Workplace Investigators, Certificate Holder in Investigations, CH-I



Senior Professional in Human Resources, HRCI



Jasmin Darron, Esq.

(Investigator • Trainer)

Jasmin Darron's practice focuses primarily on conducting impartial investigations of EEO and other complaints for public and private sector employers. Clients appreciate Jasmin's ability to connect with witnesses, and her commitment to a fair and unbiased investigation process.

Jasmin's prior experience as a litigator allows her to bring a unique perspective to investigations. She has represented public entities in labor and employment matters, including administrative hearings and arbitration. Jasmin also worked for a large insurance carrier, where she managed high-profile matters involving allegations of sexual harassment/assault, theft, and discrimination.

In addition to conducting investigations, Jasmin trains HR professionals on compliance topics, including harassment, discrimination, and retaliation prevention.

In her spare time you'll find Jasmin: Spending time with her husband and son, taking a Peloton class, or watching the "Real Housewives" franchise.

Education:

J.D., University of Southern California

B.A., University of California,
Los Angeles

Bar Admissions:

California

Certifications, Memberships, and Awards:

Member, Association of Workplace
Investigators



Julianne Correa

(Investigator)

Julianne Correa's practice primarily focuses on conducting impartial workplace investigations for public and private sector employers. Julianne's prior experience as an employment law litigator makes her a particularly skilled investigator.

Prior to joining Shaw Law Group, Julianne worked for an employment law firm, where she gained valuable experience and familiarity with various workplace issues. Julianne also externed for the United States District Court in the Eastern District of California, which taught her to review and analyze employment law claims from a neutral perspective.

In her spare time, you will find Julianne: Traveling, gardening, and camping.

Education:

University of California, Davis

University of the Pacific,
McGeorge School of Law

Bar Admissions:

California

Certifications, Memberships, and Awards:

Member, Association of Workplace
Investigators