

20 JUN -8 PM 12:32

CITY OF CARSON  
6033 West Century Boulevard, 5<sup>th</sup> Floor  
Los Angeles, California 90045  
T: (310) 981-2000 F: (310) 337-0560

June 05, 2020

Faye Moseley  
Director of Human Resources and Risk Management  
City of Carson  
701 East Carson Street  
Carson, CA 90745

Re: *South Bay Employment Relations Consortium*

Dear Ms. Moseley:

We are looking forward to another successful year with the South Bay Employment Relations Consortium. The consortium committee has selected a wide variety of topics for your managers and supervisors. We are pleased to provide the consortium with five full days of training, our monthly Client Update, and telephone consultation.

As discussed at the recent planning meeting (see enclosed notes) we will continue to provide our workshops via webinar for the foreseeable future. Additionally, we will continue to provide member agencies with the recording of these presentations so more employees can benefit from them.

Enclosed is an Agreement for Special Services. Please execute and return a copy to our office.

You'll note that the attached invoice gives you the option of subscribing (or renewing) your Liebert Library membership. Library subscription is optional and is included here for your convenience.

If you have any questions about the consortium, our other training programs or *if you would like to pay your invoice via credit card*, please contact Cynthia Weldon, Director of Marketing & Training at (310) 981-2055 or [cweldon@lcwlegal.com](mailto:cweldon@lcwlegal.com).

We thank you for your membership and we look forward to another successful training year.

Sincerely,

LIEBERT CASSIDY WHITMORE

BY:

  
J. Scott Tiedemann  
Managing Partner

Enclosures

### **AGREEMENT FOR SPECIAL SERVICES**

This Agreement is entered into between the City of Carson, A Municipal Corporation, hereinafter referred to as "Agency," and the law firm of LIEBERT CASSIDY WHITMORE, A Professional Corporation, hereinafter referred to as "Attorney."

WHEREAS Agency has the need to secure expert training and consulting services to assist Agency in its workforce management and employee relations; and

WHEREAS Agency has determined that no less than twenty-two (22) public agencies in the South Bay area have the same need and have agreed to enter into identical agreements with Attorney; and

WHEREAS Attorney is specially experienced and qualified to perform the special services desired by the Agency and is willing to perform such services;

NOW, THEREFORE, Agency and Attorney agree as follows:

#### **Attorney's Services:**

During the year beginning July 1, 2020, Attorney will provide the following services to Agency (and the other aforesaid public agencies):

1. Five (5) days of group training workshops covering such employment relations subjects as management rights and obligations, negotiation strategies, employment discrimination and affirmative action, employment relations from the perspective of elected officials, performance evaluation (administering evaluations), grievance and discipline administration for supervisors and managers, planning for and responding to concerted job actions, current court, administrative and legislative developments in personnel administration and employment relations, etc., with the specific subjects covered and lengths of individual workshop presentations to be determined by Agency and the other said local agencies.

It is expressly understood that the material used during these presentations, including written handouts and projected power points are provided solely for the contracted workshops. This agreement warrants there will be no future use of Liebert Cassidy Whitmore material in other trainings or formats without the expressed written permission of Liebert Cassidy Whitmore. Any such use will constitute a violation of this agreement and copyright provisions.

2. Availability of Attorney for Agency to consult by telephone. Consortium calls cover questions that the attorney can answer quickly with little research. They do not include the review of documents, in depth research, written responses (like an opinion letter) or advice on on-going legal matters. The caller will be informed if the question exceeds the scope of consortium calls. Should the caller request, the attorney can assist on items that fall outside the service, but these matters will be billed at the attorney's hourly rate. (See additional services section.)
3. Providing of a monthly newsletter covering employment relations developments.

#### **Fee:**

Attorney will provide these special services to Agency for a fee of Three Thousand Three Hundred Fifty Dollars (\$3,350.00) payable in one payment prior to August 1, 2020. The fee, if paid after August 1, 2020 will be \$3,450.00.

Said fee will cover Attorney's time in providing said training and consultative services and the development and printing of written materials provided to attendees at the training programs.

**Additional Services:**

Attorney shall, as and when requested by Agency, make itself available to Agency to provide representational, litigation, and other employment relations services. The Agency will be billed for the actual time such representation services are rendered, including reasonable travel time, plus any necessary costs and expenses authorized by the Agency.

The range of hourly rates for Attorney time is from Two Hundred Ten to Three Hundred Ninety Dollars (\$210.00 - \$390.00) per hour for attorney staff, Two Hundred Forty Dollars (\$240.00) per hour for Labor Relations/HR Consultant and from One Hundred Thirty-Five to One Hundred Seventy-Five Dollars (\$135.00 - \$175.00) per hour for services provided by paraprofessional and litigation support staff. Attorneys, paraprofessional and litigation support staff bill their time in minimum units of one-tenth of an hour. Attorney reviews its hourly rates on an annual basis and if appropriate, adjusts them effective July 1.

**Independent Contractor:**

It is understood and agreed that Attorney is and shall remain an independent contractor under this Agreement.

**Term:**

The term of this Agreement is twelve (12) months commencing July 1, 2020. The term may be extended for additional periods of time by the written consent of the parties.

**Condition Precedent:**

It is understood and agreed that the parties' aforesaid rights and obligations are contingent on no less than twenty-two (22) local agency employers entering into a substantially identical Agreement with Attorney on or about July 1, 2020.

**LIEBERT CASSIDY WHITMORE**  
A Professional Corporation

**CITY OF CARSON**  
A Municipal Corporation

By: \_\_\_\_\_

  
J. Scott Tiedemann / Managing Partner

Date: \_\_\_\_\_

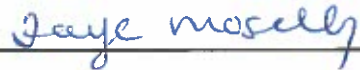
6-4-2020

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



Faye Moseley

Director of HR + Risk mgmt.

07/07/2020

# INVOICE

June 1, 2020

Faye Moseley  
Director of Human Resources and Risk Management  
City of Carson  
701 East Carson Street  
Carson, CA 90745

(CA170-10000)  
INVOICE NUMBER: 1499095

**SOUTH BAY EMPLOYMENT RELATIONS CONSORTIUM**

Membership: 07/01/20 through 06/30/2021

Please make your check out for one of the following amounts:

<b>ERC Membership</b>	<b>\$3,350.00</b>	<input checked="" type="checkbox"/>
<b>ERC Membership w/ Basic Liebert Library Subscription (optional)</b> Basic Subscription provides access to LCW workbooks in digital format. You can search all workbooks, but cannot print or download the books.	<b>\$3,755.00</b>	<input type="checkbox"/>
<b>ERC Membership w/ Premium Liebert Library Subscription (optional)</b> Premium Subscription provides unlimited access to LCW workbooks in digital format, as well as over 200 sample forms, model policies and checklists that can be downloaded and used as templates.	<b>\$4,250.00</b>	<input type="checkbox"/>

Note: Please send us a copy of this invoice along with your payment.

For more information about the Liebert Library, please visit [www.liebertlibrary.com](http://www.liebertlibrary.com),  
call Nick Rescigno at 310.981.2053 or email [library@lcwlegal.com](mailto:library@lcwlegal.com).

If ERC Membership paid after August 1, 2020 amount due is \$3,450.00  
(Includes \$100.00 late fee)

o.k. to pay  
J-ape moseley  
07/07/2020



Our firm is proud to present the **Liebert Library:** an online collection of trusted legal training and reference materials that cover a variety of public-sector labor and employment topics!

For nearly 40 years our attorneys have tirelessly worked to create an entire library of legal resources that covers a variety of labor and employment topics. Now you can get on-demand access to our extensive collection of workbooks, sample forms, model policies and checklists, including:



#### **WORKBOOKS:**

- The FLSA Compliance Guide
- Principles for Public Safety Employment
- Leaves, Leaves and More Leaves
- Privacy Issues in the Workplace
- Exercising Your Management Rights
- Understanding Public Employee Retirement Issues



#### **SAMPLE FORMS & POLICIES:**

- Checklist for POBR/FBOR Investigation
- Reasonable Accommodation Policy
- Sample Anti-Bullying Policy
- Sample Discipline Policy
- Social Media Policy

We offer 2 levels of subscription for Liebert Library at economical prices that will allow you to lower future legal costs for your agency:

- 1. Basic Membership** - Access to **all of our workbooks in digital format**. You will have on-demand access to these documents, which are fully searchable (but not downloadable.)
- 2. Premium Membership** - Access to all of the benefits of our Basic Membership (see above), as well as the ability to download in Word more than 200 sample forms, checklists and model policies. The newly incorporated model policies include detailed commentary on the statute/reason the policy is recommended as well as tips on how to customize the policies to your specific agency and how to best implement them.

## **SOUTH BAY ERC**

### **1) Comments**

- Members held their annual planning meeting via Zoom after completing a survey to select workshops for the 2020-2021 year.
- Members thought the webinars went well. While they miss the in-person events, members feel that the 2020-2021 workshops should be scheduled as webinars.
  - Members thought the webinars were informative, like the in-person workshops, and allowed for flexibility in attending.
  - Members appreciate receiving the recording following the presentation.
  - Members also appreciate that the webinars are easily accessible and do not require travel.
- Members report that consortium calls are responded to in a timely manner.
- Members were reminded that they could attend other consortium's workshops as long as space was available. A list of these workshops is available on the website and will be emailed to members.
- Webinars have a higher seating capacity than in-person workshops. As such members may send more attendees. LCW webinar capacity ranges from 500-1,000 seats. If waitlists are needed the group will be advised on the announcement. Of course, there is no limit to the number of employees who can watch the recorded webinar.

### **2) Services Explained**

- Complimentary Telephone Consultation: ERC members are able to consult with an attorney on select matters. The service covers items that the attorney knows off the top of their head. It does not cover writing/reviewing documents; advice on on-going legal matters, or advice requiring extensive research. Items that fall outside the realm of this service are noted as such and members have the option to ask for LCW to proceed as a billable matter. For this reason, agencies should choose carefully who is permitted to place these types of inquiries. Inquiries can be made by calling any of our offices, any of our attorneys by emailing: [AskLCW@lcwlegal.com](mailto:AskLCW@lcwlegal.com).
- Consortium Workshops across the State: ERC members are able to attend other Consortiums' workshops. If you are interested in attending, you must contact Kathy King ([kking@lcwlegal.com](mailto:kking@lcwlegal.com)) two weeks prior the scheduled workshop. Once all the registration sheets are received from the host Consortium, if space is available, members from other consortiums are able to attend. There is no cost to attend another Consortiums' workshop, *unless* they require a per person/refreshment fee. This is true of in-person presentations as well as webinars.

- **Consortium Webinars:** Each registrant will receive instructions on how to log in to the webinar. Agencies will receive a report following the webinar on who logged in and how long they remained on the line. Each member agency will receive a recording of the webinar for their internal use.
- **Workshop Attendance:** LCW reminds agencies that they are responsible for monitoring who is registering for the workshops. LCW provides a guide as to who should attend the workshops and requests that the agency use its best discretion when registering employees as the composition of the audience can impact the message and tone of the workshop. This recommendation is also true when sharing the webinar recording.
- **Public Sector Employment Relations Certificate Program:** This is a complimentary program. Participants are required to complete 8 specific workshops within a three year period. Participants must present proof of attendance through paperwork distributed at the workshop. LCW does not track attendance.
- **Individual/Customized Training:**
  - LCW conducts customized training in-person, via webinar and through our on demand platform.
  - Includes the incorporation of your policies and procedures, as well as an original set of materials for your reproduction.
  - Any of the workshops listed on the Master Workshop Topics List can be presented outside of the consortium to one specific agency or a group of agencies to share the cost.
  - LCW would be happy to send an e-mail to other agencies if a request for an individual workshop has been made and the agency requesting the workshop wishes to combine with other agencies. For more information, contact Anna Sanzone-Ortiz at (310) 981-2051.
- **On-Demand Harassment Training:** SB 778 requires all California employers to provide harassment prevention to employees by January 1, 2021. LCW has created an engaging on-demand, online harassment training for California public agencies for supervisory and non-supervisory employees that meets all DFEH requirements. The training includes testing throughout and provides a certificate of completion to the participant as well as reports to the agency administrator. Additionally the program can be incorporated into an existing Learning Management Platform, or used as a stand-alone resource. Please contact Katie Huber at (310) 981-2057 or [khuber@lcwlegal.com](mailto:khuber@lcwlegal.com) for more information.
- **Liebert Library:** As discussed last year, LCW has merged the Liebert Library and Model Personnel Policy Portal. Subscription is optional and Consortium members receive a discount.

- Social Media: follow us on Twitter (<http://twitter.com/lcwlegal>); Linked In (<https://www.linkedin.com/company/liebert-cassidy-whitmore/>) and read our Labor and Employment blog (<http://www.calpublicagencylaboremploymentblog.com>)

3) Workshops (5 full days of training to be held on Wednesdays, but not the 2<sup>nd</sup> Wednesday, or Thursdays, preferably in the morning)

- Difficult Conversations – half day
- The Art of Writing the Performance Evaluation – half day
- A Guide to Implementing Public Employee Discipline (Certificate Class) – half day
- Finding the Facts: Employee Misconduct & Disciplinary Investigations – half day
- Supervisor's Guide to Understanding and Managing Employees' Rights: Labor, Leaves and Accommodations (Certificate Class) – half day
- Leaves, Leaves and More Leaves (Certificate Class) – half day
- Advanced Misconduct and Disciplinary Investigations – half day
- Exercising Your Management Rights – half day
- Privacy Issues in the Workplace (Certificate Class) – half day
- Managing COVID-19 Issues: Before, During and After – to be scheduled in August

4) Workshop Hosting

- In light of social distancing, workshops for the remainder of 2020 - 2021 will be conducted via webinar.
- We will revisit the ability to return to in-person workshops when it becomes safe to do so, following state, county and city guidelines along with member preference.

5) ERC Membership Fee

- The 2020/2021 annual membership fee is \$3,350
- \$100 late fee to be paid after August 1, 2020.