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JANUARY 2005

You Won't Want to Miss THIS!

TPO'S ALL-DAY EMPLOYER CONFERENCE!

Featuring nationally known labor attorney **RICHARD J. SIMMONS**

of the Los Angeles law firm of Sheppard, Mullin, Richter and Hampton.

Mr. Simmons has lectured extensively throughout the country and has authored numerous publications in the labor law field. If you've seen him speak before, you know why we're excited!

MARK YOUR CALENDAR: January 26, 2005, 8am-5pm

But wait...there's more! We are negotiating with a variety of top quality experts to present a dynamic lunch program followed by power-packed breakout programs for the afternoon to make this the most informative and memorable employer event of the year. Right in your backyard!

TPO Members attend free as part of Annual Membership! A registration fee will be charged for non-member attendees. Stay tuned for more details in the next TPO E-News!



HR Regs

BILLS CURRENTLY IN THE CA LEGISLATIVE SYSTEM

MINIMUM WAGE INCREASE

- **AB 2832 (Lieber; D-Mountain View)** Would increase the state minimum wage to \$7.25 in 2005 and to \$7.75 in 2006, which would give California the highest minimum wage in the nation. Employer costs would be expected to rise by at least \$2.08 billion annually. **Status:** Passed Senate Appropriations Committee; moves to Senate floor.

HARASSMENT

- **New Training Mandate – AB 1825 (Reyes; D- Fresno)** Would add new sexual harassment training mandates for employers with 50 or more employees to provide 2 hours of sexual harassment training and education to all supervisory employees within one year of January 1, 2005, and to all new supervisory employees within six months of their assumption of a supervisory position, unless the employer has provided sexual harassment training and education to employees after January 1, 2004. **Status:** Passed Senate Appropriations Committee; moves to Senate floor.
- **Non-Employee Harassment – AB 2889 (Laird)**. Would make California employers liable for the harassment of a worker by customers or clients. **Status:** In Senate Appropriations Committee.

"SUE YOUR BOSS" LAW REFORMS

- **SB 1809 (Dunn; D-Garden Grove)** as amended, would significantly overhaul California's "sue your boss" law to bring fairness to California's labor code enforcement and protects employers from unnecessary and frivolous lawsuits. **Status:** Signed by Governor Schwarzenegger.

REFERENCES

- **AB 1912 (Richman)**. Would amend protections under Civil Code for employers who provide references on former employees. Would specify that it is the policy of the State of California to encourage employers to provide accurate, truthful, and substantive information concerning the performance and qualifications of individuals. Past employee would have to prove that reference information was intentionally malicious and knowingly false or misleading. Hearing to be set. **Status:** In Senate Judiciary Committee since 6/23/04.

PROPOSITIONS FOR CA VOTERS TO CONSIDER ON THE NOVEMBER BALLOT

PROPOSITION 64

- Would reform the state's unfair competition law (Business and Professions Code Section 17200) to stop unscrupulous lawyers from filing frivolous lawsuits. Through a legal loophole in Section 17200, lawyers are able to file lawsuits, mainly against small businesses, and demand fees with no real client or proof of harm.

PROPOSITION 72

- Would create a \$7 billion government run health care system requiring employers, non-profit organizations and local and state agencies to buy health insurance for their employees. Prop. 72 would require employers with 20 or more workers to pay for health insurance for their employees or pay a substantial tax to create a new government managed health care system for workers. State bureaucrats would determine how much in higher taxes businesses and their employees would have to pay and what coverage workers would receive.



**TPO UNIVERSITY
2004 TRAINING CALENDAR**

HR-101 SERIES

- a training series focusing on the regulatory compliance and HR best practices – the information & skills supervisors & managers need to keep themselves and the organization out of hot water!

- **Monterey** - October-November
- **Gilroy** - September-November

MANAGEMENT EXCELLENCE SERIES

- a training series focusing on practical leadership and communication skills to help managers develop or refine their effectiveness as leaders!

- **Monterey** - September-November
- **Gilroy** - November-December

SPECIALIZED WORKSHOPS

- **Excelling as a First Time Manager or Supervisor** - September 14
- **The Art of Effectively Managing Conflict at Work** - October 12
- **Motivating and Retaining Employees** - November 10
- **FMLA/CFRA/PDL Compliance** - December 1

HR Do's

SB899 REMINDERS

Last month we provided some **Workers' Compensation Reform (SB899)** highlights – to review last month's Employment Upd@te [click here](#). Watch for our future issues as critical, need-to-know information related to SB899 will be provided each month. Currently, TPO recommends the following be added to your "To Do" list as a result of SB899:

- Update your **posters** to include new Workers' Compensation information. *Effective immediately (no later than 10/1/2004!)*. [Download here](#).
- Obtain updated Workers' Compensation pamphlets incorporating changes from SB899 for distribution to new hires and injured workers. *Effective immediately (no later than 10/1/2004!)*. Ask your Carrier OR order from [California's WC Institute](#).
- Obtain the newly updated California Workers' Compensation Claim Form (DWC-1) incorporating changes from SB899. *Effective immediately (no later than 10/1/2004!)* [Download here](#).
- Communicate new Personal Physician Pre-Designation guidelines to current employees that HAVE a written personal physician pre-designation on file. *Effective immediately*. We recommend memos be prepared for this purpose. [Contact TPO](#) for assistance.
- Update your Leave of Absence systems to include TPO's newly created Workers' Compensation guidelines and Designation Letter. *Effective immediately*. [Contact TPO](#) for assistance.
- Become more familiar with the specifics of SB899 by hearing from experts in Insurance, Human Resources and Occupational Medicine on September 9. [Click for more info & to register!](#)

HR Reminders

**GREAT NEWS!
YOU'VE BEEN PROMOTED INTO A MANAGEMENT POSITION...**

You've been a star employee in your organization, reliable, responsible and well-liked by both peers and management. And one day you receive the exciting news: you are being promoted into a supervisory position.

The problem with the above scenario is that you have great knowledge of your job, but have no experience managing. Two sleepless weeks into it, you wonder: "Am I doomed to fail? I've never supervised people before!"

Within 18 months on the job, 40% of all new managers will be released from their new duties (voluntarily or involuntarily) or will receive a poor performance review.

HERE ARE SOME TIPS TO MAKING YOUR NEW PROMOTION A SUCCESS:

- **Sign up for Management Training!** As a new manager you will need some tools to effectively deal with the challenges of managing others. Learn more about TPO's ["Excelling as a First Time Manager or Supervisor"](#) class on September 14.
- **Communicate with Your Manager!** Don't be afraid to seek guidance and assistance...your manager was once a rookie too.
- **Pace Yourself!** Great managers aren't born over night. It will take time to adjust to the changes.
- **Expect Your Relationships to Change.** The relationship you had with your peers will be different now that you are in management. Though the expression "it is lonely at the top" may have some merit, it is possible to maintain those relationships.
- **Have Fun! Here is your chance to shine.**

HR Rumors

FACTS FROM YOUR TPO EXPERTS!

Rumor: I heard that there is a new overtime law that went into effect recently. Does it affect our business?

Fact: No. The new law is a federal item that changes the salary threshold for determining exempt status for professional, managerial and administrative exemptions. The threshold is still lower than in CA, so the new federal law does not affect CA businesses.

NOTE: Public sector follows federal not CA law, so the new requirement is meaningful for those organizations. If you have locations in other states, you may also need to look at how the new federal law affects state-specific regulations.

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TPO HUMAN RESOURCE MANAGEMENT provides "outsourced" support to help employers understand and comply with confusing employment laws, train managers to avoid costly mistakes and promote positive employee relations.



FEEDBACK: We hope you enjoyed reading TPO HUMAN RESOURCE MANAGEMENT'S E-Newsletter. If you have comments or suggestions, we welcome hearing from you at tpo@tpohr.com.

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