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Employer’s Right To Seek Workplace-Violence Restraining Order Cannot Be Waived By Private Release

California Employment Law on **September 22, 2026**

Adelanto Elementary Sch. Dist. v. Krause, 121 Cal. App. 5th 699 (2026)

A school district obtained a workplace-violence restraining order (WVRO) on behalf of three female employees against a former superintendent (Michael Krause) who had become an elected member of the district’s governing board of trustees. Krause argued that a separation agreement releasing existing claims against him barred the proceeding. The Court of Appeal held that an employer’s statutory right to seek a WVRO on behalf of employees protects a public interest and therefore is unwaivable under Cal. Civ. Code § 3513 and is not waived by a private release. Substantial evidence of a future threat of harassment supported the order. The Court of Appeal nevertheless modified the order by removing a provision that barred Krause from commenting on the restraining order at public board meetings, which impermissibly restricted his First Amendment rights, and by reducing the order’s duration from four years to the statutory maximum of three.

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