

## Law Office of Karen J. Sloat, APC ("LOOKS")

*Caring For Clients While Pursuing Justice*

## LOOKS news



## Karen Cares...

"Hot fun in the summertime!" Hot days and warm nights will be here for a while, but no weather stops the legislators from legislating or the agencies from regulating new areas. We're here for you, rain or shine, to triage legal issues and situations, educate about the latest rules, help you avoid litigation and protect your future. Unlike the "olden days" in the Coachella Valley, our growing population doesn't shut down for this season. Let's keep up our energy for good labor practices all year long!

~ Karen J. Sloat



## COVID19 Employer Requirements

If there is a COVID-19 case in the workplace, a California employer must still investigate and respond to the case. First, the employer must determine when the COVID-19 case (infected person) was last in the workplace and which employees may have been exposed through close contact. Next, the employer must provide written notification of any potential exposures within *one business day* to all employees and independent contractors who were at the worksite at the same time as the COVID-19 case, during the infectious period. Then, the employer must make COVID-19 testing available to potentially exposed employees with close contact at no cost and during working hours. The employer must then exclude COVID-19 cases from the workplace until they are no longer an infection risk and implement effective policies to prevent transmission after close contact. Lastly, the employer must investigate the exposure to determine whether the workplace conditions could have contributed to the risk of exposure and what corrections would reduce exposure. As the employer, you must contact the local health department no longer than 48 hours after you become aware of three or more COVID-19 cases for guidance on preventing the further spread of COVID-19 within the workplace.

Law Office of Karen J. Sloat, APC  
Serving Statewide

**Employers: It's time to update your handbook, or get a new handbook that complies with 2023 laws. We offer tailored handbooks for your business, in your industry, with your policies. This year we have a new, clarified Leave of Absence Manual for quick reference by employees and employers. Ask for our Handbook Package details today!**

Congratulations to our newest team member, Monique Ragheb, who was just admitted and sworn in as a California attorney last month.

## AI Revolutionizing the Legal Field?

Artificial Intelligence (AI) has permeated various industries and transformed the way businesses operate by improving efficiency and productivity. Among the emerging technologies, ChatGPT is revolutionizing the legal field by enhancing research, drafting legal documents, and providing virtual legal assistance. But is it reliable? Will it replace attorneys?

Lawyers and legal professionals with extensive education and experience spend countless hours sifting through vast amounts of legal texts, precedents, and case law to gather relevant information for clients. AI purports to expedite that process by providing quick access to a comprehensive database of legal knowledge, to enable lawyers to retrieve relevant information efficiently by typing in complex legal questions and receiving prompt responses. While this may save valuable time and resources, how would a client be able to rely on the assumptions of AI?

Research requires comprehensive knowledge and a grasp of tangential issues. Without human analysis of the client's background and specific needs, a critical issue could be missed or misinterpreted. Likewise, drafting legal documents requires precision, attention to detail, and extensive legal knowledge about intricate twists in the law and language interpretation by courts. Although AI can suggest standard clauses and streamline document creation, legal professionals are necessary to generate, refine and customize a draft for the client's needs.

Lastly, AI has for years acted as a virtual assistant, providing legal guidance and information to clients, explaining legal concepts in plain language, and guiding individuals through legal procedures. However, to date, AI is not a substitute for personalized legal advice from a caring, perceptive, and qualified attorney. *Our firm will continue to provide that unique, human, reliable and irreplaceable advice you need.*

## WHAT WE LIKE TO DO ON SUMMER VACATION!

Michelle Wolfe in Wadi Rum, Jordan



Raelynn Vielmas in Maui, HI



Brittany Gordillo in Mexico City



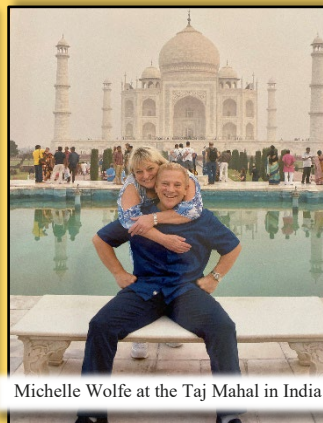
Brittany Gordillo in Mexico City



Bety Mercado in Querétaro, MX



Michelle Wolfe at the Taj Mahal in India



Karen Sloat in Geirangerfjord, Norway



Monique Ragheb at the Pyramids of Giza in Egypt



Raelynn Vielmas in Maui, HI



Madeline Zamora at an Angels Baseball game



Madeline Zamora in Del Mar, SD



Cassia Hall in Cabo San Lucas, MX



Bety Mercado in Querétaro, MX



Karen Sloat in Alaska



## How to Keep Work Time Accurately Without a Metronome!

California law requires employers to record and maintain accurate time records of employee hours worked. If employees are not properly recording their time, the employer needs to enforce a policy to have employees accurately record their time, even if compliance requires disciplinary action. In addition, employers need to audit time records to ensure employees follow proper procedures.

Here are reminders of best practices for timekeeping:

*Ensure time records are correct.* On a schedule, review your electronic or paper timekeeping systems. If you rely on employees to record their time manually or in a spreadsheet, audit those regularly to ensure accurate time recording of all work. For example, prevent employees from manually recording the same start and stop time every day without any variations. We are all human and work a few minutes before or after those scheduled shifts, so encourage exact in/out records.

*Record all Required Information.* Employers need to ensure that their timekeeping system is recording the required information.

For example, while employers are not required to record 10-minute rest breaks, employers are required to record employee meal periods under the IWC Wage Orders (see section 7 – Records). Recording exact meal periods may provide a complete defense to lawsuits over meal period violations.

*Preserving employees' records.* Employers need to have a good system for storing, indexing, and retrieving records related to the employee's time records, such as any work time adjustments, time off requests, employee-signed meal waivers and signed acknowledgments of timekeeping policies. Documenting time worked is critical, but tracking and retrieving documents for specific employees in your workforce over a period of time is just as important. Employers need to put just as much thought into this aspect as they do in training managers and supervisors to document issues in the first place.

*Store records as required.* Many lawsuits can reach back four years into wage and hour violations, and time records are the key evidence in most cases. Moreover, employers must retain personnel and payroll records for four years, and record retention is critical to the employer's defense. We offer many tools to help employers comply and defend timekeeping claims. *Contact us today for help with wage and hour policies.*

## What Businesses Need to Know About Employing Minors this Summer

A summer job is a right of passage for many teenagers. It can be an excellent way for young people to build a work ethic, gain new skills, and make money. With summer here, many businesses and organizations may consider hiring teenagers as part-time staff. These employers must comply with state and federal child labor regulations.

### **Virtually All Minors in California Need a State Permit to Work.**

As the California Department of Industrial Relations (DIR) explains on its website, virtually all minors seeking employment must obtain a state-issued Permit to Employ and Work, and the employer must keep it available for inspection. The permit application process requires collaboration of the minor, their parent or guardian, and the prospective employer. An employer should complete and submit the following forms:

- Statement of Intent to Employ a Minor; and
- Request for a Work Permit (as well as a Certificate of Age under federal law)

### **California has Work Limits in Place Based on a Minor's Age.**

The work hours for minors in California vary based on their age and whether school is in session. A minor who has not completed 7th grade generally cannot work in California. Here is an overview:

- **16 and 17-year-olds:** They can work four (4) hours on school days and eight (8) hours on non-school days. Overnight work is not permitted. Work should be between 5:00 AM and 10:00 PM on most days. A 16 or 17-year-old can work a full-time (40-hour) schedule in the summer.
- **14 and 15-year-olds:** They can work three (3) hours on school days and eight (8) hours on non-school days. Minors in this age group are limited to working 18 hours per week. They are limited to working between 7:00 AM and 9:00 PM over the summer.

### **Employers Hiring Minors Should Know Industry-Specific Limitations on Duties.**

Beyond work hour restrictions, there are laws about what a minor can and cannot do in the workplace. Duty restrictions vary by industry. Employers hiring minors must be aware of industry-specific limitations on duties to ensure the safety and well-being of young workers. As an obvious example, minors cannot serve alcohol to patrons. As another example, minors cannot operate heavy machinery or work with hazardous chemicals.

*At the Law Office of Karen J. Sloat, APC, our California employment lawyers provide workplace solutions to businesses and organizations. If you have any specific questions about hiring a minor as a summer employee, we are here as a legal resource. Contact us right away to arrange your confidential consultation.*



Or Current Resident

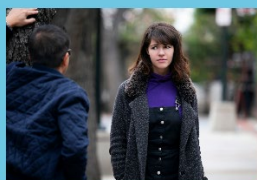
*This is an advertisement.*



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Ready for 2023 training under the new laws? We offer in-person or online sexual harassment and abusive conduct prevention training for supervisors and subordinates at convenient times.



### What is Caring for Clients while pursuing Justice?

To encourage our business clients, we'd like to share some victories achieved, despite some very high initial settlement demands from employees' attorneys. As you can see, our zealous representation of clients has reduced or eliminated employer liability.

Claims	Demand Amount	Settlement Amount
Disability Discrimination	\$650,000	\$90,000
Wage & Hour Class Action & PAGA	\$33,000,000	\$1,000,000
Sexual Harassment	\$600,000	\$162,500
Wrongful Term & Retaliation	\$350,000	\$56,000
Disability Discrimination	\$100,000	\$15,000
Age Discrimination	\$700,000	\$95,000
Age Discrimination	\$150,000	\$30,000
Wage & Hour & Discrimination	\$2,000,000	\$45,000

So, if you're considering closing up shop or fleeing the state to avoid an employee's terrifying demands or a filed Complaint, wait! Take the time to consult with our Team so we can evaluate the alleged claims against your potential defenses and evidence, to reduce liability. You don't need to fight your battle alone. We're here for you.