

**MEXICAN AMERICAN BAR ASSOCIATION
LAWYER REFERRAL & INFORMATION SERVICE**

**Application and Qualifications Standards for
LABOR & EMPLOYMENT LAW PANEL**

Labor & Employment Law Subpanels

(Please check all Subpanels for which you are applying)

- 1. Employer Representation
- 2. Executive Compensation Agreements
- 3. Rights of Individuals (Union)
- 4. Rights of Individuals (Non-Union)
- 5. Rights of Individuals (Civil Service)
- 6. Employment Contracts
- 7. Wrongful Termination
- 8. Sexual Harassment
- 9. Worker's Compensation

EXPERIENCE REQUIREMENTS

(Numbers correspond to Subpanels listed above)

1. Within the past five (5) years, applicant must have represented employers in at least four (4) matters involving negotiation of a collective bargaining agreement, defense of a wrongful termination claim, or defense of a charge of discriminatory or unfair labor practices.
2. Within the past five (5) years, applicant must have personally performed all legal work on behalf of an employer in a connection with at least two (2) employment contracts and two (2) executive compensation agreements.
3. Within the past five (5) years, applicant must have personally performed all legal work and prepared, or supervised the preparation of, all papers in connection with at least three (3) administrative, arbitration, or judicial hearings, at least two (2) of which involved charges filed with the NLRB or the ALRB and at least one (1) of which required the handling of an NLRB or ALRB hearing or the appeal of an NLRB or ALRB dismissal. In addition, applicant must have personally performed all legal work and prepared or supervised the preparation of all papers in connection with at least one (1) case which involved compliance with the administrative and jurisdictional prerequisites to suit, and at least one (1) case which went through trial.
4. Within the past five (5) years, applicant must have personally performed all legal work and prepared, or supervised the preparation of, all papers in connection with at least three (3) administrative, arbitration, or judicial hearings, at least two (2) of which involved charges filed with the NLRB or the ALRB and at least one (1) of which required the handling of an NLRB or ALRB hearing or the appeal of an NLRB or ALRB dismissal. In addition, applicant must have personally performed all legal work and prepared or supervised the preparation of all papers in connection with at least one (1) case which involved compliance with the administrative and jurisdictional prerequisites to suit, and at least one (1) case which went through trial.
5. Within the past five (5) years, applicant must have personally performed all legal work and prepared, or supervised the preparation of, all papers in connection with at least two (2) administrative government employment hearings and at least on writ of mandate related thereto. In addition, applicant must have personally performed all legal work and prepared or supervised the preparation of all papers in connection with at least two (2) cases which involved compliance with the administrative and jurisdictional prerequisites to suit, and at least one (1) case which went through trial.

6. Within the past five (5) years, applicant must have personally performed all legal work on behalf of an employee in connection with at least three (3) employment contracts.
7. Within the past five (5) years, applicant must have resolved at least three (3) matters, been principal attorney of record in at least three (3) wrongful discharge actions through the discovery process, and within the past five (5) years, have handled any one (1) matter through trial in Superior or Federal Court.
8. Within the past five (5) years, applicant must have resolved at least three (3) cases brought under California's Fair Employment and Housing Act and Title VII in the area of discrimination on the basis of sex, and served as counsel in at least two (2) sexual harassment cases. At least one (1) case must have been handled through a trial.
9. Within the past five (5) years, applicant must have personally all legal work and prepared or supervised the preparation of all papers in connection with at least five (5) California industrial compensation cases involving five (5) different claimants from application through finding and award, including at least one (1) case that involved a Petition for Reconsideration. Applicant must be knowledgeable as to the benefits and rights to which and injured worker may be entitled under California law.

Request for Exemption

If you do not qualify for a specific standard but believe that because of your experience and knowledge you are otherwise qualified to receive referrals through the applicable panel, indicate the title of the subpanel, the specific experience criteria that you do not meet, and detail your experience and knowledge and describe how you are otherwise qualified.

California Rules of Professional Conduct

You certify that you will comply with all Rules of Professional Conduct, including, without limitation, *Rule 3-110 Failing to Act Competently*, which states, in relevant part, that "A member shall not intentionally, recklessly, or repeatedly fail to perform legal services with competence... [and] If a member does not have sufficient learning and skill when the legal service is undertaken, the member may nonetheless perform such services competently by 1) associating with or, where appropriate, professionally consulting another lawyer reasonably believed to be competent, or 2) by acquiring sufficient learning and skill before performance is required."

(Initial)

I HAVE READ THE ABOVE APPLICATION AND QUALIFICATION STANDARDS FOR THE LABOR AND EMPLOYMENT LAW PANEL, AND I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT I MEET ALL STANDARDS FOR THIS PANEL AND FOR THE SUB PANELS FOR WHICH I HAVE APPLIED. I UNDERSTAND THAT THE INFORMATION CONTAINED HEREIN IS SUBJECT TO REASONABLE VERIFICATION AND I AGREE TO COOPERATE WITH THE LRIS COMMITTEE AND ITS DESIGNEES IN THE PROCESS OF EVALUATING MY QUALIFICATIONS.

Print Name _____

Signature _____

Date _____

Revision Date 05/09/2014