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EMPLOYERS

If You Play the Game, You Better Know the Rules

Law firm, LightGabler, offers free seminars to instruct and protect local business from costly and unnecessary litigation

By Mark A. Diaz

"I'll sue!" A sentence that strikes fear into business owners, and justifiably so. LightGabler, a business law firm, offers free seminars to the business community that assists in helping owners navigate the California legislative minefield.

The firm's latest seminar laid out a map on dealing with employees on matters of hiring and termination and everything in between. Two employment and labor law attorneys representing the firm, Susan Waag and Jonathan Light, offered an hour and a half tag team presentation about the many pitfalls that business can easily avoid if they know the rules of engagement.

“Our seminars are open to anyone,” said Waag. “We don’t charge for them because we know that most of the litigation that we see is preventable. Easily preventable.”

Waag said that the presentations are born from a desire to serve the community. Only briefly did the Light mention services the firm provides but focused on the essentials of a productive workplace for both owners and employees.

“Employees benefit too when their employers are doing the right things,” said Waag, “so it’s not an adversarial thing, which is one of the things I love about problem prevention. If we are avoiding problems and doing things the right way, employees are going to be happy too.”

> *“You don’t want to lose your best employees,” said Waag. “You don’t want to have friction in the workplace. You don’t want to have unreasonable and unnecessary expenses that might be avoidable because there are better ways of doing things.”*

Companies thrive through their people, and both low morale and high turnover rates can destroy a bottom line. In today's hiring market where quality employees are in high demand, a company needs to protect their investment in people from being sniped by another company.

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Businesses need to ensure that their supervisors are leaders and not merely the most experienced at the job. Communication between human resources and the company leadership is essential both for documenting incidents and ensuring toes are not being stepped on in what some would call a hyper-sensitive society.

Supervisors also need to have a collective agreement on such things as performance appraisals. For instance, one supervisor may use the "satisfactory performance" as a rebuke, where another might mean it as "good enough, let's try to do better."

Waag said that companies need to ensure their supervisors are aware of California employment laws to protect not only the company from litigation but also the supervisor themselves. California statues dictate that there is precedence where a wrongful action by a supervisor/manager can result in the company *and* the supervisor being sued. For example, asking an employee to work off the clock when overtime is justified, the plaintiff can name both the employer and the manager as defendants. The speakers stressed that it is not only the human resources department that needs to stay abreast of legislative changes. If businesses do not train

supervisors and managers in a number of areas, then they are going to be creating problems for the employer and sometimes even for themselves.

The size of a business does not protect it from being fined/sued nor is ignorance of the law; however small companies may not have the financial resources to hire a full-time HR employee. Waag suggested that owners can consider employing a law firm to guide them in preventing issues rather than merely for damage control. She said it is not uncommon that requesting occasional legal/HR advice from her firm ends up being more cost effective than staffing a full-time human resources specialist.

LightGabler will hold a seminar addressing the new and changing California business laws for 2019. The event is scheduled for Thursday, November 15 at the Madonna Inn located at 100 Madonna Rd, San Luis Obispo from 7:30 to 9 a.m. with breakfast and networking beginning at 7 a.m.

ABOUT SUSAN WAAG

Susan Waag is a seasoned employment law attorney who has been based in San Luis Obispo since 1992. She works exclusively with businesses and nonprofits to prevent and resolve personnel issues.

Susan is in high demand as a speaker and trainer with business, legal and civic groups.

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