



## Adam Joshua Fiss

Shareholder

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

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## Practice Areas

Discrimination and Harassment

Labor Management Relations

Leave and Accommodation

Unfair Competition and Trade Secrets

Handbooks and Policies

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

## Events & 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

## **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**

### **Workplace Violence Prevention Programs and Executive Protection Considerations**

*Littler ASAP*

February 7, 2025

**California Eliminates Employers' Ability to Require Vacation Use Before Receipt of State Paid Family Leave Benefits**

*External Publication*

October 7, 2024

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

*External Publication*

October 4, 2024

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

*Littler ASAP*

September 30, 2024

**Compliance Countdown To New Calif. Workplace Safety Rules**

*External Publication*

June 26, 2024

**Considerations For Employers In Taking Steps To Prevent Workplace Violence**

*External Publication*

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

**California Enacts Law to Prevent Workplace Violence**

*In the News*

October 5, 2023

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

*Littler ASAP*

October 5, 2023

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

*Littler ASAP*

October 2, 2023

**Philadelphia Court Ruling Highlights Need for Clear PTO Policies**

*In the News*

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 ASAP*

June 9, 2022

**California Issues New FAQs on COVID-19 Paid Sick Leave**

*In the News*

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 ASAP*

February 18, 2022

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

*External Publication*

February 15, 2022

**California Governor Signs 2022 Supplemental Paid Sick Leave Bill**

*Littler ASAP*

February 9, 2022

**Schools Grapple with Array of Mask and Vaccine Laws**

*In the News*

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 ASAP*

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 ASAP*

January 7, 2021

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

*Littler ASAP*

October 9, 2020

**How to Help Survivors of Domestic Violence in the Pandemic**

*In the News*

October 1, 2020

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

*Littler ASAP*

July 9, 2020

**What Employers Can Do About Domestic Violence Right Now**

*In the News*

April 30, 2020

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

*Littler ASAP*

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 ASAP*

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 ASAP*

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 ASAP*

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 ASAP*

June 20, 2014

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

*Littler ASAP*

July 9, 2010

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

*Littler ASAP*

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 ASAP*

February 6, 2007