Autopsy of a PO Claim

• Exploring the Blood, Guts & Consequences of the Typical (or not) Public Officials Lawsuit

Presented by:

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Objectives

Learn how to deal with employment issues in the workplace
Learn the importance of documenting everything
Learn the various steps in pre-litigation and what to do
Learn how to best assist in litigation
The External Exam (Pre-Termination)

• Counseling
  ➢ Consult TAC HR Consultant for guidance
  ➢ Meet with employee to provide direction
  ➢ Verbal warnings
  ➢ Document the sessions
  ➢ Have a witness

• Written Warnings
  ➢ Make sure it’s in writing
  ➢ Be consistent
  ➢ Have employee sign
  ➢ Have a witness present
  ➢ Provide copy
The Y-Incision (Termination)

- Say as little as possible regarding the reason for termination
- Have a witness present
- Do not make it personal
- Do not let them make it personal
The Blood Draw

Equal Employment Opportunity Commission 300 Days to File

Texas Workforce Commission 180 Days to File

- Seek assistance/counsel
- What type of claim have they filed?
- When is response due?
- Have they offered mediation?
- Right to Sue letter
Removal of the Breast Plate

What about an Open Records Request?

Government Code §552.001 et seq

- 10 days to respond
- Seek counsel
- Some protections
- Pay close attention to what is being requested
- No obligation to create a document that doesn’t exist

Government Code §552.001 et seq
The Lung Extraction (Attorney Representation Letter)

- Recognize the potential for litigation
- Seek assistance from counsel
- Preserve all records
  1. Electronic records
  2. Texts are records
Lawsuit
The Heart (Suit is Filed)

- Call TAC or your carrier immediately!
- Where is the suit filed?
- State or Federal = Different Answer Dates
- When were the defendants served?
- If a Defendant is no longer with the county, do you know how to contact?
- Who was served? Don’t accept service for someone who is no longer there
- Start gathering documents/records
The Intestines (Discovery Process)

- Withhold nothing
- Do not try and play games
- Do not try and outsmart the other side
- Do not play detective
- Be as cooperative as possible
HOW NOT TO ACT
DURING A DEPOSITION
VOL 1
The Kidneys

Mediation

- No one will get everything they want
- Listen to your counsel and their recommendations
- Listen to your TAC Claims Attorney and their recommendation

It’s a Negotiation
The Stomach Contents
(Trial)
Contact Us!

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