



California Employment Training and Workshops

For more than 95 years, Burke, Williams & Sorensen, LLP has maintained a robust full-service employment law practice. Our lawyers understand the unique and relentless challenges facing both public and private employers in the complex and rapidly-evolving field of employment law and regulations operative in California. Our employment lawyers are skilled in advising employers on preventing employer-employee disputes, devising solutions to avoid litigation, handling administrative claims before state and federal regulatory agencies, and representing employers in disciplinary appeal proceedings and arbitrations.

Training for Employers in California

At Burke, Williams & Sorensen, we believe in building a culture of learning. We have developed a number of employment law seminars and training programs based on decades of legal and management development experience that harness the knowledge of our experienced lawyers. Our employment law trainings and seminars address the most common issues confronting either public sector or private sector California employers, while offering practical approaches for optimizing regulatory compliance and minimizing litigation risk.

Burke employment law training programs are cost-and-time conscious options for meeting training and development needs and putting your organization into legal compliance with all federal, state, and local employment laws. These programs include current, research-based content that we translate into clear, concise, and useful concepts, practices, and skills that address both timeless and contemporary business and workplace challenges.

Each program is led by a Burke employment law attorney who brings an exceptional level of insight and experience to management challenges. With a rich history of experience advising hundreds of public agency and private sector employers, we have seen effective leadership in action and know the common denominators of success.

By bringing such instruction in-house, your public or private entity can bring together entire groups or committees for shared training, develop a common understanding of relevant issues, and jump-start the entire organization's strategic goals. Our programs can be presented as a single training offering targeting specific skill/knowledge requirements or gaps, or as a sequenced curriculum that builds from one program to the next, linking content among sessions and, ideally, to organizational, functional and individual development goals.

Workshops We Offer to California Employers

Burke's Labor & Employment law team offers a wide range of seminars and trainings that effectively address the most common issues confronting California public agency and private sector employers, inclusive of the following.

- **Preventing Workplace Harassment, Discrimination, and Retaliation for Supervisors and/or General Employees**

Comprehensive harassment prevention training that is fully compliant with AB 1825/2053, but actually interesting, relevant, and engaging; supervisors and general employees can be combined or trained separately.

- **Advanced Harassment Prevention Training**

Harassment prevention training that goes beyond the minimum requirements of California law and focuses on promoting a culture that prioritizes the prevention of harassment; meaningfully conducting or overseeing an investigation; implementing proper interim measures and effective remedial action; and privacy and confidentiality concerns.

- **Creating Effective Documentation**

This session covers the differences between good and bad documentation; the uses and limitations of the attorney-client privilege; and the importance of appropriate well-written documentation during specific employment situations, such as evaluations and disciplinary procedures.

- **Diversity in the Workplace**

This training session will include a discussion on the value of inclusivity in our workplace, an overview of legal discrimination standards, highlight the prevalence of unconscious bias and provide

tools to overcome it, address challenges in leading multiple generations in the workplace, and acting with civility and courtesy in the workplace.

- **Choose Your Own Adventure Series**

Join us in choosing your own employment adventure. This interactive, multiple-choice, multiple-ending session will take you through a realistic hypothetical in the workplace, with the audience assuming the role of the decision maker. Participants will be making choices that determine the employer's actions in response to the plot and its outcome and face simulated but realistic problems that do not always have clear and easy answers. Choose Your Own Adventure trainings can be customized to deal with any topic, such as disability, harassment, and discipline.

- **HR Boot Camp for Supervisors**

Supervisors are the front line of defense for any employment action, and this training is designed to highlight the basic issues presented by some of the most common, and yet, most challenging employment issues faced by employers. This workshop can be customized to include any labor and employment related topics, including, but not limited to the following: identifying strategies for dealing with difficult employees; explaining the legally protected categories of employees; disciplining at-will and for cause employees; managing leaves of absence; creating valuable workplace documentation; conducting workplace evaluations; dealing with disability in the workplace; valuing diversity in the workplace; bullying and hazing; preventing workplace violence; employer use of social media; employee use of social media; wage and hour basics; and recruitment basics.

- **Having Difficult Conversations in the Workplace**

At times, employers are put in the situation of having difficult, awkward, and complicated discussions with employees about sensitive workplace issues. In this session, we will address some of these challenging topics supervisors face (including personal hygiene, religion in the workplace, inappropriate dress, tattoos and piercings, or gender identity), highlight the legal issues employers should be aware of, and discuss practical approaches to dealing with them.

- **Dealing with Difficult Employees**

This presentation will first provide guidance for supervisors to use in identifying the challenging employees in their workforces and practical, real-world advice on how employers can best deal with these employees. It also highlights some of the most common legal challenges that employers confront in trying to effectively manage

these employees, such as discipline, performance evaluations, and avoiding claims of retaliation.

- **Social Media in the Workplace**

This cutting-edge session will cover the most current developments related to social media in the workplace, including cyber-vetting employees, recent litigation and legislation related to social media at work, appropriate policy language regarding employee use of social media, and appropriate (and inappropriate) limitations on employee use of social media.

- **Preventing Dangerous Workplace Conduct**

Among other things, this session will cover the importance of civility in the workplace between customers and fellow employees. The focus is on how bullying and hazing in the workplace transpires, and how to address workplace violence. We will discuss warning signs, preventative measures, and responses to situations. This session can be modified in length to address any combination of (1) civility; (2) bullying and hazing; and/or (3) workplace violence.

- **Diving in the Deep End: Disability Discrimination**

This session will include an overview of the disability laws, a discussion of “the interactive process,” the roles of human resources, risk management, supervisors, and the disabled employee. We will also address some of the most common misconceptions about the interactive process and disability discrimination.

- **Managing Leaves of Absence**

This session addresses the legal protections afforded to some leaves of absence, the roles supervisors and human resources play in effectively managing leaves of absence, and how to handle an abuse of leave situation.

- **Conducting Effective Workplace Evaluations**

This training highlights the necessity of performance evaluations, the consequences of failing to appropriately evaluate employees, and the need to view evaluations as more than just a form to be completed. We will also provide suggestions on how to best prepare for employee reviews, draft evaluations, and convey constructive information to the employee.

- **Conducting Workplace Investigations**

This session will address the obligations of employers to investigate

workplace complaints, the principles for conducting adequate and lawful investigations, and the risks and benefits of conducting investigations in-house versus using a neutral third party.

- **Getting the Most Out of Your Employment Attorney**

In this session, we will discuss the various roles that employment counsel can play including advisor, labor negotiator, independent investigator, trainer, and litigator, and how to establish a high-performance relationship with your employment attorney. We will examine the benefits of early collaboration, the attorney-client relationship, effective use of privilege, and what to expect during litigation.

- **Mind the Gap: Reconciling Boomers, Gen X, Millennials, and Gen Z in the Workplace**

This session will examine each generation's unique strengths and weaknesses, teach methods to overcome the challenges of working with various age groups, provide tools for effective intergenerational communication, and discuss other ways to overcome the differences between our generations to create a stronger workforce.

- **#MeToo in the Headlines: How We Got Here and Why?**

This session will focus on how the #MeToo movement is changing our workplace. It will address the question, "Why Now?" and talk about ways to handle allegations, complaints, and rumors of inappropriate behavior at work. Additionally, we will review some cases that highlight the perception of workplace sexual harassment throughout modern history in order to learn from the past and progress into the future.

- **Three Sides To The Story: Understanding the Legal, HR, and PR Perspective**

Here, we take different workplace crisis hypotheticals and break down the roles and concerns of HR, PR and Legal. In this session, participants will develop collaboration tools to better utilize fellow employees when dealing with important issues for prevention and crisis management.

- **A Vocabulary Lesson—Because It's Not Just Semantics**

This session focuses on cultural vernacular, inherent bias, and social constructs because being "politically correct" is more than just putting air quotes around words. We focus on the real effect of insensitivity to members of protected classes and how creating a better-educated workplace can improve retention and employee satisfaction.

- **History versus Herstory: Gender Bias and Its Effect on the Workplace**

This session focuses on the challenges of overcoming stereotypes that have affected the way in which we (both men and women) see our female colleagues. Being pegged a “working mom,” “chatty Cathy,” or “bossy manager” comes from the historical perception of women. Understanding where these misperceptions originated, catching yourself succumbing to them and learning how to overcome this bias will astonish you.

- **Making it a Smooth Transition and Other Transgender Workplace Matters**

Everyone should feel like their genuine selves at work and hopefully one day this training won’t be necessary. Gender identity, name changes, and surgical recuperation are just some of the topics you will confront if an employee is undergoing a transition. It’s easy to handle if you have a thoughtful approach and the right management tools—we’ll make sure you have both.

- **On-Line Threats, Hacking & Cybersecurity**

This session provides an overview of some of the more common on-line threats facing employers and offers tools for identifying and responding to them. This session also covers some real-life scenarios, cases, and discussion of potential legal liability arising from cyber-misconduct.

- **HR In Crisis - Learning from the Headlines**

Human resources happens in the news – not just at work. Increasingly employment issues are being scrutinized by the media. Managers and employees alike follow these stories, and human resources professionals need to be prepared to respond. This session is constantly updated and customized to address issues as they appear in the media – from workplace shootings, to high profile incidents of misconduct, to workplace scandals, this session tracks current HR headlines and offers insight, advice, and crisis management tips.

- **Choreographing the Interactive Process**

Geared toward Human Resource Professionals and Managers, this session takes a deep dive into the interactive process. Focusing on the legal requirements, best practices, and critical documentation, this session will help decision makers understand their legal obligations to engage in a meaningful and good faith effort to accommodate sick, injured, or disabled employees.

- **Employment Litigation 101**

This session provides an overview of the most common employment claims and what employers can do to plan and prepare for litigation with employees. This training covers the various phases of litigation, including depositions and discovery, common evidentiary issues, motion practice, settlement approaches, and trials. Most importantly, this session offers critical tips on what employers can do before and during litigation to reduce potential liability.

- **Workers' Compensation and the FEHA**

All too often, an employee with a work-related injury is dealt with only in the workers' compensation context. However, there are parallel obligations related to sick, injured, or disabled employees under the Fair Employment and Housing Act that must also be met. This session identifies numerous common pitfalls and mistakes employers make when handling issues arising from workplace injuries, and highlights the (sometimes confusing) overlap between the governing laws and regulations.

- **Privacy & Privilege in Litigation**

The sensitivity and confidentiality of personnel records and information is something most managers and HR professionals take to heart. But, privacy and privilege issues are common in employment litigation. This session focuses on the various protections in place for such material, and how those protections play out in the discipline and litigation process.

Learn More About Our California Employment Training and Workshops

Burke's employment law seminars and trainings can be formatted for either on ground or distance learning delivery. Burke is also a SHRM-certified recertification education provider. For more information, please contact **Monica Sanchez McQueen** at +1 (213) 236-2806 or mmcqueen@bwslaw.com or **Sheila Delshad** at +1 (213) 236-2725 or sdelshad@bwslaw.com.