



LEGAL WEAPONS

FOR THE WORKING WOMAN

December 2011

RUPP, BAASE, PFALZGRAF,
CUNNINGHAM & COPPOLA LLC
Attorneys at Law

Legal Weapons provides useful legal information and resources for successful businesswomen.

EVALUATE YOUR EVALUATIONS

At this busy time of year, it may be tempting to rush through employee evaluations, but doing so might cheat you and your employees out of valuable communication that can ensure a positive working relationship! Use annual reviews not only to evaluate employee performance, but also to set expectations for the year ahead, and to open a dialogue with those who are helping you run a successful business.

Keep in mind some key factors for successful evaluations:

1. **Set objective and relevant criteria:** Employees' performance should be judged against objective and, if possible, quantifiable standards. Were assignments completed on time? Were specific goals met? Make sure that the criteria used are relevant to the duties you expect that specific employee to perform. Be sure to outline the employee's strengths and weaknesses with specific examples.

2. **Open a dialogue:** Be candid about the employee's performance, and provide the employee an opportunity to comment on the evaluation results and the specific projects discussed. Have your employee sign a written evaluation sheet after you have discussed the results.

Ideally, nothing discussed during a review should be news to the employee.

3. **Don't surprise your employees:** Ideally, nothing discussed during a review should be news to the employee. Look at an annual review as a recap of performance throughout the year, not the first time an employee hears that he or she is falling short or doing a great job.

Make the most of annual reviews as effective communication tools that can be used to foster positive, productive relationships between you and your staff.

NEW NYS REPORTING

REGULATIONS START IN 2012

2012 marks the first full year that New York's Wage Theft Prevention Act is in effect, bringing with it more reporting requirements for employers.

The new law requires employers to provide annual written notice to employees containing (1) rate of pay, (2) basis for the pay, (3) allowances, if any, (4) regular pay day, (5) name of employer and its DBA, if any, and (6) employer's main address, mailing address, and telephone number. All notices must be provided to employees between January 1 and February 1, signed by the employee, and kept on file for six years.

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You can find standard forms at the Department of Labor website: labor.ny.gov/formsdocs/wp/ellsformsandpublications.shtm.

In addition to greater protection for workers, the new law also includes expanded penalties for employers who don't comply, so be sure to mark your calendars!

SPEAK UP!

If there's a legal tool you need, give us a shout. We'll address it in an upcoming issue of *Legal Weapons*. Just email us at legalweapons@ruppbaase.com.

Articles are drafted by Rupp, Baase, Pfalzgraf, Cunningham & Coppola LLC. Clients and friends are free to copy and to distribute the contents of this newsletter with proper attribution. The information contained in this newsletter does not constitute legal advice, and it should not be relied on without consulting a licensed attorney. For answers to your legal questions, please contact:

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RUPP, BAASE HONORED FOR PRO BONO WORK

The Erie County Bar Association's Volunteer Lawyers Project (VLP) recently honored Rupp, Baase for the firm's contributions to the non-profit organization at the Champions for Justice Bash, held at the Rich Renaissance Niagara Atrium. VLP provides free civil legal services to low-income individuals and small not-for-profit groups. Five attorneys from the firm volunteered their time and expertise to VLP on employment-related issues.



HAPPY HOLIDAYS!

We wish you and your family a happy holiday season and a happy, healthy, and prosperous New Year!

PROTECTING YOUR ASSETS

EFFECTIVE STRATEGIES TO SHIELD PERSONAL & BUSINESS ASSETS

Thursday, January 19, 2012

4:00 pm - Registration | 4:15-5:30 pm - Presentation | 5:30-7:00 pm - Cocktail Reception

Sonoma Grille | 5010 Main Street | Amherst, NY 14226

Topics Include:

Non-competes

Buy-sell agreements

Collecting overdue A/R

Powers of attorney

Health care proxies

RSVP by Friday, January 13th to Erin Harvey at
716.854.3400, ext. 230 · legalweapons@ruppbaase.com

Registration fee: \$15 payable to Girls on the Run.

Win a brand new Apple iPad2!
All attendees are eligible. Must be present to win.



Next Seminar: Demystifying Contracts

Thursday, May 3, 2012, 4:00 pm

If you aren't sure that your contracts properly are protecting your business, or if you're confounded by "legalese," join us!



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Rupp Baase is donating seminar proceeds to Girls on the Run, an after-school program that prepares girls in grades 3-8 for a lifetime of self-respect and healthy living. Through an interactive curriculum and activities such as running a 5K race, girls become empowered and confident, setting the groundwork for future success. For more information, visit www.gotrbuffalo.org.