

## MODERN MANAGEMENT

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### NO MEN ALLOWED

A Dallas-based food chain, Razzoo's, is in the process of settling a sex discrimination suit filed by the United States Equal Employment Opportunity Commission (EEOC). The restaurant will have to pay \$1 million after being charged with discriminating against male employees and applicants. It is reported that Razzoo's has been refusing to hire or promote men to bartender positions within the restaurant. The restaurant management even went so far as to email a plan to all managers for an 80-20 ratio of women to men behind the bar. Men striving for promotions to bartender were denied advancement because of their gender. Gender ratios, in any establishment, are illegal.

After all is said and done, Razzoo's has agreed to split payment of \$775,000 among a group of male applicants, male servers, and male bartenders, who were all discriminated against based on gender. Razzoo's will also have a new human resources department, training for all employees on equal employment opportunity, and the posting of an anti-discrimination poster to help avoid situations like this in the future.

### UNION MEMBERS

A new rule has been proposed by the United States Department of Labor, which will make union members more aware of the finances and expenses incurred by labor unions. These proposed changes will include the disclosure of amounts spent on benefits for labor union officers, the reporting of indirect disbursements to officers and employees, the itemizing of receipts of \$5,000 or more, and the disclosing of the identity of purchasers or sellers in transactions involving union assets. This new rule should bring further clarity to the Form LM-2 by providing disclosure in these certain areas. A comment period open to the public began on May 12, and will last for 45 days.

### OVERTIME PAY FOR BLACKBERRY USE?

The use of handheld devices, such as a BlackBerry, Treo, and iPhone, has become hugely popular among employees. Recently, Canadian bureaucrats raised issues over extra wages or overtime pay for employees who are connected to these devices 24 hours a day, 7 days a week, conducting work-related business. Likewise, United States employers are susceptible to similar concerns and claims. Under the federal wage and hour laws, employees classified in the "non-exempt" category for minimum wage and overtime pay must be paid for all time spent working for their employer. Using a BlackBerry or other handheld devices outside of the office, on time which would otherwise be an employee's "free" time, may require a wage to be paid under federal and state laws for that time spent responding to business-related emails, phone calls or other activities conducted with the handheld device. As such, employers should be aware of which employees are assigned a handheld device, and should also implement technology policies dealing with the use of handheld devices.

### NEW "ELAWS" TOOL ON DOL'S WEBSITE

The United States Department of Labor has interactive e-tools called "elaws" on its website to help employers, and even employees, better understand the federal employment laws and how it pertains to their business. Recently, the U.S. Department of Labor has created a new elaws advisor to help employers with any recordkeeping, reporting or notice requirements that may apply to them. This new elaws is called "FirstStep Recordkeeping, Reporting and Notices elaws Advisor," and can be found on the U.S. Department of Labor's website at [www.dol.gov/elaws/firststep](http://www.dol.gov/elaws/firststep).

## Your Lemle & Kelleher Employment Lawyer's Contact Information

**E. Fredrick Preis, Jr.**  
epreis@lemle.com  
(504) 585-6371

**Eve B. Masinter**  
emasinter@lemle.com  
(504) 584-9173

**David R. Taggart**  
dtaggart@lemle.com  
(318) 934-4014

**David M. Whitaker**  
dwhitaker@lemle.com  
(504) 584-9404

**Louis Colletta, Jr.**  
lcolletta@lemle.com  
(504) 584-9147

**Marc R. Michaud**  
mmichaud@lemle.com  
(504) 585-6386

**Kimberly C. Delk**  
kdelk@lemle.com  
(504) 584-9149

**Bryce G. Murray**  
bmurray@lemle.com  
(504) 585-6359

**Bridget A. Dinvaout**  
bdinvaout@lemle.com  
(504) 586-1241

**Richard P. Voorhies**  
rvoorhies@lemle.com  
(504) 584-9121

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