

Attorney Bio



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Irma Rodríguez Moisa

Partner

Irma Rodríguez Moisa is an experienced litigator, labor negotiator, and trial attorney representing public and private entities in labor and employment matters. Ms. Rodríguez Moisa offers unique insights to develop winning strategies for clients, from advice and counsel to arbitration, litigation, and trial. With numerous defense verdicts in jury and bench trials, she has successfully litigated matters in the areas of discrimination, sexual harassment, retaliation, FMLA/CFRA, disability discrimination, wrongful termination, and the First Amendment.

Upon graduating from law school Ms. Rodríguez Moisa earned a Skadden Arps Public Interest Law Fellowship, awarded to only twenty-five law students from around the country. The Fellowship allowed Ms. Rodríguez Moisa to spend the first four years of her career at the Mexican American Legal Defense and Educational Fund (MALDEF), working on issues related to language-based discrimination and voting rights.

Education

Ms. Rodríguez Moisa received her B.S. degree in Business Administration from the Haas School of Business, University of California, Berkeley, and her Juris Doctor from Boalt Hall School of Law, University of California, Berkeley. Ms. Rodríguez Moisa also earned a Master's degree in Public Policy from Harvard University's John F. Kennedy School of Government.

Awards and Recognitions

Ms. Rodríguez Moisa was named to the *Daily Journal's* Top Women Lawyers list in 2015 and its Top Labor & Employment Attorney list in 2015 and 2017. In 2011, the *Daily Journal* profiled her representation of the City of Los Angeles in its negotiations with the Coalition of Los Angeles City Unions. In 2009, Ms. Rodríguez Moisa was named to the *Daily Journal's* annual list of the "Top Women Litigators" in California. Every year since 2004, she has been recognized as a Super Lawyer by *Southern California Super Lawyers* magazine.

Representative Matters

Labor Relations

Irma Rodríguez Moisa began negotiating on behalf of public agencies in 1999. She was drawn into this field by clients who admired her advocacy style in litigation and because of her public policy background. Since that time, Ms. Rodríguez Moisa has served as lead negotiator for numerous agencies, usually negotiating three to five contracts per year. As chief negotiator, Ms. Rodríguez Moisa has provided strategic labor advice to clients, allowing them to reach their short- and long-term organizational and financial goals.

These negotiations have resulted in changes to retiree medical benefits, implementation of furloughs, salary concessions, and changes to pension benefit formulas and contributions. Some of Ms. Rodríguez Moisa's clients in the last few years include:

- *City of Long Beach*: Ms. Rodríguez Moisa was retained by the City of Long Beach to negotiate a collective bargaining agreement with its largest employee union with whom the City had a contentious relationship. Ms. Rodríguez Moisa obtained a four-year agreement and helped repair the labor-management relationship. She also

represented the City in a matter filed with the Public Employment Relations Board, in which the union attempted to block the City's billion-dollar civic center project due to the City's decision to contract out maintenance employees. After intensive negotiations, declaration of impasse, and fact finding, Ms. Rodríguez Moisa assisted the City in negotiating an agreement that allowed the City's project to proceed.

- *Long Beach Transit*: Ms. Rodríguez Moisa served as lead negotiator for Long Beach Transit in negotiations with ATU in 2014 and 2016, and reached agreements within the established time frames. She currently represents LBT in negotiations with AFSCME.
- *City of Anaheim*: Ms. Rodríguez Moisa served as lead negotiator in negotiations with the City's general unit (AMEA) for numerous years. Of particular note was the Memorandum of Understanding (MOU) in 2003 which resulted in the restructuring of the City's retiree health obligations. She has continued to provide negotiation services to the City of Anaheim and served as lead negotiator in collective bargaining with the Anaheim Police Association, Anaheim Firefighters Association, Teamsters, and IBEW.
- *City of Covina*: Ms. Rodríguez Moisa was the lead negotiator in coming to an agreement with the Police Association of Covina. The Agreement achieved pension cost savings and other policy changes and was reached in a total of four sessions.
- *City of Colton*: Ms. Rodríguez Moisa acted as lead negotiator with the City's Police and Fire Associations. During the first series of these negotiations, she negotiated with three Council member observers.
- *City of Los Angeles*: Ms. Rodríguez Moisa served as co-chief negotiator for the City's negotiations with the Coalition of Los Angeles City Unions, which represents approximately 60 percent of the City's civilian workforce. These negotiations resulted in an unprecedented amount of concessions, revisions to retiree health benefits, and resolution of several outstanding lawsuits. In addition, Ms. Rodríguez Moisa assisted the City in negotiating with the Engineers and Architects Association to bring about salary and health insurance concessions and resolve the parties' furlough litigation.
- *City of Commerce*: Since 2012, Ms. Rodríguez Moisa has served as lead negotiator in bargaining with the City's general and part-time employee units represented by AFSCME.
- *City of Vernon*: Ms. Rodríguez Moisa served as the City's chief negotiator with its IBEW and Teamsters bargaining units. She reached a three-year agreement on behalf of the City in June 2016.

Litigation

Ms. Rodríguez Moisa has represented clients in hundreds of lawsuits in both state and federal court. She has taken dozens of cases to trial and arbitration, with a remarkable success record. These matters range from sexual harassment and discrimination claims to First Amendment and whistleblower claims. Some representative trials include:

- **Complete Defense Verdict**

After the plaintiff was discharged from his job, he filed a civil action against Ms. Rodríguez Moisa's client, a major California water district. He alleged religious discrimination and retaliation and sought economic damages in excess of \$1.6 million, plus emotional distress damages. The plaintiff claimed that his supervisor was biased against him due to his religious beliefs and that the defendant retaliated against him after he filed an internal complaint for religious discrimination. During a three-week trial, Ms. Rodríguez Moisa provided evidence of the defendant's culture of religious tolerance, the plaintiff's insubordination and misrepresentations, and the defendant's attempts to counsel, train, and otherwise help the plaintiff. Witnesses included the defendant's supervisors, employee relations personnel, and coworkers as well as a psychiatrist and an economist. On June 1, 2016, the jury returned a 12-0 verdict in favor of the defendant on the religious discrimination claim and an 11-1 verdict for the defendant on the retaliation claim.

- **Highly Favorable Settlement**

The plaintiff demanded over a million dollars for alleged national origin discrimination, harassment, and retaliation after being terminated from his employment at a large

California university. The plaintiff alleged that he had been subjected to racial comments and was targeted for termination due to his complaints of favoritism and racial harassment. The university contended the plaintiff had been terminated for consistently poor performance and making misrepresentations. The case was strenuously litigated for over two years. During the second day of jury selection, the plaintiff agreed to settle the case for less than ten percent of the amount demanded.

- **Favorable Settlement**

Ms. Rodríguez Moisa represented a community college that had hired a janitor with a criminal record. The plaintiff, a student whom the janitor allegedly sexually assaulted, sued the college for assault and battery; negligent hiring, supervision, and retention; and other causes of action. A jury trial was set for October 2016 in the Los Angeles Superior Court. On the eve of trial, the parties settled the matter, saving the community college from unwelcome media attention, the costs of litigating a trial, and a potentially large award of damages.

- **Greatly Reduced Damages**

The plaintiff, the only African-American firefighter employed by Ms. Rodríguez Moisa's client, a city in California, alleged he was subjected to a hostile work environment and discrimination due to his race and to retaliation for complaining of discrimination and harassment. The plaintiff contended that his supervisor and colleagues referred to him as a "n" and made other racially demeaning comments. The plaintiff also contended that he was denied promotional opportunities. He demanded \$4.5 million in damages from the City. The City admitted that the supervisor used the "n" word on three occasions and explained that the supervisor was terminated after the plaintiff complained. The City also denied that the plaintiff was refused a promotion and instead noted that he remained on the eligibility list for a promotion. After an eleven-day trial, the jury awarded Plaintiff \$915,000 in damages. The City has appealed the verdict

- **Highly Favorable Settlement**

The plaintiff filed suit against Ms. Rodríguez Moisa's client, a large grocery chain, alleging that he had been subjected to disability discrimination and retaliation, and that the defendant failed to engage in the interactive process and failed to accommodate him in violation of the Fair Employment and Housing Act. The plaintiff alleged that he was terminated because his store manager harbored animus towards him after he suffered a workplace injury. He claimed that the store manager targeted him for termination after he purportedly ate one grape while on the produce department floor. The defendant contended that the plaintiff was terminated for violating its company policy prohibiting employees from consuming or taking company product without paying for it. After seven days of trial and Ms. Rodríguez Moisa's cross-examination of the plaintiff, the case settled for \$5,000.

- **Summary Judgment**

The plaintiff, a faculty member and surgeon at a highly prestigious medical school and hospital, filed suit alleging discrimination based on his association with an African-American colleague and retaliation in violation of the California Fair Employment and Housing Act. The plaintiff alleged that he was subjected to numerous adverse employment actions because of his support of his colleague's lawsuit against the defendants. The plaintiff claimed that he was the only person who corroborated the showing of an inappropriate and racist slideshow depicting his colleague as a gorilla. The plaintiff claimed that his supervisors and hospital administrators sought to discredit him and decrease his practice by wrongfully reporting him in a malpractice action, reducing the number of patient referrals, and having to endure his colleagues' ostracism. Specifically, the plaintiff claimed that one of his colleagues prepared a slide show depicting his gravestone and stating that he should "RIP." After aggressive litigation, the defendant filed a motion for summary judgment, which was granted.

- **Complete Defense Verdict**

The plaintiff was laid off from his job at a large public institution of higher education in

2010 after a reorganization of his unit resulted in his position being eliminated. He filed suit, alleging several causes of actions against Ms. Rodríguez Moisa's client, including: religious creed discrimination in violation of the Fair Employment and Housing Act (FEHA); whistleblower retaliation; and wrongful termination in violation of public policy. During the course of litigation, multiple claims were dismissed. Consequently, the only claims presented to the jury at trial were the claims for age discrimination, retaliation under the FEHA, and failure to prevent discrimination and retaliation, with alleged economic damages of about \$750,000 and non-economic damages of two to three times that amount. After three weeks of trial, the jury rendered a defense verdict in less than 45 minutes of deliberation.

- **Complete Defense Verdict**

The plaintiff alleged that she was subjected to sexual harassment by a co-worker and that her supervisor ignored her complaints. Ms. Rodríguez Moisa's client, a large grocery chain, contended it took appropriate corrective action after the plaintiff complained. A defense verdict was rendered after less than two hours of deliberations.

- **Appellate Victory**

The plaintiff filed suit against a large California city represented by Ms. Rodríguez Moisa and five individual defendants, alleging eight separate causes of action. After a two-month jury trial, the jury found in favor of the City in six of the eight causes of action. On appeal, the Court of Appeal reversed the jury's verdict on the other two causes of action and rendered judgment in favor of the City.

Representative Clients

PIH Health; Ralphs Grocery Company; Matrix Services, Inc.; CalAmp Wireless Networks, Inc.; The Home Depot; The Regents of the University of California; Metropolitan Water District. California cities include: Los Angeles, Downey, Long Beach, Camarillo, Montebello, Anaheim, Santa Ana, Huntington Beach, Vernon, Norwalk, Commerce, and Covina. California counties include: Imperial, San Bernardino, Inyo, and Ventura. Nonprofit clients include: Heal the Bay, Energy Coalition, and Los Angeles County Fair Association.

Publications and Speaking Engagements

Ms. Rodríguez Moisa is a sought-after presenter and instructor. She has provided training to various entities and professional associations on topics such as: preventing discrimination, retaliation, and harassment; conducting disciplinary investigations; responding to EEOC and DFEH complaints; understanding employee privacy rights; properly maintaining personnel files; managing employee leaves; and imposing employee discipline.

Ms. Rodríguez Moisa has spoken before numerous organizations, including the National Employment Law Institute, the California Association of District Attorneys, PIHRA, ACHRO, CalPELRA, the Kansas Judicial Council, the California League of Cities, the City Attorneys Association of Los Angeles County, the Orange County City Attorneys Association, SCPMA, and SCPLRC. Some of Ms. Rodríguez Moisa's recent presentations include:

- "He Said/She Said/They Said: But Who to Believe?" — AALRR Breakfast Briefing, June 2017
- "Workman's Compensation Side Affects in Your City" — Independent Cities Association Summer Seminar, June 2017
- "Emerging Legal & Compliance Issues" — AALRR Employment Law Conference, March 2017
- "Investigate like a Star: The Anatomy of an Effective Internal Investigation" — AALRR Employment Law Conference, March 2017
- "Public Sector Investigations: Exploring Proper Techniques" — CALPELRA Annual Training Conference, October 2015
- "Public Sector Investigations: Exploring Proper Techniques" — AALRR Employment Law Conference, March 2015

- “Public Agency Cost-Cutting Measures Under Attack” — CALPELRA Annual Training Conference, November 2014
- “Tattoos, Piercings, and Gender Identity Issues in the Workplace” — WACUBO Conference, May 2014
- “Don’t be a London Bridge: Preserving Public Agency Cost-Cutting Measures” — Western Region IPMA-HR Annual Conference, May 2014
- “There’s No Magic to a Proper Investigation: Will Yours Satisfy the Burden of P-R-O-O-F?” — IPMA-HR Western Region Annual Training Conference, April 2013
- “Contracting Out” — California Public Employee Relations (CPER) Program, March 2013
- “First Time Negotiator: The Top Ten Secrets to Better Negotiation Skills” — SCPMRA, March 2013
- “The Shifting Landscape of Privacy Concerns: GPS Tracking, Cell Phone Records” — CALPELRA Annual Training Conference, December 2012
- “Successfully Negotiating the MMBA” — CALPELRA Annual Training Conference, December 2012

Ms. Rodríguez Moisa also serves as a trainer at the California Public Employer Labor Relations Association Labor Academies (“CalPELRALearn”) and has taught at the National Employment Law Institute. Her training subjects include:

- “Discipline in the 21st Century” — CALPELRALearn (March 2012)
- “The Affordable Care Act” — CALPELRALearn (March 2011)
- “Conducting Disciplinary Investigations?” — CUIC (February 2010)

Ms. Rodríguez Moisa’s most recent articles include:

- “Banning Beards at Work Could Get a Little Hairy,” *Daily Journal* (August 2016)
- “Self-Help Discovery?” *Daily Journal* (July, 2016)
- “The Cat’s Paw Doctrine: Declawing Summary Judgment,” *Daily Journal* (May 2016)
- “New PERB Decision: Demanding to Bargain “Effects” Just Got a Little Easier” *AALRR Alert* (April 2013)

Community Involvement

Ms. Rodríguez Moisa has sat on boards of numerous organizations and foundations and has been a member of several associations. She most recently concluded terms with the Los Angeles County Bar Association Labor and Employment Section Executive Committee and the Rio Hondo College Foundation. Ms. Moisa is currently active in the following organizations:

- Whittier Community Hospital, Board of Directors
- Campaign for College Opportunity, Board of Directors
- MALDEF Property Management Committee, Member

Practice Areas

Employment Law
Cities, Counties & Special Districts

Education

University of California, Berkeley (Juris Doctor, 1992)
 Harvard University (M.A., 1990)
 University of California, Berkeley (B.S., 1988)

Bar Admissions

1992, California

Memberships and Affiliations

Member, Mexican American Bar Association, Political Action Committee
Former Vice President, Board of Directors, Latina Lawyers Bar Association
Former Member, Los Angeles County Bar Association, Labor and Employment Section
Executive Committee

