



Overtime Pay for Nannies and Maids

Domestic Workers Bill of Rights went into effect on January 1

If you employ nannies, maids, or personal attendants, then you need to know that they are now entitled to time-and-a-half overtime if they work more than nine hours a day or 45 hours a week. And, by the way, if they are paid minimum wage, that will be going up to \$9 an hour beginning July 2014 (and \$10 an hour beginning January 2016).

As with everything, there are loopholes and exceptions. For example, this does not apply to babysitters under the age of 18 who take care of little Johnny when you go out for "date night." Plus, certain types of personal attendants are also exempt.

Although this law went into effect on January 1, 2014, it will expire January 1, 2017, unless renewed by the California legislature. Whether or not it's renewed depends on the study the governor is ordering to investigate the impact of the bill.

If an employer does not pay the appropriate wages (or provide mandated rest and meal breaks), a domestic worker can sue or file a claim with the Labor Commissioner for up to four years of back wages and penalties.

(con't on the right)



What Every Employer Must Tell New Hires

California Labor Code section 2810.5

Communication is a good thing. When someone joins your firm, you may assume you're on the same page when it comes to basics like salary, payday, location of the main office, and such. Labor Code section 2810.5, however, implies that not all new hires and employers were speaking the same language and requires, at the time of hiring, a written notice containing all those pesky essentials must be spelled out and provided to your new hire. Have you shared the following with your new employee?

- The rate or rates of pay and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or otherwise, including any rates for overtime, as applicable.
- Allowances, if any, claimed as part of the minimum wage, including meal or lodging allowances.



- The regular payday designated by the employer in accordance with the requirements of this code.
- The name of the employer, including any "doing business as" names used by the employer.
- The physical address of the employer's main office or principal place of business, and a mailing address, if different.
- The telephone number of the employer.
- The name, address, and telephone number of the employer's workers' compensation insurance carrier.
- Any other information the Labor Commissioner deems material and necessary.

If this seems like a bother, you can search online for Labor Code section 2810.5 to find (and download) a form called "DLSE-NTE" (Division of Labor Standards Enforcement-Notice to Employee) that has all this information laid out with handy fill-in-the-blanks and check boxes, making it easy to cover all the requirements. It also provides a place for the new employee to acknowledge receipt of the information.

Finally, keep in mind that the employer, generally, must also provide updated information to employees within seven days should any of the information change.

Especially if you're planning to run for office someday (or hope to be chosen as the U.S. Attorney General) it's a good idea to avoid any "Nannygate" type embarrassments in the future by staying in compliance. If you have any questions, please give us a call.



Were You “Targeted” in the Recent Hacker Scandal?

A reminder to keep personal and client information secure

Soon after word got out about the hacking scandal during the holidays, fraudsters got busy creating fake emails from the affected companies, hoping to get nervous victims to “click the link” and provide their personal information. Now is a good time to remind yourself and your associates not to be so quick to click the link when dealing with unsolicited email.

Unsolicited email is the tip of the iceberg in terms of online fraud schemes. A quick Google on “protect personal information” will give you plenty of sites to explore, including several from the Federal Trade Commission, that provide details and reminders about staying safe. For example, the FTC recommends never carrying your social security card in your wallet and to take your outgoing mail (especially the pieces with personal information) to the post office rather than leaving it in your mailbox for pickup. The FTC’s Consumer page is a great place to start (www.consumer.ftc.gov) for reliable free resources.

Finally, if you own a website that collects personal data from clients, now is a good time to reexamine the protections you have in place. Ideas to keep data safe include, keeping anti-virus software up-to-date, protecting passwords (never store as plain text), limiting the amount of data collected in the first place, and training employees to be respectful of this information (if they can access it). A web security professional would have many, many more suggestions for you.

Even if you missed out on celebrating Data Privacy Day on January 28 (which commemorated the 1981 international treaty dealing with data and privacy protection), it’s never too late to take a second look at how you are protecting yourself and your clients.

Recycling Your Electronics

A few ways to say good-bye to your broken and obsolete items

What happens to your old computers and electronics when the next evolutionary step is introduced to the market? Sadly, many items end up in landfills or destroyed in outside incinerators. Even worse, others are shipped off to Asia. The truth is, only a fraction of computers and electronics are actually recycled properly (and that’s partially because the industry is still working on the best ways to economically break down these products).

Perhaps the oddest statistic from the EPA reveals that we are, in fact, mostly hoarding our obsolete items. They estimate that three-quarters of all computers sold in the US end up stuck in a basement or closet corner or some other home storage location.

Maybe now’s the time to get some momentum going for spring cleaning with these ideas for recycling your stuff:

- The easiest option is to have someone come cart away your old equipment for you. With a little effort you might find that someone actually wants your functional, but no longer cutting edge, items. Trying a Google search on “donate computer Los Angeles” or “donate cellphone Los Angeles” will produce non-profits that are interested in repurposing your stuff for good causes and give you a receipt for your donation which might be helpful at tax time.

Another option is to offer the equipment for free on Craigslist. Generally, a “free” item of any sort will get multiple takers on Craigslist who will be happy to come collect your hand-me-downs (just don’t let any strangers in your house). Be sure to erase any of your data from the computer or cellphone before passing it on.

- The second option is to make money. There are businesses who want to buy and then resell your cellphone. Then there’s eBay, of course. A search for a make and model number will give you the going price. It may not be worth the bother, but it only takes a few seconds to find out.
- Finally, you can take advantage of City and County recycling services. A Google search on “e-waste recycling Los Angeles” will lead you to local government websites that list drop off points and hours of operation.

Why all this concern about recycling computers and electronics? Our high-tech gadgets are made using a mixture of valuable (silver, gold, platinum) and hazardous (including lead, cadmium, mercury, beryllium) materials. This makes them both a danger and, literally, a waste of precious materials when they are improperly discarded.

Next time you upgrade, please also take the final step to find a new home for your rejects.



Sobul, Primes & Schenkel Annual Volunteer Day

The SPS workforce spends the day with BookEnds

BookEnds is a Southern California-based nonprofit that, as they say on their website (BookEnds.org) “...recycles quality children’s books through student-run book drives and places them in schools and youth organizations.” Since 1998, BookEnds has donated more than two million books.

BookEnds not only provides books to schools, but also teaches their student volunteers the value of community service – that’s why their catchphrase is “Kids Helping Kids.” In fact, BookEnds was

created by eight-year-old Brandon Keefe, who organized the first book drive.

The offices of Sobul, Primes & Schenkel went dark on noon, November 22, so that everyone could go to BookEnds and help out. The SPS crew set a record on that Friday afternoon with 5,356 books sorted, counted, and boxed for delivery before the holidays.

Visit BookEnds.org to find out how your company or community service organization can partner with this important cause.

Please note that these articles contain general information and are not a complete analysis that you should rely on in making decisions. Our goal is to bring these matters to your attention and suggest that you review your payments and practices. We are here to assist you. These may be difficult issues to address, and you may need to consult with your legal counsel as well.

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