

Elizabeth (Beth) R. Koller Whittenbury, Esq.

PO Box 1093
Palos Verdes Estates, CA 90274
310-613-2102
e-mail: beth@bkwhittenbury.com
www.bkwhittenbury.com

EDUCATION:

J.D. McGeorge School of Law, University of the Pacific, May 1990. Class Rank: Top 10%.
Graduated Order of the Coif and With Distinction. Member, Law Review. Admitted to
California Bar December 4, 1990.

B.S. Business Administration with Human Resources Concentration, University of the Pacific,
May 1987. Graduated Cum Laude.

16 Units, University of Warwick, Coventry, England. (Semester Abroad, Fall, 1985)

Advanced Mediation Training, Straus Inst. of Dispute Resolution, Pepperdine, July 1998 (18
hrs.)

Mediation Certification, Santa Clara County Institute for Mediation, March 1994 (40 hrs.)

Mediation Certification, Sacramento Mediation Center, June 1993 (28 hrs.).

EXPERIENCE:

8/03-Present BETH K. WHITTENBURY & ASSOCIATES

Principal:

Provide anti-sexual harassment training in compliance with AB 1825 and SB
1343. Provide implicit bias training. Provide organizational change consulting to
develop more productive workplaces which are diverse, inclusive, and free from
harassment or discrimination. Conduct unbiased workplace fact finding
investigations.

11/99-2/02 RUNQUIST & ZYBACH LLP

Of Counsel:

Practiced estate planning and employment law counseling.

8/98 - 9/99 JUDGE PRO TEM, Los Angeles County Municipal Courts (Lancaster Branch)

Adjudicated traffic trials and arraignments, as well as small claims actions.

9/92 - 12/99 KULISCH & KOLLER CONSULTING, LLC

Principal:

Gave training sessions and seminars on sexual harassment, discrimination,
wrongful termination, and legal aspects of management. Provided counseling,

mediation and expert witness services. Investigated employee complaints and workplace disputes. Devised alternative dispute resolution techniques for client companies.

1/98-12/99 ANTELOPE VALLEY COLLEGE

Adjunct Professor:

Taught Business Law/Legal Environment class.

1/93-7/96 EBERHARDT SCHOOL OF BUSINESS, UNIVERSITY OF THE PACIFIC, STOCKTON, CA

Visiting Assistant Professor (7/93 - 7/96):

Taught Business Law/Legal Environment and Business, Government and Society (Business Ethics) classes. Ran Mentorship Program and Internship Program.

Adjunct Professor (1/93-7/93)

MBA Admissions Director (7/93-7/94):

Responsible for recruiting first class of new MBA program. Grew program to over 90 students in one year. Developed and implemented marketing plan. Created and managed MBA Mentorship Program and Internship Program. Handled Alumni Relations.

9/90-12/92 PILLSBURY MADISON & SUTRO, SAN FRANCISCO, CA

Associate Attorney - Labor and Employment Group:

Performed 70 percent litigation/30 percent advice work. Litigated in both state and federal courts. Responded to agency complaints. Advised clients on regulatory compliance. Coordinated and gave seminars and breakfast briefings on employment law.

PUBLICATIONS - BOOKS:

Author of chapter in “Opening and Managing a Law Office: Go Solo, Win Clients, and Be Your Own Boss,” *California Lawyers Association*, September 2020.

Author, “How to Handle Sexual Harassment in the Workplace During the #MeToo Era,” *Kolbury Press*, June 2020.

Author, “The Education Bill of Rights: A Summary of Findings from the ABA Civil Rights and Social Justice Section’s Education Focus Groups,” *American Bar Association, Section of Civil Rights and Social Justice*, Sept. 2017.

Author, "The Student's Guide to Preventing Sexual Harassment in the Workplace," *CreateSpace*, Mar. 2013.

Author, "The Student's Guide to Preventing Sexual Harassment in the Workplace: Teacher's Edition," *CreateSpace*, Mar. 2013.

Author, "The Manager's Guide for Preventing Liability for Sexual Harassment in the Workplace," *CreateSpace* Dec. 2012.

Author, "Investigating the Workplace Harassment Claim," *American Bar Association Publishing*. Oct. 2012.

Author, "Handling Investigations of Employee Complaints," *Business Laws Inc.*, Nov. 2000. (Currently out of print)

PUBLICATIONS - Academic

Author, "Discrimination and Harassment Guidance for Employers: When Does the Duty to Conduct Workplace Investigations Arise and Other Critical Timing Issues," 25 *Southern Law Journal* 77 (2015).

Co-Author with Lichter-Heath, "Enhance Your Career by Writing Your Own Books as Supplemental Materials: How to Produce Them and How to Use Them in Class," 34 *Journal of Legal Studies in Business* 367 (2014).

Co-Author with Lichter-Heath, "Writing Google Play Books as Supplementary Materials: How to Produce them and How to Use Them in Class," *Referred Proceedings* of the 2013 Western Academy of Legal Studies in Business Conference (March 2013). *Winner of the Best Paper Award Honorable Mention*.

Author, "When Does the Duty to Investigate Employee Misconduct Arise?" *Referred Proceedings* of the 2001 Pacific Southwest Academy of Legal Studies in Business Annual Meeting. (February 2001)

Author, "Discovery of Investigation Notes," 16 *Corporate Counsel's Quarterly* 1 (July 2000).

Author, "Individual Liability for Sexual Harassment Under Federal Law," 14 *The Labor Lawyer* 357 (Fall, 1998).

Author, "Sexual Harassment Claims: When Can Mediation Work?" 43 *Business and Economic Review* 12 (July-Aug.-Sept., 1997). Reprinted on Mediate.com.

Co-Author (with Kulisch and Buntz); "Resolving Sexual Harassment Claims Without Litigation," 8 *International Association of Management Journal* 52 (Number 3, 1996).

Author; "Sexual Harassment Laws: Have We Gone Too Far?" 4 *Journal of Individual Employment Rights*, 101 (Fall, 1995).

Author; "*Walker v. Superior Court*: Religious Convictions May Bring Felony Convictions," 21 *Pacific Law Journal* 1069 (July, 1990).

Author; “Review of Selected 1988 California Legislation,” 20 *Pacific Law Journal* 441, 510, 512, 514, 602, 608, 628, 657, 698 (January, 1989).

PUBLICATIONS – Practitioner

Author; “Investigating Adequacy,” *Los Angeles Lawyer Magazine*, November 2014 at 32.

Author; "Protecting Investigation Notes and Reports from Discovery When a Licensed Attorney Conducts the Investigation: Can it be Done?" *Association of Workplace Investigators Journal*, Vol. 4, No. 1, Jan. 2013 at 1.

Author: “Meeting Your Mandated Anti-Harassment Training Requirements,” *PIHRA (Professionals in Human Resources Association) Scope*, March/April 2007 at 8.

Author; “Get the New Facts on Fact-Finding Investigations,” *PIHRA (Professionals in Human Resources Association) Scope*, May 2004 at 8.

Author; “Legislation Exempts Some Workplace Probes from Credit Reporting Act Rules,” *Los Angeles Daily Journal*, March 30, 2004 at 6, cl.1-2.

Author; “Expert Advice - Wills, Insurance, and Divorce - Estate Planning After the New Tax Act of 2001,” *California Lawyer Magazine*, December 2001 at 19.

Author; “Expert Advice - Employment Law,” *California Lawyer Magazine*, December, 1999 at 26.

Author; “Using Fact-finding Investigations to Lower Corporate Liability,” *Los Angeles Lawyer Magazine*, Vol 21, No. 11 at 19 (February, 1999).

Co-author (w/Kulisch), “Investigating Harassment Claims,” *House Counsel Magazine*, Fall, 1998 at 35.

Co-author (w/Kulisch), “Creating Harassment Free Schools,” *Thrust for Educational Leadership*, September/October, 1998 at 36.

Author, “U.S. Supreme Court Answers Important Questions Regarding Sexual Harassment,” *The HR Bulletin, a publication of the Northern California Human Resources Council (“NCHRC)*, August, 1998 at 11.

Author, “Investigating Discrimination and Harassment Complaints,” *The HR Bulletin, a publication of the Northern California Human Resources Council (“NCHRC)*, September, 1997 at 11.

Author, “Investigating Employee Complaints: Handling Them Harmoniously,” *Professionals in Human Resources Association (“PIHRA”) Scope*, September, 1997 at 19.

Author; "Laws Don't Punish Discriminators," *Northern California Human Resources Council ("NCHRC") Quarterly*, Spring, 1994.

Author; "Court Further Defines Sexual Harassment," *NCHRC HR Bulletin*, January, 1994.

Author; "Concerns over Harassment Law Now Seem Unfounded," *San Jose Business Journal*, November 22, 1993 at 23.

Author; "A Call for Change: Handling Sexual Harassment in the Workplace," *NCHRC Spring Quarterly* (Spring, 1993).

Author; "Further Guidelines for Handling Sexual Harassment Claims Defined," *NCHRC HR Bulletin*, October, 1992.

Author; "The Employment Law Dichotomy: Employee Rights Grow as Corresponding Remedies Shrink," *NCHRC Fall Quarterly* (Fall, 1992).

Author; "Right to Privacy Expanded for Job Applicants," *NCHRC HR Bulletin*, January, 1992.

PRESENTATIONS - Academic

Author of Paper Presented; "Examining When the Duty to Investigate Arises and Other Critical Timing Issues in Investigations," *The 2014 Southern Academy of Legal Studies in Business Conference* (April 2014).

Co-Author of Paper Presented (with Lichter-Heath); "Writing Google Play Books as Supplementary Materials: How to Produce them and How to Use Them in Class," *The 2013 Western Academy of Legal Studies in Business Conference* (March 2013).

Co-Author of Paper Presented; "Sexual Harassment Claims Within Organizations: Reality or Myth" - *Western Decision Sciences Institute*, Thirty-Second Annual Meeting, April 17, 2003.

Co-Author of Paper Presented (with Kulisch); "It's All in the Timing: Timing Issues Involved in Investigations of Employee Complaints" - *Southwestern Federation of Administrative Disciplines*, Twenty-Eighth Annual Meeting, March 1, 2001.

Co-presenter (with Lichter-Heath and Kulisch); "Individual Liability for Sexual Harassment Under Federal Law" - *Western Decision Sciences Institute*, Twenty-Ninth Annual Meeting, April 20, 2000.

Co-presenter (with Kulisch); "Workshop- Sexual Harassment Law in Higher Education"- *Western Decision Sciences Institute*, Twenty-Sixth Annual Meeting, March 28, 1997.

Author and Presenter; "Individual Liability for Sexual Harassment" - *Academy of Legal Studies in Business*, Annual Meeting, August 9, 1995.

Moderator; Employment Law Session - *Academy of Legal Studies in Business*, Annual Meeting, August 9, 1995.

Co-Author (with Kulisch) of Paper Presented; "University Sexual Harassment Policies – Recommendations" *The Association of Management*, Thirteenth Annual International Conference, August, 1995.

Chair and Discussant; Business Law and Ethics Session II - *Western Decision Sciences Institute*, Twenty-fourth Annual Meeting, April 14, 1995.

Co-author (with Kelzer) and Presenter; "Is Health Care Reform on a Collision Course with the Religious Freedom Restoration Act of 1993?" - *Academy of Legal Studies in Business*, Annual Meeting, August 10, 1994.

Author and Presenter; "Sexual Harassment Laws Present a Plethora of Perplexing Problems" - *Western Business Law Association*, Annual Conference, April 8-10, 1994.

Co-author (with Kulisch and Buntz) and Presenter; "Resolving Sexual Harassment Problems without Litigation" - *Western Decision Sciences Institute*, Twenty-third Annual Meeting, March 29-April 1, 1994.

Co-Author (with Kulisch) of Paper Presented; "How to Avoid Liability for Sexual Harassment" - *The American Management Foundation and Association on Employment Practices and Principles* (Women in Management Section), Annual Conference, October 1993.

Author and Presenter; "Sexual Harassment Laws: Have We Gone Too Far?" - *Academy of Legal Studies in Business*, Annual Conference, August 19, 1993.

Co-Author (with Kulisch) of Paper Presented; "Employers Can Increase Their Protection Against Sexual Harassment Lawsuits" - *The Association of Management*, Eleventh National Conference, August 1993.

PRESENTATIONS – Practitioner

Moderator – "Implicit Bias Training: Does it Help Combat "Racism" or is it Racist?" –*ABA Civil Rights and Social Justice Section Webinar*, December 16 2020.

Presenter – "Navigating the New Harassment & #MeToo CA Laws Landscape" –*CA HR Conference*, August 26, 2019.

Panelist – "The Lawyer's Role in Assuring Every Child's Right to a Quality Education" – *ABA Annual Meeting*, New York City, New York, August 12, 2017.

Panelist – "Workplace Investigations: The Critical Elements You Should Know" – *ABA Webinar*, June 21, 2017.

Presenter – "Bias in the Legal Profession" – *California State Bar Solo and Small Firm Section*, via webinar, September 7, 2016.

Presenter – “More Than Fifty Shades of Grey: Understanding and Preventing Sexual Harassment in the Workplace” – *MENSA National Annual Gathering*, San Diego, July, 2016.

Presenter – “Bias in the Legal Profession” – *LACBA ICDA MCLE Seminar*, November 14, 2015.

Presenter – “More Than Fifty Shades of Grey: Understanding and Preventing Sexual Harassment in the Workplace” – *Greater Los Angeles Area MENSA Regional Gathering*, February, 2015.

Panelist – “From Kindergarten to the NFL: Combating Bullying Without Violating Rights” – *American Bar Association Annual Meeting*, Boston, MA, August 10, 2014.

Speaker - "Update on Laws Affecting Workplace Investigations" - *Professionals in Human Resources Management Legal Update Series*, Southern California venues, January, 2014.

Speaker - "Are Your Workplace Investigations Legally Adequate?" - *Professionals in Human Resources Management Annual Conference*, Anaheim, CA, August, 2013.

Speaker – “Examining When the Duty to Investigate Arises & Critical Timing Issues in Investigations,” – *Association of Workplace Investigators Annual Conference*, Oakland, CA, November 2, 2012.

Speaker – Webinar: “Eliminating Bias from the Legal Profession” – *California State Bar Association*, April 18, 2012; *American Bar Association*, November 8, 2012; on-going at www.NACLE.com.

Speaker – Panel Entitled: “The Right to Quality Education in America: What is it? What Should it Look Like?” – *ABA Annual Meeting*, Chicago, IL, July 31, 2009.

Moderator – Panel Entitled: “Student Rights: Free Speech and Beyond” – *ABA Mid-year Meeting*, Boston, MA, February 13, 2009.

Moderator - Panel Entitled: "From Adversity to Advancement: Overcoming Obstacles to Achieve Success in the legal Profession" - *ABA Mid-year Meeting*, Los Angeles, CA, February, 2008.

Speaker – “Handling Domestic Violence in the Workplace” – *PHIRA District 7 Meeting*, February, 2008.

Speaker – “Handling Domestic Violence in the Workplace” – *PIHRA Annual Conference*, Fall, 2007.

Key Note Speaker – “Legislative Affairs Committee Update: After the Storm” – *2006 PIHRA Mid-year Legal Seminar*, Universal City and Garden Grove, June 7 and 8, 2006.

Presenter - "New Standards for Retaliation Cases: A Detailed Discussion of the Cal. Supreme Court Decision: *Yanowitz v. L'Oreal*" - *19th Annual PIHRA Legal Update*, Ontario, Burbank, and Garden Grove, January 2006.

Co-panelist - "Employment Law Update" - Conflict in the Workplace, *Straus Institute for Dispute Resolution, Pepperdine School of Law*, September 19, 1998.

Presenter – "Sexual Harassment within Professional Organizations" - *Delta Sigma Pi Regional Conference, U.C. Davis*, October 19, 1996, and *San Bernadino*, November 9, 1996.

Presenter – "Sexual Harassment within Student Organizations" - *Delta Sigma Pi, U.C. Davis*, February 26, 1996.

Presenter – "Employer/Employee Relations & Employment Law Update" - *California Ground Water Association Annual Seminar*, February 9, 1996.

Presenter – "Investigating Employee Complaints" - *Northern California Human Resources Council Annual Conference*, September 22, 1995.

Panel Participant - *American Bar Association Annual Meeting*, Alternative Dispute Resolution Section, Education Committee, August 6, 1994.

Co-author (with Kulisch) and Presenter; "How to Avoid Liability for Sexual Harassment in Schools" - *Association of California School Administrators*, Region VII, Spring Conference, April 30, 1994.

Co-Author (with Kulisch) and Presenter; "Practical Responses to Sexual Harassment in Schools" - *Association of California School Administrators*, Region VII, Fall Conference, October 28, 1993.

Presenter; "Sexual Harassment Prevention" - *California Association of Affirmative Action Officers Annual Conference*, May, 1993.

Co-Presenter; "Sexual Harassment and the Reasonable Woman" - *California Association of Affirmative Action Officers Seminar*, March, 1993.

Co-author (with Alvarez) of paper presented; "Violence in the Workplace: Legal Considerations Predicting, Preventing and Dealing with the Consequences" - paper presented by former EEOC Commissioner, Fred W. Alvarez at the *American Bar Association Annual Meeting*, August, 1992.

Panel Participant; "Legislative Update Session" - *Northern California Human Resources Council* - July 1992.

TEXT BOOK REVIEWS

Levy & Paludi, *Sexual Harassment*, Prentice Hall - 1995.

Rasnic, *Labor and Employment Law*, West - 1996.

Awards:

- * Marquis, Who's Who in America 2021 (accepted 2020)
- * President's Volunteer Lifetime Achievement Award 2017
- * Committee Excellence Award – For exemplary leadership as Chair of the Public Education Committee of the American Bar Association Section of Individual Rights and Responsibilities - 2009
- * Life Fellow of the American Bar Foundation 2002-Present
- * Marquis, Who's Who in American Law, 1994-2000
- * Marquis, Who's Who in American Education, 1995-1996
- * Who's Who Among Rising Young Americans, 1991/93
- * Who's Who Among American Law Students, 1990
- * Who's Who Among American College and University Students, 1986/87

Honor Societies:

- * Dean's Honor Roll, 1983-90. * Order of the Coif, 1990.
- * Traynor Society, 1989-90. * Beta Gamma Sigma, 1986.
- * Phi Kappa Phi, 1986/87. * Mortar Board, 1986/87.
- * Alpha Lambda Delta, 1984.

Community Involvement and Associations:

- * State Bar of California – Member, 1990 - Present.
- * California Lawyers Association (CLA) Delegate to the American Bar Association (ABA) House of Delegates 2019-Present; Vice Chair of the CLA Delegation 2020-Present.
- * American Bar Assoc. – Chair-Elect, Civil Rights and Social Justice (CRSJ) Section 2020-Present and Council Member 2015- Present; Co-chair, Education Committee, CRSJ Section, 2007-2009 and 2015-2019 and Vice-Chair, Education Committee 2009-2015 Presidential Appointment to Commission on a Lawyer's Role in Assuring Every Child's Right to a Quality Education 2016-2017; Presidential Appointment to Commission on Youth at Risk 2013- 2016; Past Chair, Employment Law and Litigation Committee, Tort, Trial and Insurance Practice Section (TIPS) 2014-2015; Member of the Board of Directors of the American Bar Foundation, 1999- 2005; Member of the Executive Board for 2004-2005 as Secretary; Vice Chair of the Finance Committee 2001-2004; YLD Liaison to the American Bar Foundation 1999-2005.
- * Vice Chair for Legal Advocacy, Palos Verdes Peninsula Chamber of Commerce Board of Directors, 2020-Present
- * Board Member, Toberman Neighborhood Center, 501 C3 non-profit 2020-Present.
- * Vice President – Board of Directors, the Muskwa Club, Inc. 501c3 non-profit. 2019-Present and President 2014-2019.
- * Western Regional Chair, Fellows of the American Bar Foundation, 2004-2007.
- * California State Co-Chair of the Fellows of the American Bar Foundation, 2003-2004.
- * AEFPC Pension Committee Member (representative of the American Bar Foundation employees to their pension program), 2001-2004.

- * Los Angeles County Bar Association – Member 1998-2018.
- * Real Estate Broker, CA licensed and member of NAR 2004-Present.
- * Palos Verdes Assembly Patroness, 2011 – 2015.
- * Professionals in Human Resources Association (“PIHRA”)(Los Angeles Chapter of SHRM) - Member 1997-Present – member of Legislative Affairs Committee; PIHRA Dist. 7 Board of Directors 2007-2009.
- * EEOC Employer Advisory Council, Los Angeles District Office - Member 1998-2000.
- * Editor - *Employment and Labor Law Quarterly* (Published by the Academy of Legal Studies in Business, Employment Law Section), 1995-97.
- * Editor - *HR Bulletin* (Published by the Northern California Human Resources Council), 1996.
- * Northern California Human Resources Council Board of Directors (“NCHRC”)(1993-1995)- (Vice President for External Affairs 1994/95) Member of Northern California Human Resources Council (San Francisco Bay Area Chapter of Society for Human Resources Management (“SHRM”)): 1990- 1999.
- * Volunteer Mediator - San Joaquin County Community Mediation Center - 1993-1996.
- * Palos Verdes Peninsula High School PTSA Co-4th VP, 2012-2014.
- * Palos Verdes Intermediate School PTSA Co-2nd VP, 2009-2011.
- * Pt. Vicente Elementary School PTA President '07-'08, Executive Vice President '06-'07, Leg. Rep/PEF Rep. '05-'06, Co-6th Vice President, 2003-2004.
- * PVP Council of PTAs Co-5th VP 2008-2010.