

Adam Joshua Fiss

Shareholder
Co-Chair, Workplace Violence Prevention
and Crisis Response Practice Group

50 West San Fernando Street
7th Floor
San Jose, CA 95113
main: (408) 998-4150
direct: (408) 795-3438
fax: (408) 288-5686
afiss@littler.com



Focus Areas

Discrimination and Harassment
Labor Management Relations
Leaves of Absence and Disability Accommodation
Unfair Competition and Trade Secrets
Policies, Procedures and Handbooks
Occupational Safety and Health
Workplace Violence Prevention and Crisis Response

Overview

Adam J. Fiss represents employers in a variety of labor and employment matters, including defending clients in lawsuits and administrative proceedings that involve wrongful termination, employment discrimination, trade secret and unfair competition, wage and hour, and harassment.

In addition, as co-chair of Littler's Workplace Violence Prevention and Crisis Response Practice Group, Adam has wide-ranging experience, litigating, advising and problem solving with clients on issues relating to concerns of potential workplace violence issues. This includes creating and implementing, policies, trainings, and plans to identify and be prepared for a potential workplace violence situation and counseling clients relating to actual threats of violence or violence impacting the workplace.

Adam also, as a core member of Littler's Leaves of Absence and Disability Accommodation Practice Group, has extensive experience assisting clients with the design and administration of leave of absence, mandatory paid sick leave laws throughout the United States, and accommodation policies and procedures; counseling employers regarding day-to-

day leave and accommodation issues; training management and HR staff in these areas; and defending claims under the Family and Medical Leave Act, Americans with Disabilities Act and related state laws.

Adam also counsels employers on a variety of issues arising under state and federal labor and employment laws and assists employers in the implementation and review of personnel policies and procedures.

He appears in state and federal courts and before the California Labor Commissioner, the California Unemployment Insurance Appeals Board, the Department of Fair Employment and Housing, and the Equal Employment Opportunity Commission.

Adam also handles labor relations and has represented both private and public employers in:

- Collective bargaining negotiations
- Labor arbitrations
- National Labor Relations Board proceedings
- Public Employment Relations Board proceedings
- Administrative mandamus hearings for public entities

Most frequently, Adam works with the following types of clients:

- Private entities, from small companies to Fortune 500 companies, including those in high tech, medical, retail, manufacturing, and financial industries
- Public entities including school districts, county offices of education, special districts, and cities

Adam frequently lectures and authors articles on employment and labor law topics. He is the Co-Chair of the Workplace Violence Prevention practice group and is a core member of the firm's practice groups: Leaves of Absence and Disability Accommodation and Workplace Safety.

Professional and Community Affiliations

- Advisor, Executive Committee, Labor and Employment Law Section, California Lawyers Association, 2014-present
- Member, Executive Committee, Labor and Employment Law Section, California Lawyers Association, 2010-2014
- Member, Executive Committee, Labor and Employment Law Section, Santa Clara County Bar Association
- Member, Santa Clara County Bar Association
- Member, Labor and Employment Law Section, American Bar Association

Education

J.D., Santa Clara University School of Law, 2000

B.A., University of California, Santa Barbara, 1997

Bar Admissions

California

Courts

U.S. Court of Appeals, 9th Circuit
U.S. District Court, Northern District of California
U.S. District Court, Eastern District of California
U.S. District Court, Central District of California
U.S. District Court, Southern District of California

Publications & Press

California Eliminates Employers' Ability to Require Employees to Use Vacation Before They Receive State Paid Family Leave Benefits

Littler Insight

September 30, 2024

Compliance Countdown To New Calif. Workplace Safety Rules

Law360

June 26, 2024

Considerations For Employers In Taking Steps To Prevent Workplace Violence

Corporate Board Member

June 13, 2024

Updated California Paid Sick and Safe Leave FAQs Address January 1, 2024 Changes

Littler ASAP

December 15, 2023

California Establishes New Leave for Reproductive Loss

Littler ASAP

October 11, 2023

Governor Signs Amendments to Expand, and Better Align, Paid Sick Leave Requirements Throughout California

Littler Insight

October 5, 2023

California Enacts Law to Prevent Workplace Violence

SHRM Online

October 5, 2023

California Enacts Nation's First General Industry Workplace Violence Prevention Safety Requirements for Employers

Littler Insight

October 2, 2023

Philadelphia Court Ruling Highlights Need for Clear PTO Policies

WorldatWork

March 22, 2023

California Court Holds Defendants in Workplace Violence Restraining Order Petitions Have a Due Process Right to Cross-Examine Employer's Witnesses

Littler ASAP

October 24, 2022

San Francisco's Newest (and Permanent) Public Health Emergency Leave Ordinance

Littler Insight

June 9, 2022

California Issues New FAQs on COVID-19 Paid Sick Leave

SHRM Online

March 18, 2022

Updated California Supplemental Paid Sick Leave FAQs Answer Some Big Questions

Littler ASAP

March 11, 2022

California Labor Commissioner Issues 2022 COVID-19 Supplemental Paid Sick Leave Posters and FAQs, But Many Questions Remain

Littler Insight

February 18, 2022

An Employer's Guide to California's 2022 COVID-19 Paid-Sick-Learn Law

SHRM Online

February 15, 2022

California Governor Signs 2022 Supplemental Paid Sick Leave Bill

Littler Insight

February 9, 2022

Schools Grapple with Array of Mask and Vaccine Laws

SHRM Online

August 30, 2021

Marin County, California Requires Small Employers to Provide Supplemental Paid Sick Leave

Littler ASAP

June 16, 2021

California Enacts (Retroactive) 2021 Emergency Supplemental Paid Sick Leave Law

Littler Insight

March 22, 2021

Emergency Paid Sick Leave Changes in Sonoma County, San Francisco, and the City of Los Angeles

Littler ASAP

February 12, 2021

Santa Rosa, California Extends and Amends its Emergency Paid Sick Leave Ordinance

Littler ASAP

February 4, 2021

California Counties of Los Angeles and Sonoma Vote on Extending, Expanding Supplemental Paid Sick Leave Ordinances

Littler ASAP

January 28, 2021

Oakland, California Retroactively Extends Emergency Paid Sick Leave Ordinance

Littler ASAP

January 20, 2021

San Jose Revises Emergency Paid Sick Leave Law While Other California Localities Take Steps Toward Similar Action

Littler Insight

January 7, 2021

Employer Compliance Deadline Approaching for New Sacramento County, California Supplemental Paid Sick Leave Ordinance

Littler Insight

October 9, 2020

How to Help Survivors of Domestic Violence in the Pandemic

SHRM Online

October 1, 2020

California Fireworks: Sacramento, Santa Rosa, and San Mateo County Enact Emergency Paid Sick Leave Ordinances

Littler Insight

July 9, 2020

What Employers Can Do About Domestic Violence Right Now

Law360

April 30, 2020

Domestic Violence in the Era of COVID-19: What Can Employers Do?

Littler Insight

April 20, 2020

San Francisco Mayor Signs Public Health Emergency Leave Ordinance and Agency Issues Guidelines

Littler ASAP

April 19, 2020

San Francisco (Again) Passes Public Health Emergency Leave Ordinance, with Changes

Littler ASAP

April 15, 2020

Knowing the Way to San Jose's Emergency Paid Sick Leave Ordinance

Littler ASAP

April 9, 2020

San Francisco Expected to Require Employers with 500 or More Employees to Provide Paid Public Health Emergency Leave

Littler ASAP

April 8, 2020

California Court of Appeal Addresses Whether There are Limits to Vacation Payout Requirement for "Unlimited" Vacation Policies

Littler Insight

April 7, 2020

Dear Littler: What to Do When an Employee Threatens Suicide?

Dear Littler

February 25, 2020

California's Expanded Red Flag Law Empowers Employers to Seek Gun Violence Restraining Orders; Other States May Follow Suit

Littler ASAP

January 21, 2020

New Year's Resolution: Developing a Universal Paid Sick & Safe Time Policy

Littler Insight

December 28, 2018

Emeryville, California Adopts Rules Implementing Its Minimum Wage, Paid Sick Leave, and Hospitality Service Charge Ordinance

Littler ASAP

August 11, 2017

Berkeley Enacts California's Newest Local Paid Sick Leave Law

Littler Insight

September 6, 2016

Paid Sick Time Law Developments in the State of California; Emeryville, California; Eugene, Oregon; and Bloomfield, New Jersey

Littler ASAP

June 24, 2015

California Court Rules Teacher Tenure Statutes Unconstitutional

Littler Insight

June 20, 2014

California Supreme Court Outlines Prerequisites for Municipalities Wanting to Prevent Strikes by Unionized Workforce

Littler Insight

July 9, 2010

Public Employers May Discipline Employees for Not Answering Job Performance Questions So Long as Fifth Amendment Right is Protected

Littler Insight

February 18, 2009

Court Grants Teachers with Provisional Credentials Right to Layoff Hearing, Ruling that Classification of Teachers Based Solely on Type of Credential Is Improper

Littler Insight

February 6, 2007

Speaking Engagements

What Can Employers Do to Detect and Protect Against Active Shooter/Assailant Situations?

Littler Executive Employer Conference, Phoenix, AZ

May 9, 2024

Tales from the Trenches: Hidden Legal Risks in Paid Leave Compliance

Littler Executive Employer Conference, Phoenix, AZ

May 8, 2024

How to Stay Golden in California as Paid Sick & Safe Leave Standards Change in 2024

December 5, 2023

What to Expect and How to Comply with Senate Bill 553

November 7, 2023

Who Wants to be a Paid Sick Leave SME?

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

Mental Health Matters: How Employers Can Provide Support and Prevent Crisis in Challenging Times

Littler Executive Employer Conference

May 5, 2022

Workplace Violence Prevention in the Age of the "Active Shooter"

June 30, 2021

Workplace Violence Prevention in the Age of the "Active Shooter"

June 24, 2021

Responding to Suicide Warning Signs in the Workplace

December 9, 2020

2020 Virtual California Employer

November 19, 2020

Workplace Violence Prevention in the Age of the "Active Shooter"

September 16, 2019

Workplace Violence Prevention in the Age of the "Active Shooter"

August 28, 2019

Workplace Violence and the Active Shooter | Steps to Prepare for and Handle Difficult Safety Situations in the Workplace

February 20, 2019

"You Can't Make Me Come to Work!" Untangling the Web of Employee Leaves

San Jose, CA

May 23, 2013

oh, god! Coming to terms with Religion in the Workplace

19th Annual Public Sector Conference, Labor and Employment Law Section - State Bar of California

May 3, 2013

Discrimination Law 101

30th Annual Meeting, Labor and Employment Law Section - State Bar of California
November 2012

The 2012 Public School Employer

San Jose, CA
May 18, 2012

Leave Me Alone

San Francisco, CA
April 3, 2012

Social Media & Cyberbullying

17th Annual Public Sector Conference, Labor and Employment Law Section - State Bar of California
May 2011

The 2010 Public School Employer

San Jose, CA
October 29, 2010