



Rafal Ofierski

Of Counsel

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Bar Admission

- California
- The United States Court of Appeal for the Ninth Circuit
- The United States District Court for the Northern District of California

Education

- Lewis & Clark Northwestern School of Law, J.D.
 - Member, Environmental Law Review
- Indiana University, B.A.

Experience

Rafal Ofierski has extensive experience representing public entities as a litigator and as an advice attorney. Before joining Renne Public Law Group, Rafal was a San Francisco deputy city attorney for more than twenty years. As a deputy city attorney, Rafal specialized in labor and employment law, but he also handled property tax, elections, public records, eminent domain and other public law cases. Besides litigation, Rafal also served as labor and employment counsel to some of the largest City departments, a role in which he provided broad-ranging legal advice, represented the City in labor grievance arbitrations and supervised workplace investigations.

REPRESENTATIVE EXPERIENCE

- *Morgado v. City and County of San Francisco* (2020), 53 Cal.App.5th 1216. In a writ proceeding concerning amount of damages owed to wrongfully terminated officer, won the decision that the City was entitled to offset the officer's post-termination income against his lost pay award.
- *Ambat v. City and County of San Francisco* (9th Cir. 2014) 757 F.3d 1017. In a gender discrimination action under Title VII and the California Fair Employment and Housing Act, defended a gender-based staffing policy aimed at protecting female inmates in City jails.
- *San Francisco Police Officers' Association v. City and County of San Francisco*, Court of Appeal of the State of California, Case No. A137684. In a writ proceeding, defeated a claim that City Charter provisions setting deadlines for implementing labor agreements was inconsistent with the Meyers-Milias-Brown Act.
- *IBM Personal Pension Plan v. City and County of San Francisco* (2005) 131 Cal.App.4th 1291. Obtained judgment for the City in a taxpayer action for refund of property taxes and tax fraud penalties in the amount exceeding \$10 million.
- *Int'l Society for Krishna Consciousness of Cal., Inc. v. City of L.A.* (9th Cir. 2003) 59 Fed.Appx.974. On behalf of the County Counsels' Association of California, wrote and argued an amicus curiae brief on the question of whether an airport is a public forum under California free speech law. The brief earned the 2003 California County Counsels' Association Litigation Award.

In addition to court litigation, Rafal has handled numerous administrative proceedings before various boards, hearing officers and administrative law judges, including at least ten cases defending the City against unfair labor practice charges filed with the California Public Employment Relations Board.

ADVICE EXPERIENCE

As advice counsel, Rafal has provided advice on a broad range of issues, such as discrimination and harassment complaints, disability accommodation requests and various aspects of union relations, in particular the handling of grievances. Rafal handled dozens of binding arbitrations of disciplinary and contract grievances involving nurses, deputy sheriffs, social workers, transportation workers and other City employees. Additionally, as advice counsel, Rafal supervised or participated in numerous workplace investigations, including investigations of significant alleged wrongdoing.