

Safeguarding the Rights of Public Safety Employees

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Mastagni, Holstedt, Amick, Miller, Johnsen & Uhrhammer

David P. Mastagni is a man with a passion. Talk to the Sacramento attorney for just a few minutes, and you know without a doubt he is passionately committed to safeguarding the rights of the police officers, firefighters and other public safety employees he and his firm have represented for more than 30 years.

"Our public safety employees in California are the best public servants in the world, and the public knows it can count on them," says the founder and managing partner of Mastagni, Holstedt, Amick, Miller, Johnsen & Uhrhammer. "And they know they can count on us."

According to Mastagni, public safety employees face a number of complex issues, such as: "How are they protected if they're injured in the course of their work? How are they paid and compensated? What kind of retirement and death benefits do they have, given that, statistically, their lives are shorter and their propensity for heart attacks is greater?"

The overarching issue in most cases is fairness, Mastagni explains: for

example, ensuring that public safety employees are fairly compensated relative to their peers in other cities or counties or other professions. "Or, how do you ensure that any disciplinary action is fair? How do you protect their civil rights, or defend them if they are sued for civil rights violations?"

Another important area is product liability. Many products used in public safety work today are foreign made, Mastagni notes, and the firm's experience and skill in international law is an important advantage in many product liability cases.

A Family Affair

Known for their wide-ranging experience and knowledge, the attorneys of Mastagni, Holstedt, Amick, Miller, Johnsen & Uhrhammer graduated from top law schools at the top of their classes. Mastagni notes with pride that his sons, David and Phillip, and his daughter, Kathleen, have joined the firm as associates and share his passion.

Full-Service Law Firm

While the firm, founded in 1976, largely represents public safety employees and their labor associations throughout California, it represents the general public as well, providing representation in the following areas:

- Labor and employment law
- Wage and hour litigation
- Personal injury and other civil litigation
- Workers' compensation
- Disability retirement
- Family law
- Social Security disability appeals
- Public employment contract negotiations
- Product liability

Landmark Cases

Among the firm's many points of pride: In 2003, it secured the largest arbitration award in the continental United States for a public safety organization, for a net increase of \$88 million. The client was the Sacramento County Deputy Sheriffs' Association.

And, in a landmark decision last summer, the firm successfully obtained the first court order upholding the constitutionality of SB 440. The SB 440 litigation allows public safety officers to submit their contract disputes to binding arbitration, subject to unanimous rejection by the governing authority. This is opposed to being allowed only to "meet and confer" with the governing authority and being subject to the unilateral imposition of terms and conditions of employment by the governing authority. Sonoma County, the California League of Cities and the California County Supervisors' Association have challenged the constitutionality of the legislation, and it is in the appellate courts. The firm will aggressively defend the constitutionality of this important right.

In today's world, Mastagni says, "our ability to live our lives, raise our families and do our jobs depends on having a high-quality public safety workforce. These are highly specialized professionals with extensive education and training. We're not going to get the quality of service we want unless we're willing to pay a fair price for it."



Standing left to right: Christopher Miller, Craig Johnsen and Amanda Uhrhammer
Seated left to right: John Holstedt, David P. Mastagni and Michael Amick



MASTAGNI, HOLSTEDT, AMICK, MILLER, JOHNSEN & UHRHAMMER

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