



Arthur Hartinger

Partner

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Practice Areas

- Labor and Employment
- Government
- Litigation
- Workplace Investigations

Bar Admission

- California

Education

- University of San Francisco, School of Law, JD
- University of California, Berkeley, BA

Experience

With a practice focused on labor and employment law for over 33 years, Arthur (Art) Hartinger is one of California's leading labor and employment attorneys. He is a founding partner of Renne Public Law Group, and was previously a partner at Renne Sloan Holtzman Sakai LLP. Since 2004, he has been recognized each year as a "Northern California Super Lawyer" and was one of the Daily Journal's "Top 75 Labor & Employment Attorneys" in 2013. He was also selected by the Daily Journal as one of the "Top 20 Municipal Lawyers in California" for 2011, 2012, and 2013, and in 2012 he was named one of the "Top 100 Lawyers in California."

Prior to working at Renne Sloan Holtzman Sakai, Mr. Hartinger was a partner at Meyers Nave, where he chaired the Labor and Employment Group for sixteen years. He also worked as a partner at Liebert, Cassidy & Frierson, a Deputy City Attorney at the San Francisco City Attorney's Office, and an associate at Brobeck, Phleger & Harrison.

SIGNIFICANT LITIGATION EXPERIENCE

Mr. Hartinger represents public and private clients in complex state and federal litigation pertaining to all types of labor and employment issues, including California and U.S. constitutional law, the Fair Labor Standards Act (FLSA), Title VII, Title IX, the Fair Employment and Housing Act (FEHA), and the Americans with Disabilities Act (ADA).

Mr. Hartinger has represented clients in a variety of litigation matters, including class actions, writs, and jury trials. His litigation practice also includes administrative and binding arbitration hearings before personnel boards, arbitrators, and administrative law judges. He also frequently advises public agencies, personnel boards, and civil service commissions.

WAGE AND HOUR LITIGATION

Mr. Hartinger regularly handles wage and hour cases, including class actions. Representative cases include:

- ***Rai, et al. v. Santa Clara Valley Transportation Authority***, United States District Court, Northern District of California, Case No. 5:12-cv-04344-PSG. Art served as lead counsel in a case brought by hundreds of transit operators claiming unpaid overtime under state and federal theories.
- ***Stitt, et al. vs. San Francisco Municipal Transportation Agency***, United States District Court, Northern District of California, Case No. 4:12-cv-03704-YGR. Similar to the SCVTA case, Art was lead counsel in a case brought by San Francisco Transit Operators claiming state and federal overtime.
- ***Sahaj vs. El Dorado Irrigation District***, United State District Court, Eastern District of California, Case No. 2:11-cv-01341-GEB-DAD. This class action involved unpaid meal times and asserted both state and federal claims.

PENSION REFORM

Mr. Hartinger advises clients on pension reform and is lead counsel in numerous cases, including:

- ***Retired Employees Assn. of Orange County, Inc. v. County of Orange*** (2011) 52 Cal.4th 1171. Facing a \$1.4 Billion reported unfunded liability, the Board of Supervisors initiated a program to de-pool actives and retirees for purposes of setting health plan rates. Art was lead counsel in the case that resulted in the courts upholding the Board's plan.
- ***Fry v. City of Los Angeles*** (2016) 245 Cal.App.4th 539. The Los Angeles City Council turned to Art and his team to defend a program that required active employees to contribute toward the City's retiree medical subsidy program, leading to a successful result.

DISCRIMINATION/HARRASMENT/RETALIATION/WHISTLEBLOWING

Mr. Hartinger has served as lead trial counsel in numerous cases alleging violations of the Fair Employment and Housing Act and Title VII, as well as retaliation cases under the Labor Code and California and United States Constitutions. Noteworthy examples include:

- ***Booker v. City of Richmond***, Contra Costa Superior Court, Case No. C07-00408. Achieved a complete defense victory in this \$18 million dollar high profile race discrimination, harassment and retaliation case filed by eight African American command staff officers in the Richmond Police Department. The jury returned a unanimous verdict in favor of the City and its two highest ranking police officers.
- ***Eng v. Santa Clara Valley Water District***, Santa Clara County Superior Court, Case No. 5:97-cv-20212-JW. Represented the Santa Clara Valley Water District in litigation filled by the former budget officer of the District. The budget officer claimed constructive discharge and asserted various causes of action, including wrongful discharge and violation of public policy, California Fair Employment and Housing Act (FEHA) claims, and other state law claims. Art represented the District in a jury trial. The Court granted the District's motion for a nonsuit, and the court of appeal affirmed.
- ***McFall v. City of Tracy***, San Joaquin County Superior Court, Case No. STK-CV-UWT-2005-0001975. The firm successfully defended the City of Tracy in an action brought by former employee alleging discrimination and retaliation under the California Fair Employment and Housing Act. Art

obtained a defense verdict after a jury trial in San Joaquin County Superior Court. The City was awarded over \$100,000 in costs.

ARBITRATIONS AND ADMINISTRATIVE HEARINGS

Mr. Hartinger has litigated dozens of arbitrations and administrative matters, ranging from contract arbitration to discipline, to personnel boards and commissions, and matters before the Office of Administrative Hearings.

LABOR RELATIONS

Mr. Hartinger is experienced in labor relations, negotiations, and workplace investigations. As a lead negotiator in collective bargaining, he has represented numerous employers in negotiations with deputy sheriffs, police and fire personnel, managers, service employees, laborers, attorneys, and other professional and service employees

ADVOCACY

Mr. Hartinger actively writes and contributes to amicus curiae briefs on behalf of public entities throughout the country. His advocacy work includes:

- Representing, in collaboration with the San Francisco City Attorney, the National League of Cities and other public employer leagues on behalf of the Commonwealth of Kentucky in **Jackson v. Com. of Kentucky** (6th Cir. 1997) 129 F.3d 1264.
- Lead writer of the amicus curiae efforts by the National League of Cities and the City and County of San Francisco in **Service Employees International Union v. County of San Diego** (9th Cir. 1995) 60 F.3d 1346.
- Author of the amicus brief for the League of California Cities and 91 public entities in **Barner v. City of Novato** (9th Cir. 1994) 17 F.3d 1256.
- Represented the League of California Cities supporting the City of San Diego in **Boling v. PERB**, Supreme Court No. S24204.
- Mr. Hartinger has twice received the prestigious Amicus Service Award from the International Municipal Lawyers Association.

PRESENTATIONS AND PUBLICATIONS

- "Public Employment Relations Board (PERB) Update," County Counsels' Association of California (CCAC), 2018
- "Paradigm Shift: Transparency, Sustainability & Accountability in Public Sector Employee Compensation," League of California Cities Annual Conference, 2011
- "POBAR and FOBAR Update," California Public Employers Labor Relations Association (CALPELRA), 2011
- "Public Employment Relations Board (PERB) Developments/Helpful Hints," County Counsels' Association of California (CCAC), 2011

- “Maintaining Control on Your Island – How to Effectively Administer Discipline,” National Public Employers Labor Relations Association (NPELRA), 2011
- “Fixing the Pension Problem: The Latest Public Scrutiny of Public Sector Wage and Benefit Packages,” Public Law Journal, 2011
- “Sorry We Have Nothing To Give...But ‘Let’s Make a Deal’ Anyway: How To Avoid Union ‘Outburst’” and “Are Managing Leave Laws Like Playing Twister?” Public Employer Labor Relations Association of California (PELRAC) Annual Training Conference, 2010.