

# Request for Legislative Action

Res. #21402

Sponsor: Megan L. Marshall

Date: September 25, 2023

## Completed by County Counselor's Office

Action Requested:	Resolution	Res.Ord No.:	21402
Sponsor(s):	Megan L. Marshall	Legislature Meeting Date:	9/25/2023

## Introduction

**Action Items:** ['Authorize']

**Project/Title:**

County-wide anti-discrimination and anti-harassment training.

This is a resubmission of eRLA 1066.

## Request Summary

The County Counselor's office is requesting authorization to enter into an addendum to the current Legal Services Contract for employment and personnel related services with Husche Blackwell, LLP for county-wide anti-discrimination and anti-harassment training.

This training is necessary to prevent issues of employment discrimination and harassment within the County.

The most recent addendum to the contract was executed by Resolution 21145.

This training will be mandatory for all Jackson County employees. The flat fee for this training will be \$20,000.00

Husch Blackwell's Labor and Employment team is qualified to offer such training as subject matter experts. The addendum, agreement for custom course training, proposal to serve, and previous addendum are attached here.

## Contact Information

<b>Department:</b>	County Counselor	<b>Submitted Date:</b>	9/15/2023
<b>Name:</b>	Theresa E. Bullington	<b>Email:</b>	tbullington@jacksongov.org
<b>Title:</b>	Sr. Assistant County Counselor	<b>Phone:</b>	816-881-3213

## Budget Information

Amount authorized by this legislation this fiscal year:	\$20,000
Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$20,000

## Request for Legislative Action

Is it transferring fund?			No
<b>Single Source Funding:</b>			
Fund:	Department:	Line Item Account:	Amount:
060 (Self-Insurance Fund)	1101 (County Counselor)	56756 (Training Expense)	\$20,000

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:
21145	February 14, 2023

<b>Purchasing</b>	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
In Compliance	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: Less than \$50000	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>	
<ul style="list-style-type: none"> <li>Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.</li> </ul>	

## Request for Legislative Action

### History

Submitted by County Counselor requestor: Theresa E. Bullington on 9/15/2023. Comments:

Approved by Department Approver Whitney S. Miller on 9/19/2023 11:01:17 AM. Comments: \*\*\*THIS HAS ALREADY BEEN APPROVED BY EMAIL\*\*\*

Approved by Purchasing Office Approver Craig A. Reich on 9/20/2023 8:52:51 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 9:26:48 AM. Comments:

Returned for more information by Budget Office Approver David B. Moyer on 9/20/2023 10:08:06 AM. Comments: In the budget tab, there is no figure in the "Amount authorized by this legislation this fiscal year" line.

Submitted by Requestor Theresa E. Bullington on 9/20/2023 10:14:16 AM. Comments: Added amount to line.

Approved by Department Approver Whitney S. Miller on 9/20/2023 10:27:45 AM. Comments:

Approved by Purchasing Office Approver Craig A. Reich on 9/20/2023 2:08:17 PM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 9/20/2023 2:25:54 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 9/20/2023 2:58:55 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 9/20/2023 3:10:31 PM. Comments:

Approved by Counselor's Office Approver Anton Brehe on 9/21/2023 12:44:39 PM. Comments:



# HUSCH BLACKWELL

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PROPOSAL TO SERVE

## Jackson County, Missouri



Employee Training on Discrimination, Harassment and Retaliation

November 2022

**Julianne Story, Partner**

4801 Main Street, Suite 1000

Kansas City, MO 64112

Direct: (816) 983-8230

[Julianne.Story@huschblackwell.com](mailto:Julianne.Story@huschblackwell.com)

## Our Labor & Employment Practice Team

Husch Blackwell's Labor & Employment team helps organizations navigate a full range of matters and compliance issues that are unique to their industry and subject to social and political scrutiny. Our experience includes discrimination, harassment, retaliation, contract and wage and hour disputes, employee benefits, compensation, and collective bargaining issues. We proactively counsel clients to implement policies and procedures that ensure compliance and avoid litigation, as well as provide training for managers, employees and human resources professionals.

Our Labor & Employment attorneys proactively counsel and assist clients in implementing mechanisms to effectively manage people and avoid litigation or similar adversarial situations. This includes designing policies and procedures aimed at effective compliance in the areas of employee responsibility, behavior and discipline. As the landscape of employment law often shifts rapidly, we routinely undertake review of employee handbooks and policies on behalf of our clients to ensure up-to-date policies and practices. Our experience also includes drafting and maintaining proper documentation to support disciplinary and termination decisions.

We analyze our clients' procedures to determine how they can best be modified and applied to improve financial conditions, enhance compliance, and avoid liabilities. The Labor & Employment team can help safeguard against problems with governmental agencies, charges, and lawsuits by assessing the processes an employer uses for compliance with statutory obligations, such as disability accommodation, payment or nonpayment of overtime, reporting and investigating employee complaints and concerns, and documenting hiring, disciplinary, and termination actions.

We regularly help employers manage risk and optimize performance by conducting training sessions for managers, non-managers, human resources professionals and in-house counsel on a myriad of labor and employment issues. Examples of topics include prevention of sexual and other unlawful harassment; investigation of internal complaints; navigating the complexities of the Americans With Disabilities Act and its interplay with short-and long-term disability benefits; workers' compensation and the Family Medical Leave Act; application of the Fair Labor Standards Act to managing employees; best hiring, disciplinary, and termination practices for supervisors; and, avoiding problems under Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Employee Retirement Income Security Act (ERISA), whistleblower statutes, and the state and local regulatory environment.

## Discrimination and Harassment Training Proposal

We understand that Jackson County is seeking discrimination and harassment training for all employees – both managers and non-managers – and that the employee population is approximately 1,500 with approximately 10% in managerial or supervisory positions. We anticipate numerous training sessions so that there are no more than 50 attendees in the manager sessions and no more than 100 in the non-manager sessions.

The proposed flat fee for this training is \$20,000, which includes preparation of training materials and conducting three sessions for manager employees and thirteen sessions for non-manager employees, including two virtual sessions for remote employees.

This training will be provided by a combination of Husch Blackwell partners and associates: Julianne Story, Paul Pautler, Ben McMillen, Rachel Kim, Michaeli Hennessy, and Courtney Steelman. This team is well-versed and experienced in labor & employment, and they have conducted multiple training for a variety of clients on the at-issue subject matter. A brief summary of their experience is included below, and for more information, please click on the hyperlinked name of each attorney to be directed to their online details.

## Team Member Biographies



**Julianne Story, Partner** Julianne provides strategic counsel to clients navigating the ever-changing landscape of labor and employment law.

Julianne believes employers can often avoid problems by being proactive. She offers guidance on laws involving harassment, discrimination and retaliation; advises on leave issues under the Americans with Disabilities Act (ADA) and the Family Medical Leave Act (FMLA); and counsels on wage and hour compliance. She advises clients across a wide variety of industries. Julianne knows that employment disputes distract clients from fulfilling the mission of their business and regularly conducts human resources audits and trainings to ensure effective HR practices. She also has significant experience in investigating all types of workplace misconduct and advises clients on strategies to minimize risk.



**Paul Pautler, Partner** Raised in a family of journalists, Paul built his successful 25-year labor and employment litigation practice on communication basics.

For 25 years, Paul has used media fundamentals to advocate for clients: lead with the important, get to the point and focus on credibility with the jury. He has tried cases and counseled clients in more than 25 states, the District of Columbia and the United Kingdom. Paul prevails for clients in jury trials of delicate harassment and discrimination cases. He also represents management clients in class and collective actions, complex employment lawsuits and arbitration proceedings. He represents clients across a broad range of industries.

Paul is a frequent speaker, trainer and author for business and professional organizations regarding employment obligations and management strategies.



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**Ben McMillen, Partner** Litigating employment disputes, Ben also counsels on labor and employment issues for private and public employers.

Ben defends and guides employers on a wide array of workplace matters. An experienced litigator, Ben successfully represents clients in state and federal courtrooms and in arbitration hearings involving complex issues such as discrimination, harassment, retaliation, termination, compensation, non-compete agreements and safety. He also helps management navigate the requirements of collective bargaining agreements. Ben represents management at the bargaining table, at arbitration and before the National Labor Relations Board (NLRB). Clients rely on Ben's advice on day-to-day employment issues as they arise.

Ben provides presentations and training for companies on discrimination, harassment and other employment and labor-related topics. In addition, Ben offers consultation on company policies and assists with the preparation, revision and updating of employee handbooks.



**Rachel Kim, Senior Associate** Rachel defends and counsels employers in sensitive labor and employment matters.

Rachel represents employers facing labor and employment claims in state and federal courts and before administrative agencies such as the Equal Employment Opportunity Commission (EEOC) and the Missouri Commission on Human Rights (MCHR). In addition to rigorous defense, Rachel also provides proactive compliance counseling and internal investigations to avoid or mitigate sensitive issues. Rachel understands that internal handbooks, policies and training can decrease exposure and create win-win work environments that not only have legal benefits but may align with client business goals such as productivity or cost savings. As part of her practice, Rachel conducts trainings on employment discrimination and harassment topics.



**Michaeli Hennessy, Associate** Michaeli guides employers through the nexus of managing employees and workforce regulations. Preparedness, compliance, policies and training can be critical components, heading off problems before they develop. Michaeli monitors fast-moving local, state and federal guidance for employers so that she can guide the implementation of best practices regarding, among others: Title VII, Fair Labor Standards Act (FLSA), Americans with Disabilities Act (ADA), Family Medical Leave Act (FMLA), Age Discrimination in Employment Act (ADEA) and the Families First Coronavirus Response Act (FFCRA).

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**Courtney Steelman, Associate** Courtney puts her experience as an Assistant Attorney General and her logical thinking skills to work on behalf of clients in the courtroom.

Courtney focuses her practice on labor and employment law and business relations. She is a reliable advisor who works closely with clients, key media resources, special interest groups and co-workers. Thorough research and public speaking are second nature for Courtney as she navigates through pretrial, prepares for litigation and participates in mediation, arbitration or negotiation. She previously served as an Assistant Attorney General in the Litigation Section of the Missouri Attorney General's Office. Courtney regularly advises clients on a variety of employment law issues, reviews and drafts employment policies and conducts trainings on workplace compliance matters.