

The California Merchant



January, 2008

Vol. 20, No 1

Great rates for 2008!

As you probably know, your association, California Merchants Safety Association (C.M.S.A.), is no longer working with the State Compensation Insurance Fund. We have partnered with Heffernan Insurance Brokers to bring our members a new workers' compensation insurance program with **AMAZING** rates.

Check out the 2008 base rates comparison below and make sure to get a quote for your company A.S.A.P!!!

Workers' Comp Class Code	New Heffernan 2008 base rate*	Compare	SCIF 2008 base rate	Class Code Description
8017	\$4.52	<u>vs.</u>	\$6.52	Stores- Retail- N.O.C.
8018	\$7.61	<u>vs.</u>	\$10.98	Stores- Wholesale- N.O.C.
8387	\$5.44	<u>vs.</u>	\$7.86	Auto Service Stations
8389	\$5.92	<u>vs.</u>	\$8.54	Auto Repair Shops
8392	\$9.21	<u>vs.</u>	\$13.30	Auto or Truck Storage Garages
8061	\$5.69	<u>vs.</u>	\$8.21	Store, Groceries
8391	\$4.24	<u>vs.</u>	\$6.12	Auto Truck Dealers- employees
8324	\$6.08	<u>vs.</u>	\$8.77	Auto Gas Stations
9516	\$5.25	<u>vs.</u>	\$7.58	Television, Video, Audio Equip. - service/repair
9519	\$8.03	<u>vs.</u>	\$11.59	Household Appliance- service/repair
7198	\$11.28	<u>vs.</u>	\$16.28	Parcel Delivery Companies
7232	\$10.86	<u>vs.</u>	\$15.67	Mail Delivery Service Companies

* All 2008 rates are the filed base rates and do not include any individually earned merits or credits. Actual rates may be lower.

Our new workers' compensation program through Heffernan Insurance Brokers offers a substantial savings over the State Fund rates. To participate in this new program, be sure to get your quote today!!!

Call **Heffernan Insurance Brokers** at: **(866) 500-6359** and let them know you are a member of Western Regional Master Builders Association. If you currently use a broker for your insurance needs, you may have your broker call **Tangram Insurance** to get the same program and rates, at **(800) 676-2213 ext. 662** and speak to **Riley Binford**.

Don't miss out on these savings! Call today for a quote!!!

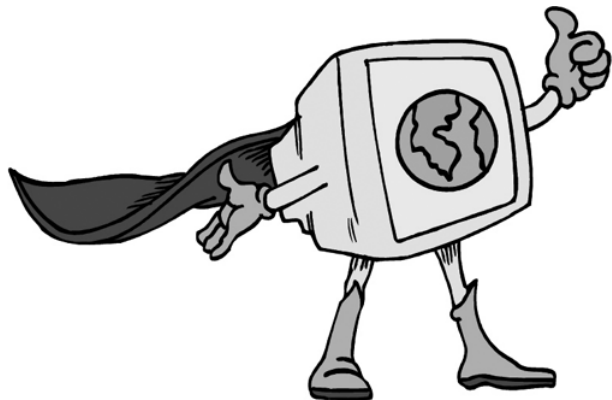


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A Member of the Heffernan Group

(866) 500-6359

Your association has a new website!
Reach us at



www.califmerchants.com

Get a head start on tax season with 'Tax Break' radio hour

Boy is the tax code complicated. With the current tax rules, however, complexity means opportunity. Andrew D Schwartz CPA has agreed to host a weekly, one-hour radio show on taxes through WorldTalkRadio.com. The show can be heard live every Wednesday at 4 p.m. at www.worldtalkradio.com. Each week, Andrew will interview various guests who can add information and insight to that week's topics, as well as take questions directly from the listeners.

Andrew has developed the knack of providing easy-to-understand answers to people's questions about income taxes. As a practicing CPA with a focus on income taxes since 1990, Andrew spends the bulk of his day working with his clients to help them minimize their tax burden and ensure that they don't pay more than their "fair share" of taxes.

When you listen to Tax Break, you're joining an ongoing discussion about the tax saving opportunities available to individuals and businesses.

January schedule of topics:

January 16 -- Does Incorporating Your Business Make Cents?
January 23 -- Save Taxes By Saving For Retirement
January 30 -- Fads Are Usually Frauds

Making New Year's resolutions stick

It's been estimated that 88% of us will make a New Year's resolution, with great hope that some things will change. The top resolutions are to lose weight, save or earn more money and to quit smoking. We resolve to change habits and do things differently, but somehow by the end of January we frequently slip back into our old behavior.

The best way to avoid a setback is to carefully think through the best strategies for setting your goals. It's as important to think of what you DON'T want as it is to think of what you DO want. Here's a plan on how to make your resolutions work for you.

~ Look at your past. Before you start something new, you need to evaluate what's worked for you in the past and what hasn't. Be realistic. Remember, insanity is doing the same thing over and over but expecting a different result.

~ List all your goals. Don't worry about how many you have. Be specific as to what you want to accomplish. If you want to improve your sales, list how you will accomplish that. Maybe it means you need hire someone to do your book-keeping, so you'll have time to network. If you want to start an exercise program, list how many times a week you will work out and for how long.

~ Prioritize. After you list is complete, you may find there are too many goals. Rather than try to do them all, concentrate of the ones that are the most important. It's better to accomplish one goal than to attempt them all and complete none of them.

~ Get a buddy. Look at your list and figure out who will be your best supporter. If your goal is work related, ask an employee to help you out and in exchange, do something for them. Talk to coworkers, friends and family to see if they have resolutions and need an accountability partner to help stay motivated.

~ Reward yourself. Whenever you achieve a milestone, give yourself a reward. If your goal was to lose 20 pounds, when you've lost ten, treat yourself to a mini vacation, or something you've been wanting. If your goal was business related, include your employees in the reward.



LAW TALK

By Bruce Rudman
Law Offices of Abdulaziz, Grossbart & Rudman



'No Match' letters cause controversy

As all employers should know, when hiring a new employee you must have the employee fill in an I-9 form issued by the Federal Government, and employer thereafter files W-2 forms each year with the Social Security Administration. According to the U.S. Immigrations and Customs Enforcement Agency (ICE), as many as 4% of the 250 million wage reports that are received by the Social Security Administration ("SSA") do not match the Social Security's Administration records.

When this occurs, the Social Security Administration issues a letter which is known as a "no match" letter to the employer, stating that the name or corresponding social security account number submitted for certain employees do not match the agency's records. Similarly, no-match letters are sometimes also issued by the Department of Homeland Security ("DHS"), notifying the employer that the immigration-status or employment-authorization documentation presented or referenced by the employee is not consistent with the Department of Homeland Security's records.

The Department of Homeland Security had enacted a new regulation, in which some have argued would result in the termination of employees whose Social Security Administration discrepancies were not resolved within 93 days of the receipt of a no-match letter. The effect of the new regulation was a finding that if an employer did not respond to a "no-match" letter, the Department of Homeland Security

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could conclude that the employer had "constructive knowledge" the employee was not authorized to be in the U.S. and they might then prosecute the employer accordingly.

A Federal Court issued a preliminary order stopping enforcement of the new Rule, which the court found could result in irreparable harm to the innocent workers and employers. The AFL-CIO, among others, filed a Federal lawsuit in the Northern District of California, seeking to prevent the government from enforcing the new regulation. The Union argued that the "no match" letter will serve to undermine all workers' labor rights, and that the majority of these letters are based on error-filled Social Security Administration records.

The Department of Homeland Security suggests that the new regulation merely reiterates that employers should remain accountable for the workers they hire, and it clarifies the steps employers should take to resolve mismatches identified in the

letters issued by the Social Security Administration. According to ICE, there are other reasons for a mismatch between the employer and the SSA records, including transposition errors and name changes following marriage that are not reported to SSA. Employers are told not to assume that the mismatch is the result of any wrongdoing on the part of the employee, but it was argued before the Federal Court that employers out of fear from being prosecuted would nevertheless terminate employees who could not reconcile problems with their Social Security or other employment information.

The DHS regulations specify the following steps that employers should take upon receipt of a no match letter: 1) verify within 30 days that the mismatch was not a result of a record-keeping error on the employer's part; 2) request that the employee confirm the accuracy of the employment records; 3) ask the employee to resolve the issue with SSA; 4) if these steps lead to the resolution of the problem, follow the instructions on the no match letter itself to correct the information with SSA and retain a copy of the verification with SSA; and 5) where the information cannot be corrected, complete a new I-9 form without using the questionable social security number and instead using approved documentation presented by the employee that conforms with the I-9 document identity requirements, including a photograph and other biographic data.

Please see MATCH, page 8

Now Available to All Members: FREE Discount Coupons!

Call the Association office to request these
coupons for you and your employees!!!



Los Angeles Zoo



Sea World San Diego

Six Flags Magic Mountain



Knott's Berry Farm



Coupons include discounted admission and more ...



Aquarium of the Pacific



San Diego Zoo and Wild Animal Park

Universal Studios



Call the Association office at (800) 823-4038!!!

SAFETY ... IT PAYS



Weathering wet work surfaces

Wet surfaces, whether indoors or out, always present a workplace hazard. They can be caused by wet weather, cleaning and accident spills, and work activities that require the use of water or are performed around water. Slipping on a wet surface can result in injuries including bruises, strains and sprains, lacerations, fractures and head trauma, and can even be fatal.

Some ways to prevent accidents include:

- * Use caution signs to clearly identify when a surface is wet or likely to become wet. Remember that signs lose their effectiveness if they are not removed once the surface is dry.

- * Consider posting season-

al caution signs in outdoor work areas and near equipment during the rainy season.

- * Specifically post signs that identify electrical hazards in wet conditions. Check for equipment and electrical currents that may not be grounded and wires

that aren't insulated.

- * Clean up spills immediately.

- * Use floor mats at entrances and exits to reduce tracking in of water from outside. Remind employees to slow down and use extra

caution.

- * If possible, organize work schedules based on weather forecasts and plan alternative tasks for inclement weather.

- * Schedule work activities under covered areas during predicted "wet weather days."

- * Construct temporary shelters such as tents or tarps over work sites that do not have existing overhead coverage.

- * Ensure good drainage to prevent standing water and speed drying.

- * Use pumps to disburse water.

- * Be certain that employees wear shoes and boots with slip-resistant soles.



Ridesharing reduces sting of rising oil prices

As oil prices top \$100 per barrel and signal another round of at-the-pump price hikes, the New Year gives Bay Area consumers a sobering reason to consider carpooling or vanpooling to work. Immediate savings come from a reduced gasoline bill and free bridge tolls. 511 Rideshare offers Bay Area commuters a free RideMatch service. Commuters can visit the Rideshare Web site at

511.org and click "Rideshare" to obtain a list of travelers seeking carpool partners who live and work nearby. Additionally, people interested in starting or joining a vanpool can find information on the site.

511 Rideshare's online Commute Calculator can provide an estimate of commuting costs. Visitors to the site simply enter the mileage to and from work, price of gas, miles per gallon for their vehicle and

other details. The calculator will provide a daily, monthly and annual commute cost and carpool savings comparison.

Long-time carpooler David Rolley, who travels weekdays from his home in Suisun City to work in Contra Costa, enjoys the benefits and encourages others to rideshare. "By splitting the cost of gas and free bridge tolls, my commute costs are dramatically reduced. This saves me money that I can use

on other household expenses," says Rolley. "We are all good friends and it is one of the highlights of my day," he adds.

Ridesharing can also make a long commute interesting and enjoyable. Lola Ferguson, a seasoned vanpool driver, enthusiastically shares her cost-saving experience. "I've been in a vanpool for many years, and I've saved a lot of money and a lot of

Please see RIDESHARE, page 7

Is sales an unattractive profession?

Almost half of buyers think so, study says

Forty-six percent of people with buying responsibility wouldn't be proud to call themselves sales professionals according to Development Dimensions International's (DDI) Global Sales Perceptions Report.

DDI, a global human resources consulting firm, surveyed 2,700 corporate buyers from Australia, Canada, France, Germany, the U.S. and the U.K. to explore views of and experiences with the sales profession.

"If salespeople can provide the support buyers are looking for, our study shows they can shift from being perceived as a necessary evil to an indispensable partner," Bradford Thomas, Manager, DDI's Sales Talent Practice, said. "Despite all the time and money spent training salespeople to be consultative, they are not making inroads to becoming business partners."

Some of the top findings from the late 2007 research includes:

Shed the "snake-oil" reputation.

When asked if they would be proud to call themselves a salesperson, 46 percent of respondents said "no thanks" to the profession. And who can blame them when descriptions of salespeople in the study include "charm school graduates," "leeches" and "rashes"?

"Sales organizations have made great strides toward becoming better business advisors over the last ten years, but it's still difficult to make these inroads because the perception of salespeople isn't always positive," Thomas said. "The general perception of buyers is that salespeople don't listen, they are pushy, and really don't take the time to understand buyers' needs or even their own products. It is hard to be a business advisor when the relationship is a one-way street."

It's not all peace, love and understanding.

Forty-one percent of respondents rated the overall quality of the sales profession "fair" or "poor." "Salespeople shouldn't settle for this mediocre perception," Thomas

said. "And companies shouldn't either. Do you really want most of your customers to feel lukewarm about your sales team?"

More than 40 percent of buyers have increased their expectations of salespeople's business and industry knowledge. And one in five buyers believe that salespeople's expertise is getting worse. One US buyer said the problem is "too many under-trained, underpaid young professionals who probably won't be there in a year. They have few resources for information and aren't trained to know how or where to look for help."

"Salespeople need to keep up with the changing needs and demands of their clients to meet these rising expectations," Thomas said. "If you want your salespeople to build value-added relationships with clients, you need to hire people who are good listeners and problem solvers, not hit-and-run sellers"

Rules of engagement.

When asked if they considered their sales contacts to be business partners, 54 percent of buyers said "yes." So, what makes a good partner? Buyers cited "product or service advice," "market knowledge" and "trust" as the top three qualities they value the most in a salesperson. Surprisingly, only 31 percent of buyers selected "relationship building" as a desired quality.

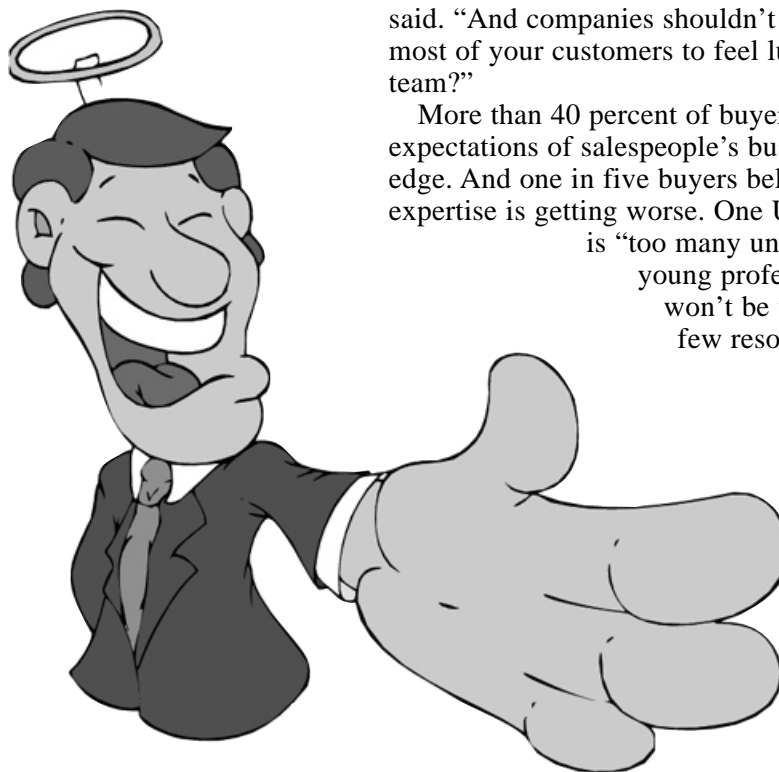
"In the wake of years of public business scandals, trust has really become a precursor to relationship building," Thomas said. "Salespeople have to provide extra value in order to earn the right to be viewed as a trusted business advisor."

Other Highlights from the Survey

* One third of respondents don't receive the level of support they need from salespeople

* Salespeople are the second choice for information to make buying decisions, losing out to the Internet

* Forty-three percent of buyers are more loyal to the salesperson than the company



Rideshare

Continued from page 5

time." Ferguson belongs to a vanpool that drives from Fairfield to Richmond in which all participants work for the same employer. "We really have a great time sharing amusing stories about our family and friends," adds Ferguson.



About 511 Rideshare:

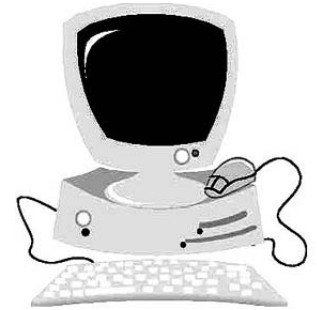
With an expanding RideMatch service database of more than 14,000 San Francisco Bay Area people, 511 Rideshare helps commuters find other drivers to carpool or vanpool together. 511 Rideshare also advises and assists Bay Area companies in planning and formulating customized employer-organized commute programs. Its mission is to reduce traffic congestion, clean the air, and reduce greenhouse gas emissions.

511 Rideshare is a free Web/phone service funded by the Federal Highway Administration, U.S. Department of Transportation, the Metropolitan Transportation Commission, the Bay Area Air Quality Management District and county congestion management agencies. Qualifying carpools can cross Bay Area toll bridges free of charge during commute hours. For more information, visit rideshare.511.org.

In Southern California, visit ridematch.info.

Web Corner

The Internet is a growing resource for merchant industries. Web Corner is a place for you to share websites that have helped you in your business life. Please send recommendations to greleht@aol.com for inclusion in the column.



Support 'good' companies while browsing the 'net

Badly behaved companies will be running scared. Now anyone can know the environmental and social responsibility of the company behind any web page and immediately see alternatives with Scryve's free Browser Tools. Once installed, users see a 1 to 10 (10 is best) company responsibility rating in the top right corner of their browser (whether the company wants it there or not).

People are looking for ways to support good companies; Scryve web tools make it possible to browse with a conscience without trying to change how people use the Internet. Concerned people can check the top right corner as they browse to see if the company takes care of the environment, its employees and the communities it serves with an Internet Explorer or Firefox browser tool. If they are interested in the rating they see, clicking on it shows the company profile and, with another click, alternatives companies to use. One user sees it as "a great way to pick between Coors and Bud, Google and Yahoo, and many others. Sometimes it's an easy change, and all I need is access to the information."

Check out the browser tools at

<http://www.scryve.com/xwiki/bin/view/Download/download>

On the main site, www.scryve.com, users can directly look up responsibility ratings and company profiles on over 3,500 companies, products and brands. One-click alternatives immediately provide users with more responsible options to deal with. Easily available information and alternatives makes it possible to reward companies with good records overall, and to one day make it bad business to behave irresponsibly. The Scryve site is built off of a community of users contributing to early content from Socially Responsible Investment analysts KLD. It rates early startups, multinational corporations and everything in between.

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Match: Before terminating any employee, discuss it with an employment litigation lawyer

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ICE advises that, "Employers unable to confirm employment through these procedures risk liability for violating the law by knowingly continuing to employ unauthorized persons. The word "knowingly" is the problem with the regulation. Unfortunately, if the employer cannot resolve any record keeping discrepancies, then the employer will then have a "catch-22" by having to either terminate the employee, or, face the risk that DHS will find the employer had constructive knowledge that the employee was unauthorized to work,

which means that the employer will be violating the law and could be prosecuted.

The latest ruling from the Federal Court came down on October 10, 2007. This halted enforcement of the new regulation. As we know more, we will report the decision of the Federal Court. If in doubt, before terminating any employee, you should discuss that action with a lawyer practicing employment litigation to avoid any potential liability on your part.

Abdulaziz, Grossbart & Rudman provides this information as a service

to its friends & clients. The contents of the article are of a general nature and are intended to highlight areas of the subject matter and should not be used as a substitute for specific legal advice. You should seek the aid and advice of a competent attorney and/or accountant instead of relying on the presentation and/or documents. Bruce D. Rudman can be reached at Abdulaziz, Grossbart & Rudman, P.O. Box 15458, North Hollywood, CA 91615-5458; (818) 760-2000, Facsimile (818) 760-3908; or by E-Mail at bdr@agrlaw.net. On the Internet, visit our Website at www.agrlaw.net.

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