

MODERN MANAGEMENT

WORKPLACE CHANGES FOR 2008

Three very important changes are on the horizon for 2008: an increase in health-insurance premiums, modifications to workers' rights and immigration reform. Based on a survey of 1,557 employer plans, private-sector premiums are expected to increase by 6.7 percent in 2008.

Another important workplace change has already been made. The Senate voted in December to expand the Family and Medical Leave Act, by giving immediate family members of injured military personnel up to 26 weeks of unpaid leave to care for the service member. The other provision voted upon will allow 12 weeks of leave to immediate family members of any reservists or member of the National Guard who is called to active duty in the military. Many are worried that this provision would be abused by employees who may use their family member's deployment as an excuse for a second vacation. There is also the possibility of expanding the Americans with Disabilities Act, which would prevent the courts from judging whether medication or other measures disqualify a person for the discrimination protection.

With the upcoming election, there is also much talk of immigration reform. As of now, Bush is pushing to have the electronic verification system that matches employees with their Social Security numbers required by law. Others, like the National Federation of Independent Business, wish to have the system phased in slowly, to allow employers to fix the errors made in the match-ups.

MODERN MANAGEMENT BRIEFING SEMINAR

Lemle & Kelleher presents *Modern Management Briefing*, A half-day labor and employment law seminar.

Program Summary:

- The New HR Frontier—Facebook, MySpace and More!
- Defeating Meritless Unemployment Compensation Claims
- Handling Workers Compensation claims in the face of FMLA and ADA
- Challenges with Wage & Hour Law
- Dealing with Obscure Louisiana Laws

Date: Thursday, March 27, 2008
8:00 a.m.—11:30 a.m.

Fees: \$15.00 per attendee

Registration: To register for this event, please email rsvp@lemle.com.

Location:
Lemle & Kelleher, L.L.P.,
601 Poydras Street, 21st Floor
New Orleans, Louisiana

YOU CAN SMOKE ANYWHERE BUT HERE, THERE AND EVERYWHERE ELSE

Running outside for a quick smoke just got a little harder for some workers. Employers are now stretching the smoking ban beyond their property and into the homes of their employees. No smoking anywhere, anytime. While more employers are banning smoking on their property and offering smoking-cessation programs, the all out ban has started to appeal to many companies. As insurance rates continue to climb for smokers, more and more employers may follow the trend towards turning employees into non-smokers.

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HARDY NAMED CHAIRMAN OF MANAGEMENT COMMITTEE



Timothy W. Hardy

Partner Timothy W. Hardy has been named the Chairman of the firm's Management Committee for 2008. A native of Shreveport, Louisiana, Mr. Hardy joined the firm in 1994 and is the Leader of the firm's Environmental Law Practice Group. He serves on the firm's Executive and Management committees and is the Head of the firm's Baton Rouge office. He also serves as an Adjunct Professor of Environmental Law at Southern University Law Center. To read more please visit www.lemle.com.

L&K ATTORNEYS NAMED TO LEADERSHIP IN LAW CLASS



Eve B. Masinter Fredrick Preis, Jr. David Waguespack

Partners Eve B. Masinter, E. Fredrick Preis, Jr., and David F. Waguespack have been named to New Orleans City-Business' Leadership in Law Class of 2008. For the fourth year, CityBusiness has recognized 50 attorneys within the community whose successes in law and contributions to the region have set the pace for the legal community.

MAMA ALWAYS SAID DON'T DISCUSS POLITICS, SEX OR RELIGION

With November 4, 2008 less than a year away it is difficult to escape the constant banter about the parties and candidates, but does it belong in the workplace? That campaign button so casually worn to support your candidate could lead to heated debates and conflict in the work place. To avoid this, be careful when sharing opinions and ideas. Don't assume everyone thinks the same way you think. It's alright to express support for a certain candidate, but be wary that others may not want to hear what you have to say. Limit any discussions around the water cooler to a short five minutes. Otherwise, coworkers may see your rant as unprofessional.

BEWARE: 'BIG BROTHER' MAY BE WATCHING

Always thought "Big Brother" was just science fiction? Think again. Microsoft is developing employee-monitoring software, which will examine the employee's productivity, competence, and even physical well-being. Employees will be suited with wireless sensors, providing the employer with the workers' heart rates, stress levels, and cues as to whether the employee is smiling or frowning. As many would guess, civil liberties advocates and privacy lawyers are very concerned about the creation and use of this software. It taps into personal information that may have nothing to do with the work being performed. According to the London Times, the pending patent application could be approved this year.

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About Lemle & Kelleher, L.L.P.

Lemle & Kelleher is one of the oldest major law firms in Louisiana, tracing its origins to the late 19th century when New Orleans was experiencing a boom as the shipping and commercial center of the South. Building on that genesis, we have diversified and expanded our capabilities for more than 100 years to meet the growing needs of our clients regionally and nationally. Today, Lemle & Kelleher offers responsive, innovative, and experienced legal representation covering a broad range of practice areas. For more information please visit www.lemle.com.



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