



Do NOT Do This!
**Top 5 Mistakes Breweries Make with
Money, People and Employment Law**

**CCBA Fall Conference
December 2019**

TODAY'S AGENDA

- ❑ **Things Breweries Should Avoid Doing When Dealing With:**
 - ❑ **Employment Law**
 - ❑ **Finances**
 - ❑ **People**

Speakers

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Employment Law No. 1

□ Do Not Be Nice

- Make Rules

- Enforce Your Rules

- Have an Employee Handbook or a set of policies

- Discrimination and harassment

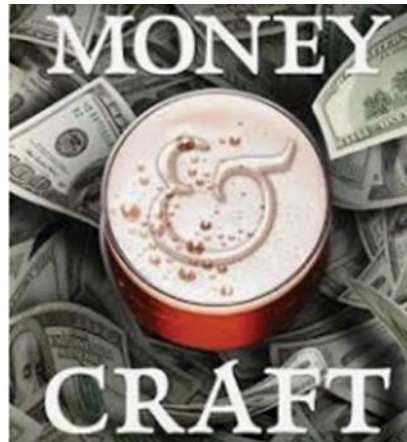
- Meal and Rest Periods

- Leave laws incl. Paid Sick Leave



Finance Rule No. 1

- Do Not Fail To Be Organized With Your Financials



People Rule No. 1

□ Do Not Do Any Important Actions Verbally

▣ Always document and file in safe place

- Promotion
- Increase/decrease in pay
- Performance evaluation
- Performance warning or discipline



Employment Law Rule No. 2

□ Do Not Ignore The Law

- Meal periods and rest breaks
 - Penalties
- Paid sick leave
- Timekeeping and records
- Leave laws
- Investigate harassment allegations

Finance Rule No. 2

Do Not Skip Operational Details



People Rule No. 2

Do Not Treat People Differently

- Vacation/sick hours
- Holiday pay
- Cell phone use
- Benefits
- Discipline

Employment Law Rule No. 3

Do Not Ignore Pay Laws

Bonuses

- Performance
- Discretionary
- Affect on Regular rate of pay?

Paystubs

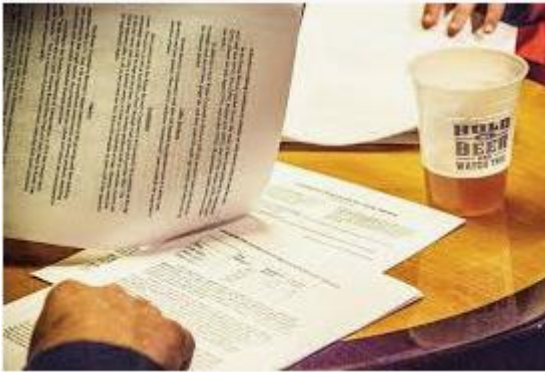
- Check your stub against the requirements in Labor Code section 226(a)

Exemptions/Salary pay

Equal pay

Finance Rule No. 3

Do Not Forget What Your Loan Documents Say



People Rule No. 3

□ Do Not Allow Management To Act as HR Without HR Input

□ Consistency is key

- Write-ups
- Interviews
- Hiring/firing
- Payroll
- Labor laws



Employment Law Rule No. 4

□ Do Not Automatically Classify a Worker as an Independent Contractor

□ AB 5

■ Makes the ABC test law

- Free form control – contract and fact
- Worker performs work outside of the usual course of the hiring entity's business
- Worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed

□ Audit any current contractor relationships

Finance Rule No. 4

- Do Not Skip Telling Your Lender About Big Changes In Your Business**



People Rule No. 4

❑ Do Not Discuss Private HR Concerns With Other Employees

- ▣ Keep work and personal relationships separate
- ▣ Only share confidential matters with management that needs to know



Employment Law Rule No. 5

- Educate Yourself!**
- Do Not Fail To Ask For Help**



People Rule No. 5

□ Be Available

- ▣ The job is to protect the business and employees
- ▣ Let employees know their concerns are being heard and they can speak with HR about issues
- ▣ Open door policy



HAVE ANY QUESTIONS ????

