

Lessons in Labor Laws Keep Employers Out of Legal Hot Water

By PAT BRODERICK

Every year, new laws come down the pike that can end up biting businesspeople on their bottom lines if they're not careful.

Constant Evolution

Claudette Wilson, a partner with the San Diego law firm Wilson Petty Kosmo & Turner LLP, has observed a "constant evolution" when it comes to labor laws. "As enough lawsuits get filed on a particular issue, the plaintiff's bar tends to move on to new untapped areas and potential claims, she said. "First there was the exempt issue, next, the wage, meal and rest period cases. Now, we're seeing variations of off-the-clock claims"



Claudette Wilson

Another hot topic, both last year and this year is the issue of being properly reimbursed for business expenses, said Wilson.

And then, there is the ongoing confusion about the classification of information technology workers — those IT wizards who

may work odd hours dealing with cantankerous computers

"They are often designated as exempt, sometimes based on the fact that nobody understands what they do," said Wilson.

Sexual Harassment

A new law that took effect this year clarifies the sexual harassment training requirement to include only supervisors who are physically located within California. But what if a company has a supervisor outside of California, and some employees working inside the state?

"To the extent that you can train them, you should," said Wilson. "It's part of the best practices for ensuring an environment free of harassment."