



## *BUSINESS ELITE NEWSLETTER*

March 2008

### ***TEN TOP THINGS EMPLOYERS DO TO GET SUED***

**1. To Save money, establish a “Use-It-Or-Lose-It” vacation policy.**

According to the California Supreme Court, vacation is a vested benefit that can't be taken away once it is earned. Acceptable alternatives to use-it-or-lose-it are reasonable caps and cash-out policies.

**2. Hold your employee's final paycheck until he turns in his pager and uniform. After all, he agreed in writing to return them.**

Failing to provide a final paycheck within the legal time limits can be a costly and time-consuming mistake.

**3. Get rid of anyone who files a Workers' Comp Claim but wait until they come back to work so it won't look bad.**

California's Labor Code Section 132(a) prohibits an employer from terminating, threatening to terminate, or discriminate in any way against an employee because s/he has received

a workers' comp award, or has filed or even intends to file a workers' comp claim.

**4. Let everyone work four 10-hour days or, better yet, whatever schedule they want.**

Even an employee who agrees in writing to this type of schedule is generally entitled to file a claim against the employer and receive back overtime with interest.

**5. Don't waste time training front-line managers about labor laws.**

After all, the company pays people to handle any problems that arise.

The people who interact with your employees most clearly every day-are your best defense against being sued. Basic training on such topics as sexual harassment, discrimination, safety and wages and hour laws are essential.

**6. Congratulate your new employee for passing her “90 day” probationary period and let her know she's now eligible for**

**“permanent employee” benefits.**

Under California law the employment relationship is presumed to be at-will, meaning either party can terminate the employment relationship with or without a reason. Using the term “permanent” can imply the employer no longer has a right to terminate the employee without just cause.

**7. Pay everyone a salary, vs HR payroll is so much easier without having to calculate overtime.**

Under both state and federal law, certain employees are exempt from overtime requirements and can be paid a straight salary no matter how many hours a week they work. Employees who don't qualify for an exemption are entitled to overtime pay, and can't agree to forego overtime pay in exchange for receiving a salary.

**8. To increase productivity, employees work through lunch and break on busy days and make up the missed time off on a slower day.**

Non-exempt employees generally are entitled to a half-hour meal break for every work day of more than five hours.

For each workday an employer doesn't give an employee a required meal break, the employer owes the employee one additional hour of pay.

**9. Protect business secrets and prevent turnover by requiring all employees to sign non-compete agreements.**

An employee who signs a non-compete agreement is consenting not to work for one of your competitors for a certain period of time after leaving your company. While this practice is legal in many other states, California law specifically prohibits non-compete agreements.

**10. Avoid Employment Law and tax hassles by making everyone an independent contractor.**

Independent contractor status is determined primarily by the degree of control the worker has over the manner and means of performing the work. The consequences for misclassifying an employee as an independent contractor can be significant tax, wage and benefits liabilities, as well as massive fines that may be imposed by state and federal agencies.

For more information contact the California Chamber of Commerce.

**UPCOMING EVENTS!**

**MARCH MIXER!**

At the Indian Wells Tennis Garden during the Pacific Life Open

**CHEF'S MASTERPIECE!**

At the Indian Wells Tennis Garden during the Indian Wells Art Festival

**CAR SHOW**

Indian Wells Village parking lot Cook and Hwy 111

**DON'T MISS THESE EVENTS!**

(See page 7 for details)

**COMMON WAYS ID THEFT HAPPENS**

**1. DUMPSTER DIVING.** They rummage through trash looking for bills or other paper with your personal information on it.

**2. SKIMMING.** They steal credit/debit card numbers by using a special storage device when processing your card.

**3. PHISHING.** They pretend to be financial institutions or companies and send spam or pop-up messages to get you to reveal your personal information.

**4. CHANGING YOUR ADDRESS.** They divert your billing statements to another location by completing a "change of address" form.

**5. "OLD FASHIONED" STEALING.** They steal wallets and purses; mail, including bank and credit card statements; pre-approved credit offers; and new check or tax information. They steal personnel records from their employers, or bribe employees who have access.

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**THE ADVANTAGE OF BEING A CHAMBER MEMBER**

Being active in the local chamber of commerce is good strategy for businesses to use in communicating each of the four specific company traits. Statistically, it is an effective way to convey to consumers that a company uses good business practices, is involved in the community, cares about customers, and is reputable. If your company, small or large is in need of a financial boost, call the chamber office and join today. Phone 760- 346-7095 Fax 760-346-7605.

**INDIAN WELLS CHAMBER OF COMMERCE**

**74-980 Highway 111, Ste. 101**

**Indian Wells CA 92210**

**Phone: 760-346-7095 Fax:760-346-7605**

**[www.IndianWellsChamber.com](http://www.IndianWellsChamber.com) email: [info@indianwellschamber.com](mailto:info@indianwellschamber.com)**

**INDIAN WELLS  
BOARD OF DIRECTORS**



Keith Brinson, Chairman  
Sun West Construction, Inc.

Denise Kramer  
The Desert Radio Group

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Chris Vargo  
Planet Palm Springs

Dean Hay  
Eisenhower Medical Group

Valerie Ward  
Burrtec Waste & Recycling Services

John Hussar  
PR NewWorks

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***PROFESSIONAL STAFF***  
Laurie Moxley, Bookkeeper



**MISSION STATEMENT**

**To consolidate, coordinate, and promote the economic vitality and long term prosperity of business in Indian Wells, to advocate the interest of local business to government organization such as City Council and the Planning Commission; to provide valuable marketing and public relations to our members; and to fully participate and partner in initiatives that create a healthy business environment that contributes to the quality of life in Indian Wells.**

# Events

## February Mixer



A musical evening thanks to  
Jason Weber @ the piano



Grace and Charm behind  
the bar from Janet Blaine



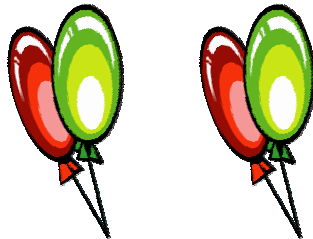
Chamber members  
Mona & Gerry Chong



For Fun in the Sun visit Alice and  
Linda from DAISY's



Jim Jorgensen & Board  
member John Hussar



Jan Fleming and Uylene Minisci

*Thank You to Vicky's of Santa Fe  
for your generous hospitality!*

# Member of the Month

## Melanie Hinrichs



**Melanie is a transplant from Iowa who very much prefers the warm sunshine, and yes, even the hot summers in the Coachella Valley, over her home state. She has been a local resident since 2002 and handles Group Sales at the Indian Wells Tennis Garden for the Pacific Life Open, the 5th largest tennis tournament in the world.**

**Melanie is an committed member of the Chamber who actively promotes the Pacific Life Open Community Business Program at community events.**

## Events

### Mayor's Breakfast

**Indian Wells Mayor, Mary Roche, presented the "State of the City" address at Indian Wells Country Club on February 26th @ 8:00 a.m.  
*Thank you Mayor Roche !***



Early risers attend the breakfast meeting



Board Chairman, Keith Brinson welcomes the crowd



Mayor Mary Roche w/slide presentation

*Thank You to*

**Dan Duncan of Bank of America Mortgage for sponsoring this well attended event.**



*Thank You!*

## **New and Renewing Members**

### *New Members*



**Allstate—Tony Paoletta  
Insurance Agency  
74-940 Highway 111  
Indian Wells CA 92210**

**Ron Salute  
49-535 Marine Court  
La Quinta CA 92253**

**Cartel Jewelers  
78-371 Highway 111  
La Quinta CA 92253**

**Angel's Crossing  
74-933 Highway 111  
Indian Wells CA 92210**

**KitchenKitchen  
74-921 Highway 111  
Indian Wells CA 92210**

**BQ's Good Stuff Pizza  
78-383 Highway 111  
La Quinta CA 92253**

### *Renewing Members*

**Burrtec Waste & Recycling  
41-575 Eclectic Street  
Palm Desert CA 92260**

**Standard Pacific Homes  
75-145 Promontory Place  
Indian Wells CA 92210**

**Coachella Valley  
Cultural Museum  
82-616 Miles Avenue  
Indio CA 92201**

**The Gardens on El Paseo  
73-545 El Paseo #2500  
Palm Desert CA 92260**

**Guide Dogs of the Desert  
P.O. Box 1692  
Palm Springs CA 92263**

**Gina Fullman  
74-577 Riviera Drive  
Indian Wells CA 92210**

**Palm Desert National Bank  
73-745 El Paseo  
Palm Desert CA 92260**

**Desert Pages Yellow Book USA  
44-900 San Pablo  
Palm Desert CA 92260**

**Time Warner Cable  
41-725 Cook Street  
Palm Desert Ca 92211**

**Rumbaugh Financial  
74-980 Highway 111, Suite 111  
Indian Wells Ca 92210**

**Hegge Electric  
83852 Avenue 45  
Indio Ca 92201**

**Merrill Lynch  
74-800 Highway 111  
Indian Wells CA 92210**

**Downey Savings & Loan  
78-435 Highway 111  
La Quinta CA 92253**

**Cahill & Associates  
69-730 Highway 111 Suite 215  
Rancho Mirage CA 92270**

**Transpay Processing  
P.O. Box 13830  
Palm Desert CA 92255**

**Desert Key Magazine  
P.O. Box 642  
Rancho Mirage CA 92270**

**Homewood Suites by Hilton  
45-200 Washington Street  
La Quinta CA 92253**

**1st Centennial Bank  
78000 Fred Waring Dr., Suite 100  
Palm Desert CA 92211**

# Events

## *March Mixer @ Indian Wells Tennis Garden!*

Join us for the *March Madness Mixer*

@ Indian Wells Tennis Garden  
during the **Pacific Life Open**  
Hospitality Garden Club Suite C

Tuesday, March 18th

5:30—7:30 p.m.

\$5.00 members \$8.00 non-members

Plus \$10.00 parking fee

## *Chef Masterpieces @ Indian Wells Tennis Garden*

Join us during the FABULOUS  
**Indian Wells Art Festival** for our 3rd presentation of

### *Chef's Masterpiece*

Saturday, April 5th

Food and Wine Samples from 11:00 to 3:00

Entry to the Art Festival is \$10.00/ Entry to Chef's Masterpieces \$25.00

**Your Chamber will waive the Festival entry fee on the 1st 100 tickets sold**

## *Chamber Car Show @ Indian Wells Village*

### **New Chamber Event**

### *Indian Wells Chamber of Commerce Car Show*

Join us

Sunday, May 4th from 9:00 to 4:00 p.m.

Free admission for Spectators!

Food, Fun, Music and Great Cars!

Located in front of the Chamber office @ Indian Wells Village

North side of Hwy 111, West of Cook