

SUMMER 2022 NEWSLETTER

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a law firm founded on
the principle of service.



MUNICIPAL
LAW



BUSINESS
LAW



LITIGATION



WORKPLACE
INVESTIGATION

SUMMER, SUMMER and MORE SUMMER

The year is more than half over and the sun is asserting itself into our lives again in ways both joyous and scorching. It is hot! But let's concentrate on the joyous aspects of summer. The family get together, the camping trips and swimming pools. We love these things as they bring togetherness, happiness and enjoyment to our families.

Speaking of enjoyment, the attorneys at PLPC are enjoying success. PLPC attorneys successfully argued a Public Records Act case before the 5th District Court of Appeals on behalf of the City of Taft. The case exposed the city to a large attorney fee award, but the appellate court opinion exonerated the city of any wrongdoing while calling out the other side for misrepresentation of the record and denied all attorney fees. We are happy for the City of Taft, they took a stand against a frivolous lawsuit and fought it for over 2 years.

Even more joyous is the growth that PLPC continues to experience. New folks are joining the firm including Marsha Packard at reception and Jill Villalobos and Kim Pike, both paralegals. We hope you will get to know all of them and we are very pleased and excited to welcome them to the PLPC family. However, we were saddened to lose our law school intern, Desta Lugo, who is newly married and beginning her first year of law school. We wish her all the best and hopefully we will work with her again.

Have a wonderful end to your summer as we begin to look towards the fall.

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SHRM Conference

Employment Engagement in a Post-Pandemic World and President G.W. Bush

By: Sophia Meyer, Partner

The Society of Human Resource Managers (“SHRM”) is a national organization of professionals that provides HR tools, employment law resources, workplace news, and more to help us all stay ahead of the game in this rapidly changing world of government employment and HR. I have wanted to attend their annual conference since 2019. I was slated to attend in 2020, but then the pandemic struck so it was postponed to Chicago in June 2021. Chicago was postponed to August 2021 in Las Vegas, which coincided with another trip I had already planned so I missed out again. Finally, in June 2022, I had the opportunity to attend the Society of Human Resource Managers (SHRM) Conference in New Orleans, LA.

A client graciously paid for my trip this year and believe me, when someone gives me a chance like this, I am going to use it for all it is worth. The conference center is about a half-mile long (not kidding) and there were hundreds of sessions per day to attend. Two of my favorites were Former-President of the United States, George W. Bush, and a session on Employee Engagement. More on G.W. in a minute.



Engagement is something that I think we have all been struggling with. Our employee’s lives were thrown upside-down, tossed in a salad spinner for two years, and now our employees are expected to drop their new normal and return to the workplace and, oh by the way, be happy about it. Those pets adopted during the pandemic, they need to stay home alone now while the employee returns to a “normal” 8:00 to 5:00 workday. Kids, you are on your own for after school programs, Dad has to stay at the office until 6:00 p.m. Oh, that vacation you planned to work remotely on, because you have successfully done so for the last two years, we want you back in the office full-time so let’s not book another one of those since you only have so much “vacation” time and we do not want to support remote work anymore. These are all examples that were given at this seminar, of employer demands to return to work and employee concerns about doing so.

When given a list of ten things to rank regarding what would create employee satisfaction, the following were the results between what employees say they want vs. what managers think employees want.¹

WHAT EMPLOYEES SAY THEY WANT:

Full appreciation for work done
 Feeling “in” on things
 Help on personal problems
 Job security
 Good wages
 Interesting work
 Promotion/growth opportunities
 Personal loyalty to workers
 Good working conditions
 Tactful discipline

WHAT MANAGERS THINK EMPLOYEES WANT:

Good wages
 Job security
 Promotion/growth opportunities
 Good working conditions
 Interesting work
 Personal loyalty to workers
 Tactful discipline
 Full appreciation for work done
 Help on personal problems
 Feeling “in” on things

¹ Labor Relations Institute of NY and was produced again by Lawrence Lindahl in Personnel Magazine in 1949.

The disconnect between what managers and employees want is quite astounding when you think about it. Yes, we all want job security and a bit above a living wage, but what employees clearly want is appreciation and feeling of belonging to their organization.

Knowing this, how do we get employees to engage in the workplace post-pandemic? First of all, we need to evaluate our employees and make sure that when we conduct our annual evaluations, we are looking not only at the past year's performance, but also is the employee doing what they like to do, what they are good at, and what you need them to do? If an employee is accomplishing all three of these tasks, then they are an engaged employee. If an employee is not working in a field that they like, that they are good at, or is not what the employer needs, then they are not likely to engage, or they are going to engage at a lower, less productive, level.

The take-away from the presentation was that managers should not be afraid to have these difficult conversations with employees, and should be open to making tweaks, within reason, to employee tasks and assignments. After all, an engaged employee is going to give above and beyond while a disengaged employee is going to put in the minimum effort to keep their job.

Now, apply this to a post-pandemic workplace where there are a lot of benefits financially, personally, and emotionally, to remote work options. Financially, gas is expensive. We live in California and commuting 20 miles (or more) to work each way not only takes time but also costs about 50% more than it did a year ago. Personally, pets, kids, family with needs, and gym workouts are all examples of extra tasks that employees deal with on a daily basis and which remote work has made easier in the past two years. Flexibility of schedules and not having to squeeze in that 30-minute workout in your 30-minute lunch-period, or run to get the dog its shots, or the child their ballet shoes during your break, means that employees are better focused on the tasks that they can accomplish at home or remotely because they are not limited to that 8:00 to 5:00 work schedule,

and can flex their time around their lives while still getting all their work done. Emotionally, let's face it, the pandemic has been HARD. The pandemic alone has led to a steep rise in depression and anxiety². People have died. People are still sick. People we know and love are dealing with the aftereffects of COVID on top of their every-day lives, dramas, tragedies, celebrations, or accomplishments. Yes, some of us use work as an excuse to get out of the house and be social and it is what drives us, but there are those of us who simply struggle to put one foot in front of the other on a daily basis who a remote work lifestyle suit better.

Our suggestion given the above, evaluate whether or not your employees have tasks that must only be performed in the office. If so, is there a schedule that can be worked out for them to come in a few days a week and accomplish that task? The rest of their work week, can they do their duties at a remote location? Work with your HR professionals to see what accommodations can be made for remote work and ensure that your remote work policies are up to snuff. Get your employees engaged in their work, set up weekly check-ins so that employees "feel in on things", and your management team can stay up to date on the happenings in the lives of the employees that you maybe do not see on a regular basis anymore. Post-Pandemic, the office will still establish a *culture* but it will also need to provide a social anchor that facilitates connections, enables learning, and fosters unscripted, innovative collaboration.

Now, on to my favorite part of the conference, I'm not talking about the food, which was amazing, the nightlife, which was on point, or the company, which could not be beat, I'm talking about George. The 43rd President of the United States from 2001-2009, George W. Bush implemented programs such as No Child Left Behind, and created the Department of Homeland Security after the



² USA Facts – June 2, 2021 https://usafacts.org/articles/anxiety-and-depression-levels-are-the-lowest-since-the-pandemic-began/?utm_source=google&utm_medium=cpc&utm_campaign=ND-COVID&gclid=CjoKCQjw852XBhC6ARIsAJsFPN3I7FcItKz5KfNxO2Yx94epN6oD47hozcyCWbVGiyaoADDR7RQA3GoaAkBHEALw_wcB



terrorist attacks of September 11, 2001. President Bush sat down and had a candid conversation with the moderator regarding what leadership means to him. I was enthralled! He is funny, witty, professional, and relatable in a way that you want to go grab a drink with him and chat about his paintings and support of veterans, not to mention wanting to hear his college days stories. President Bush complimented both his parents and their influence on him, talked about his relationship with his own children, and spoke about the defining moment in his life when he was informed of the hit of the plane on the first tower during the September 11, 2001 attacks.

While we did not get to listen to President Bush's entire presentation due to our flight schedule, it was an amazing experience to get to sit in a room with thousands of other HR professionals and put aside political views and personal issues and simply talk and listen to someone who was the leader of the free world for eight years. President Bush's thoughtfulness in sharing his experiences stuck with me,

and I will continue to attempt to emulate a few things that he mentioned that I too find to be important in leadership.

1. In a crisis remain calm, the world (or your employees) are watching, and will take their cue on how to react from you.
2. When you have a meeting scheduled, start on time. Starting late shows your employees that you do not value their time and that you expect them to wait for you regardless of what deadlines or other stressors they may have.
3. The most important part of being a leader is to be humble. Nobody can know everything, so figure out what it is that you don't know and find an expert in that field to help you. There are people out there who are smarter than you: find them, listen to them, and implement their wisdom into your workplace and life.

If anyone wants to plan a NOLA trip, hit me up. We can work remotely from anywhere, and I may need some shrimp and grits in the near future!

SPOTLIGHT - Caitlin Smith, Associate

It has suddenly been a year and half since Caitlin Smith joined the Firm of *Prentice|LONG PC* and we have been thrilled to have her on our team. Ms. Smith's practice includes municipal law, workplace investigations, civil litigation, labor and employment law, and business law.

Prior to joining *Prentice|Long, PC*, Ms. Smith served as Senior Assistant Attorney General for the State of Tennessee where she represented the prosecution in criminal appellate proceedings. She frequently appeared before the Tennessee Court of Criminal Appeals and successfully argued cases before the Tennessee Supreme Court. Ms. Smith regularly advised District Attorneys throughout the state on complex legal matters. Ms. Smith received her Bachelor of Arts degree at the University of California San Diego. She received her Juris Doctor from the University of California Hastings School of Law in 2007.

As far as the practice of law, Ms. Smith enjoys the ability to help people in a meaningful and impactful way and finds it really satisfying to be able to guide and protect people through the legal process. In her spare time, she loves to explore the outdoors: hiking, camping, skiing, and bike riding with her husband and son. She is a food enthusiast and can be found cooking and dancing in the kitchen on any given night. She also writes restaurant reviews for fun and tries to explore the dining scene wherever she can. Caitlin's favorite thing about working with PLPC is definitely the people, "Everyone is so friendly and real, I have felt very welcomed. I also have really enjoyed the variety of legal topics that I've work on; it keeps things super interesting!"

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LEGISLATIVE UPDATE

Protection for Code Enforcement Officers

By Kelsey Walsh, Associate

SB 1131

Senate Bill (“SB”) 1131 contemplates authorizing Code Enforcement Officers to apply for the Safe at Home (“SAH”) program, which provides a substitute mailing address for prospective applicants to receive mail. This alternate address is accepted by California governmental agencies in lieu of a residential address and is intended to provide a safe harbor for individuals who may otherwise be targeted by disgruntled persons encountered in and through the course of their jobs. Code Enforcement Officers duties have expanded in recent years and regularly place them in situations where their health and safety are compromised. If this bill were to pass, Code Enforcement Officers and their families lives would be less vulnerable to those who wish them harm.



NEW CLIENTS

Prentice|LONG PC welcomes our newest clients.

Lakehead Fire District
City of Tulelake

Indian Valley Community Services District

Click [here](#) to see a list of all our clients.

MORE NEWS

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