

Business News

Part Timers, Temps, and Interns: How to Avoid the Legal Risks of Less-Than-Full-Time Employees



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It's no secret that many employers around the country have survived the recent recession by turning to contingent workers - temps, part-time employees, and paid or unpaid interns. They can lower your compensation and benefits costs substantially, and they give you much greater flexibility to expand or rein in your workforce as the economy demands.

However it can unleash several problems for employers. Managing workers who aren't full time or permanent can bring lots of headaches and unintended consequences - everything from wage and hour claims to disputes over benefits, discrimination complaints, and even the rest periods they're entitled to take. Some areas of concerns and questions you should ask yourself are: What are the employment law basics for hiring, managing, paying, and terminating workers who aren't full time and permanent?, What are the best practices for establishing the proper legal relationships with these workers when you bring them on board?, How do you comply effectively with federal discrimination and immigration rules with these types of employees?, Whether these workers qualify for family and medical leave, meal periods and rest breaks, and other workplace protections, What are the legal pitfalls you must recognize and avoid when making compensation and benefits decisions regarding part timers, interns, and temps?

How to deal with special issues that arise with these employees - from the 2010 Department Of Labor rules governing unpaid interns to "joint employment" liability that could put you on the hook for temps' back wages and benefits. As you can see there is several risks and liabilities as it relates to these classifications of employees.

For more assistance, contact Poindexter Consulting Group, Inc.



Meet Betty Jean Aldrigde!

CHIDAR. WARREN-DARBY
Managing Editor



"I simply treat my clients the way I'd want to be treated." This is the mindset that allows Massage Therapist/Herbal Nutritionist, Betty Jean Aldrigde, to keep her clients coming back for more. Recently, I had the pleasure of visiting her home-based business to check her services out for myself. The ageless beauty who is a petite blonde, packs a punch when it comes to rubbing those kinks and knots away.

For over 17 years, Aldrigde has been providing San Diegans

with great massage therapy services, and often you can hear her saying, "I love what I do." Some people might think massages are just something to get when your back or other body parts are aching, but there are so many more benefits to the service.

On Betty Jean's website (www.bettyjeanmassage.com), she shares some of the great advantages your body will receive. A massage: relaxes the whole body, relieves tired and aching muscles, increases flexibility and range of motion, diminishes chronic pain, calms the nervous system, lowers blood pressure, lowers heart rate, enhances skin tone, assists in recovery from injuries and illness, strengthens the immune system, reduces tension headaches, reduces mental stress, improves concentration, promotes restful sleep, and aids in mental relaxation.

After hours of being on the phone and typing at a computer, my joints were definitely in need of some relief. After Betty Jean and I got acquainted, she greeted my toes with a warm tub of water, in which my feet danced over massage rollers to prepare them for the "big event", the table massage. She also soothed

my hands with a relaxing paraffin wax treatment. Naturally after these two treatments, I was content, but there was still more to come.

As we engaged in friendly "sistah-girl" conversation, I was escorted to a nice tranquil room definitely designed for relaxation of the mind. Decorative mobiles hung from the ceiling, as peaceful jungle type decor garlanded the walls. Soothing candles were displayed throughout the room accompanied by calming tunes.

During the session, "BJ" (as she is affectionately called) joked about how her mother was her worst client, saying "My mother always teased me because of my strong hands," often questioning how she kept her clients coming back because of her strength! "During sessions, I always ask clients if they're okay, and if I'm massaging too hard."

For first timers a little pressure is sometimes needed because of the calcium build-up one might have accumulated in muscle tissue that needs to be broken down. But rest assure, after a few moments of getting those knots out, BJ makes it bet-
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San Diego at Work

By Sarah Thompson, Administrative Coordinator, San Diego Workforce Partnership



VANCE ANDERSON - Staffing Project Manager, Qualcomm

Vance Anderson is now in his third year of mentoring students at one of the region's largest employers. As Qualcomm's coordinator for the Hire-A-Youth (HAY) program, Vance is motivated by demonstrating potential career paths to young people. He especially believes in providing direction through education.

Since 2009, Qualcomm has participated in the countywide HAY program, funded by the San Diego Workforce Partnership. HAY provides work experience for low-income San Diego residents between the ages of 16-24. Last summer, Qualcomm hosted 21 students with summer internships in a variety of departments and positions. Students, with little to no experience in a workplace environment, were assigned mentors who could teach skills relevant to their respective departments. Students worked in various positions, such as "Business Process Analyst Assistant" and "Test Technician Assistant" and "Employee Communications Assistant." Their mentors hold titles like "Director of Engineering" and "Director of Hospitality Services" and "Manager of Technical Training."

Vance structures the unique experience to include Workforce Development Labs (WDL), which were created during the

economic downturn as an opportunity to give back to the community by providing work readiness training. The labs provide HAY students with essential workforce development classes, such as interview preparation, resume writing techniques, networking tips, job search strategies and, most importantly, career exploration opportunities.

At the start of the second summer, Vance noticed a positive change in the managers, in that they showed a greater commitment to serve as mentors. "Students are wowed by their total experience and do not want to leave the program. Along with the student reaction, 100% of participating managers agree that the benefits and impact on the students far outweighed the costs for bringing in youth for summer employment."

The long-term impact is important to realize, as students are transformed by their HAY experience, and Qualcomm mentors are reenergized in their own work. "Hire-A-Youth changes individuals, builds self-confidence, sets values, and allows them to get to know individuals in a professional work environment. They need one person, one mentor, to give them an opportunity to succeed."

At the conclusion of the six-week program, students begin to view their future through a different lens. As Vance describes, "It is not the end of an internship, but the beginning of their future."

In order to continue the success and momentum of the HAY program, Vance has participated in the Regional Coalition on Youth Employment, working to increase the involvement of local businesses and organizations to employ more young people during the summer of 2011.

Vance, who graduated from Temple University with a degree in political science, comments, "Our future depends on our youth, and at the end of the day, I go home, knowing that I made a change, I made a difference."



HIRE-A-YOUTH

Nat'l Black Chamber of Commerce Challenges Wall Street

By Lauren Delisa Coleman

On the heels of the documentary "Inside Job" winning an Oscar for its depth of analysis involving Wall Street fraud and misappropriations behind the recent financial crisis, come yet additional material for perhaps a sequel. The National Black Chamber of Commerce (NBCC) recently released an infographic that reveals details concerning a web of influence reportedly spun by Wall Street hedge fund managers to press for passage of Department of Education regulations that, if accepted, would hurt the lucrative for-profit education sector. Of particular concern, NBCC expects the controversial new policies advocated by the short-sellers to have drastic consequences on minority students.

The infographic depicts the various tactics short-sellers have used to reportedly attack for-profit colleges with the goal of passing "Gainful Employment" regulations. NBCC claims the regulation threatens access to education for African-American and other minority students by cutting federal aid for career colleges, thus cutting access for



thousands of minority students who depend on federal aid to attend these schools. NBCC has staunchly opposed the "Gainful Employment" rule since it was proposed. The organization claims that short-sellers have used such tactics as meeting directly with Education Department officials, slamming for-profits during a Congressional hearing and hiring a private investigator to dredge up stories that the schools recruit from homeless shelters.

"With unemployment rates hovering around 16% for African-Americans, the Department

of Education should be doing everything possible to get our kids in schools and off the streets - not work with short-sellers to short-change our students," said Harry Alford, president and CEO of NBCC. "We need to ensure that students have educational options to get the skills they need to be successful in the labor market. It is an outrage that the department is allowing such corruption to happen at the expense of minority students, while short-sellers profit off of their predicament."

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Carla Peterman New Member of CA Energy Commission

News Release

Carla Peterman, 32, of Oakland, has been appointed to the California Energy Commission. She is a Ph.D. candidate at the University of California, Berkeley and currently serves on the board of directors for the Utility Reform Network. Peterman has conducted extensive research on solar photovoltaic markets and climate change, including co-authoring a series of Lawrence Berkeley National Laboratory publications on cost and deployment trends in the U.S. solar photovoltaic market. She has conducted research at the University of California Energy Institute at Haas since 2006 and



the Lawrence Berkeley National Laboratory from 2008 to 2010. She was a business analyst with Isles from 2004 to 2005 and was an associate focused on energy financing in the investment

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Calif. Sen. Majority Leader Ellen Corbett Introduces Debt Settlement Bill

News Release

Oakland, Calif.--Californians struggling to overcome heavy debt will have greater protections and greater success if a bill by State Sen. Majority Leader Ellen Corbett (D-San Leandro) becomes law.

Debt settlement companies advertise prominently on radio and television that they will reduce debts for pennies on the dollar, aiming to attract consumers dealing with overwhelming debt loads. Yet they typically collect large sums of their clients' money up-front, have a track record of settling very little debt, and often leave clients worse off than they were before.

"Many Californians are struggling right now with trying to make ends meet in this difficult economy," said Sen. Corbett, who is authoring the Debt Settlement Consumer Protection Act (SB 708) with support from the Center for Responsible Lending and Consumers Union. "They should not be further victimized by those in the debt settlement business who are seeking to make a profit by exploiting their desperation."

SB 708 will expand the reach of the Federal Trade Commission's 2010 telemarketing rule. While that rule was limited to a subset of providers, SB 708 will apply to all debt settlement operations in California, and also

put in place common-sense rules that will help prevent companies from taking advantage of consumers burdened with debt.

"Under this bill, debt settlement companies won't get paid if they don't deliver on their promises," said Gail Hillebrand, senior attorney at Consumers Union. "And if they do deliver, then what they get paid is tied to what they save: if there are no savings to consumer, then the company collects no fee."

The Debt Settlement Consumer Protection Act would provide Californians with protections from prevalent and dangerous practices in the debt settlement industry by implementing the
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