Messing Adam Jasmine&Shore

GREGG McLEAN ADAM
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Before starting Messing Adam & Jasmine LLP with his partners Gary Messing and Jason Jasmine in 2015, Gregg was a partner with the San Francisco office of Carroll Burdick & McDonough LLP in the Public Sector Labor Group. His career is predominantly devoted to working with unions that represent public sector and public safety employees.

Gregg was selected by Daily Journal as one of the Top 20 Municipal Lawyers in California in 2013 and as one of California's leading Labor & Employment Lawyers in 2014. Gregg has enjoyed Northern California Super Lawyer status since 2014, a rating conferred through peer recognition and professional achievement.

Collective Bargaining Negotiations

Gregg has negotiated collective bargaining agreements for associations ranging in size from a few dozen to 30,000+, under multiple collective bargaining laws at both the state and local level. He has represented public safety officers, firefighters, supervisors, teachers, engineers, architects, and managers. Gregg brings a "win-win" philosophy to the bargaining table and a problem-solving energy to reaching the best results for his clients.

Public Employee Litigation

Gregg has argued several times in the California Supreme Court, most notably in *Cal Fire Local 2881 v. California Public Employees' Retirement System*, involving public employee retirement law; *City of Los Angeles v. Superior Court*, involving City Charter rights in a fiscal emergency; *Stoetzl v. California Department of Human Resources*, involving state and federal wage and hour rights for state employees; and *Marin Association of Public Employees v. Marin County Employees Retirement Association*, another public employee retirement law case.

Gregg has also appeared several times in the United States Supreme Court, including in *Brown v. Plata* involving a Three Judge panel overseeing the State of California's prison overcrowding crisis, and in *Harris v. Quinn*, *Friedrichs v. California Teachers' Association,*

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and *Janus v. AFSCME*, all of which involved public employee union fair share fees. In *Janus*, Gregg spearheaded an *amicus curiae* brief on behalf of approximately half a million public safety employees nationwide.

Gregg has expertise in and has spoken and written about Public Employee Retirement Laws (including the Public Employees' Pension Reform Act of 2013), Meyers-Milias-Brown Act, Ralph C. Dills Act, Public Safety Officers' Procedural Bill of Rights Act, California Excluded Employees' Bill of Rights Act, Firefighters Procedural Bill of Rights Act, and the Trial Court Employment Protection & Governance Act.

Gregg is a regular commentator on public employee issues and presents annually at the American Bar Association's State & Local Collective Bargaining Subsection conference.

EDUCATION

University of California, Hastings College of the Law, J.D. 1999

University of Edinburgh, M.A. in Economics and Politics, with honors 1993

AFFILIATIONS & MEMBERSHIPS

Bar Association of San Francisco, Labor and Employment Law Section

State Bar of California

American Bar Association, Labor and Employment Law Section, National Co-chair of the State and Local Bargaining and Employment Law Committee, Section on Duty of Fair Representation

PROFESSIONAL DISTINCTIONS

Listed as a Northern California Super Lawyer by *Super Lawyers* (2014-2024)

Selected by *Daily Journal* as one of the Top 20 Municipal Lawyers in California (2013), and one of California's leading Labor & Employment Lawyers (2014)

Named as one of the top 500 plaintiff's employment lawyers in the United States by Lawdragon (2020-2024)

Externship, The Honorable John T. Noonan, United States Court of Appeals, Ninth Circuit

PRESENTATIONS

Panelist, Police Discipline Arbitration, Union, Management, and Neutral Perspectives, American Bar Association webinar, September 21, 2021

Panelist, A Discussion of the Far-Reaching Implications for Public Sector – and Perhaps Even Private Sector – Unions and Employers, American Bar Association webinar, January 29, 2020

Speaker, "Constitutional and Statutory Rights of Members and Non-Members" American Bar Association, Section of Labor & Employment Law, State and Local Government Bargaining & Employment Law Committee, January 24, 2020

Panelist, *Janus* Revisited, American Bar Association webinar, September 24, 2019

Speaker, *"Janus*: The Aftermath" and "Constitutional and Statutory Rights of Members and Non-Members; Changing Public Sector Bargaining Laws (Special Focus on *Janus* Implications for Duty of Fair Representation Issues)," American Bar Association, Section of Labor & Employment Law, State and Local Government Bargaining & Employment Law Committee, January 25, 2019

Speaker, "History of the San Jose Pension Crisis and Ongoing Litigation Over Vested Rights," 23rd Annual Northern California Public Retirement Seminar (September 26, 2013)

Panelist, "Sustainable Public Employee Pensions," Marin County Pension Reform Community Forum (April 3, 2012)

PUBLICATIONS

Co-author with Matthew Taylor, "Right to Post Controversial Statements on Social Media Upheld Again," *PORAC Law Enforcement News* (November 2022)

Co-author with Matthew Taylor, "Federal Appeals Court Upholds Officer's First Amendment Right," *PORAC Law Enforcement News* (March 2021)

"'I'm Still Standing!': The California Rule after Alameda," *San Francisco Daily Journal,* August 11, 2020

"Public Employers Have Additional Labor Relations Powers in an Emergency," *PORAC Law Enforcement News* (May 2020)

"Recent Decisions Find Pre- and Post- Work Activity Compensable," *PORAC Law Enforcement News* (April 2020)

"Where will the next California Supreme Court decision on state minimum wage laws come from?," *San Francisco Daily Journal (Perspective)*, April 29, 2020

"INSIGHT: Will Apple Innovation Carry Into California Wage and Hour Law Ruling?," *Bloomberg Law*, January 24, 2020

Co-author with Matthew Taylor, "Anti-Labor Forces Seek to Use *Janus* Ruling to End Exclusive Representation," *PORAC Law Enforcement News* (March 2019)

Co-author with Gary Messing and Yonatan Moskowitz, "*CAL FIRE* Arguments Launch Battle Over Future of California Pension Law," *PORAC Law Enforcement News* (January 2019)

Co-author with Teal Miller, "Even Minutes of Work Time Ruled Compensable in California," *PORAC Law Enforcement News* (September 2018)

Co-author with Gary Messing and Yonatan Moskowitz, "*Janus v. AFSCME:* Taking Their Best Shot and Still Standing," *PORAC Law Enforcement News* (August 2018)

Co-author with Gary Messing and Yonatan Moskowitz, "PORAC Files Amicus Brief in Supreme Court Case on 'Fair Share Fees,'" *PORAC Law Enforcement News* (March 2018)

"San Francisco Probation Officer Back on the Job, Termination Overturned*, PORAC Law Enforcement News* (November 2017)

"State Supreme Court Agrees to Review Vested Rights Doctrine," *PORAC Law Enforcement News* (January 2017)

Co-author with Gary Messing, "Unions Can Still Charge Fair Share Fees for Now," *PORAC Law Enforcement News* (May 2016)

Co-author with Gary Messing, "PORAC and LDF Lead Coalition to Preserve Union's Right to Collect Agency Fees from Nonmembers," *PORAC Law Enforcement News* (January 2016)

Co-author with Amber Griffiths, "Debate Emerges Regarding How to Establish Implied, Vested Contracts After Supreme Court's *Retired Employees Association v. County of Orange* Ruling," *Benders California Labor and Employment Bulletin*, Vol. 2013, No. 4 (April 2013)

"California Supreme Court Hears Arguments on Public Employees' Right to Grievance Arbitration," *PORAC Law Enforcement News* (April 2013)

Co-author with Gary Messing, "Impasse Resolution Procedures Mandated for Collective Bargaining," *PORAC Law Enforcement News* (January 2012)

Contributing author to *The Labor Beat*, Messing Adam's periodic publication and alerts highlighting topics germane to public sector labor employees