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Drafting a Social Media Policy for Your Employees



Mark Figueiredo, Esq.

Instituting a company-wide social media policy is a way to protect your brand and image online. Disgruntled employees may post negative statements online, bringing harm to your reputation. A well-written social media policy places reasonable restrictions on your employees' use of the Internet. Here are a few tips to take into consideration when drafting a social media policy.

Do Your Research — Make sure the content is current with industry standards. You do not want to institute a policy so unforgiving that you drive potential talent away from your business.

Be Specific — In addition to being ethical and maintaining a positive presence online, you should also consider adding specific limitations on employees' use of social media. For example, consider having employees identify themselves as such when discussing the company online and requiring them to disclose that their opinions do not necessarily reflect the views of your business.

Monitor Social Media — It is important to consider how you plan to monitor your employees' use of social media. If you prohibit this activity at work, you lose your ability to monitor what your employees are doing online, so consider this before placing an outright ban during work hours.

Define "Appropriate" — Your employees need to know what is acceptable to say online and what is not. Make sure you set clear boundaries on what business and trade information is private and for internal-use only, and what information is acceptable for online discussion or even marketing purposes.

Equality — Do not create separate social media policies for different job titles; A good policy covers every employee in the company.

An employee's activity and presence on social media may violate other company-wide policies. When instituting a new social media policy, take the opportunity to evaluate and edit your company's other policies, such as those relating to confidentiality and harassment. Contact our office for assistance in reviewing, revising or drafting your social media policy.



Success Story

When one of the founders of a company represented by SLG had a falling out with his co-founders, the company's future was in peril. SLG identified that the root cause of the disagreement were disputes about the direction of the company. SLG was then able to craft a win-win solution whereby the departing founder gave up his ownership interest, thereby having no further say in the direction of the company, but retaining the equivalent of an economic interest in the success of the company. As a result, everyone was incentivized to see the company succeed and those who remained with the company were fully in agreement with the company's growth plans.

Steps To Avoid Workplace Discrimination in Your Business



Jaclyn Ford, Esq.

Unfortunately, many businesses find themselves involved in a discrimination claim at one point or another. Fortunately, there are steps you can take to avoid unlawful discrimination in your work environment. Here are some things to keep in mind:

- An experienced employment attorney can advise you on how best to develop and implement strict, zero-tolerance, anti-discrimination policies that are easy for all employees to understand and follow. Make sure you regularly review and adapt your policies to any changes in the law. Make sure to post information regarding your policies in a conspicuous place in the workplace and distribute information regarding your policies in the employee handbook or manual.
- Make certain that all employees, especially managers, understand how to comply with all relevant anti-discrimination policies and laws by requiring them to

attend training sessions on workplace discrimination. Have them acknowledge in writing that they fully understand the training materials.

- Creating diversity among management, staff, and work groups often helps to encourage acceptance and equality instead of prejudice or discriminatory attitudes. This can also work to avoid any allegations of discriminatory hiring or promotion practices.
- Have clear channels that employees may follow in order to feel safe in reporting discrimination in the workplace and so that they feel reassured they will not experience any unlawful retaliation as a result. Additionally, have clear disciplinary actions set out for discriminatory behavior and stick to those policies.



Hidden Treasure Vacation Destinations

Are you thinking about taking a vacation in 2015 but cannot decide where to go? Consider these destinations.

- | | |
|------------------------------|-------------------------|
| 1. Corsica, France | 13. National Mall, D.C. |
| 2. Medellin, Colombia | 14. Milan, Italy |
| 3. Koyasan, Japan | 15. Mons, Belgium |
| 4. Maramures, Romania | 16. Bahamian River |
| 5. Tunis, Tunisia | 17. Abu Dhabi, U.A.E. |
| 6. Choquequirao, Peru | 18. Salta, Argentina |
| 7. Sark, Channel Islands | 19. Sopot, Poland |
| 8. Hyderabad, India | 20. Lucca, Italy |
| 9. Port Antonio, Jamaica | |
| 10. Faroe Islands, Denmark | |
| 11. Zermatt, Switzerland | |
| 12. Mont St. Michael, France | |



Sick Day Excuses in 2014

Some of the most memorable excuses reported this past year:

- ◆ Employee caught their uniform on fire by putting it in the microwave to dry.
- ◆ Employee's plastic surgery for enhancement purposes needed some "tweaking" to get it just right.
- ◆ Employee got stuck in the blood pressure machine at the grocery store and couldn't get out.
- ◆ Employee was sitting in the bathroom and her feet and legs fell asleep. When she stood up, she fell and broke her ankle.
- ◆ Employee had been at the casino all weekend and still had money left to play with on Monday morning.
- ◆ Employee woke up in a good mood and didn't want to ruin it.
- ◆ Employee had a "lucky night" and didn't know where he was.
- ◆ Employee had a gall stone they wanted to heal holistically.
- ◆ Employee accidentally got on a plane.
- ◆ Employee just put a casserole in the oven.

Attorney Stephen Beals Joins Structure Law Group



Stephen Beals, Esq.

Structure Law Group, LLP is pleased to announce that respected attorney Stephen Beals has joined the firm. Prior to joining Structure Law Group, Stephen ran his own practice, Stephen Beals PLC, for many years, serving as outside general counsel to several corporate clients and handling both litigation and transactional matters.

Stephen has successfully litigated cases in both state and federal court, including adversary proceedings in bankruptcy. He has also successfully represented clients in various administrative proceedings, including those before the California Coastal Commission, the Department of Real Estate, the Medical Board of California and the State Board of Nursing. Stephen also assists clients in various transactional matters, such as business formations, dissolution, mergers, acquisitions, funding, contracts, corporate governance, and

general legal compliance. He also has extensive experience in real estate law including acquisition, complex leases, and purchase and sale of commercial real estate. Stephen earned his JD from Santa Clara University School of Law in 2002. He has held various teaching positions, several of which were as adjunct faculty at Monterey College of Law. Prior to his legal career and beginning in 1987, Stephen served in the public safety sector, including positions as a Police Officer, Firefighter Paramedic, and Operations Supervisor. His career took him across the West, from Los Angeles to rural Nevada and several stops along the way. Stephen's public safety experience lends him a unique ability to rapidly assess situations under pressure and identify sound solutions. He has become well known for bringing a calm to any storm.

Stephen's hobbies include fly fishing, motorcycles, mixed martial arts, paddle boarding and obstacle racing.



SLG's 10 Year Anniversary!

Structure Law Group, LLP just marked its 10-year anniversary. "We've accomplished a great deal in just ten years, and we are thankful to all those who have made our practice so successful," said Mark Figueiredo. He added, "the firm has remained true to its roots in representing businesses and real estate owners while expanding the depth of services to meet the needs of our clients as they grow and prosper." Thank you to all of our loyal clients, employees, and colleagues. We look forward to the next ten years!

Employment Corner

Employers often ask us when they need to pay overtime wages. Whether or not an employee is classified as "salary" or "hourly" is not determinative, rather, it must be established that the employee is either "exempt" or "nonexempt." "Nonexempt" employees are entitled to overtime at one and a half times their regular rate of pay for all time worked in excess of 8 hours in a workday (up to 12 total hours in one day), all time worked in excess of 40 hours in a workweek, and the first 8 hours of work performed on a seventh (or more) consecutive workday. Double the employee's regular rate of pay is required for all time worked in excess of 12 hours in a workday and all time worked in excess of 8 hours on a seventh (or more) consecutive day. There are exceptions to these rules in certain circumstances and for certain industries. Employers can be assessed substantial penalties if they do not pay employees correctly. Please contact us for the overtime rules applicable to your business.



**STRUCTURE
LAW GROUP, LLP**



**STRUCTURE
LAW GROUP, LLP**

1754 Technology Drive
Suite 135
San Jose, California 95110

Phone: 408-441-7500
Fax: 408-441-7501
E-mail: slgadmin@structurelaw.com
Website: www.structurelaw.com
Blog: www.sanjosebusinesslawyersblog.com

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Dates To Remember

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|-------------|-------------------------|
| February 14 | Valentine's Day |
| February 16 | President's Day |
| March 8 | Daylight Savings Begins |
| March 17 | Saint Patrick's Day |
| April 5 | Easter Sunday |
| April 15 | Tax Day |
| May 5 | Cinco de Mayo |
| May 10 | Mother's Day |

Did You Know?

- Dolphins sleep with one eye open.
- Studies show that holding money in your hand actually reduces stress and pain.
- The words "silent" and "listen" use the exact same letters.
- A Rubik's cube can always be solved in fewer than 20 moves.



Summer Ludwick, Esq.



Jaclyn Ford, Esq.

SLG Attorneys



Mark Figueiredo, Esq.



Rebecca McCracken, Esq.



Stephen Beals, Esq.

Check out our blog!
www.sanjosebusinesslawyersblog.com.

We appreciate your referrals!