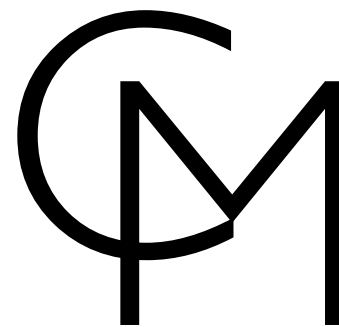


The California Merchant

News for the California Merchant Safety Association



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Now more than ever: Talk to each other

By Denise Ryan

Need a job? Want to get promoted? Like to have a date? You're going to have to communicate! Here are some tips to get you started:

Decide you want to communicate.

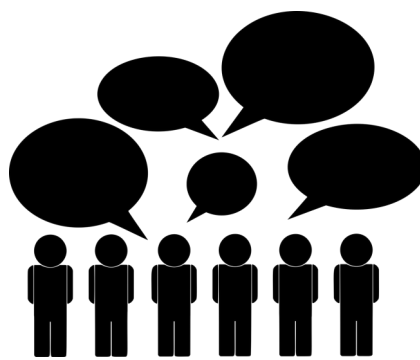
It all starts here. If you don't truly want to communicate with others, your efforts will be doomed. People are very perceptive and pick up on the smallest clues that you really don't want to be talking with them. (Well, most people that is.) So it starts with truly believing that communication skills are important and you want to acquire them.

Let go of perfection.

Not that any of us are perfectionists...but just in case, you'll have to let go of it with communication. It gets tricky; what worked well with one person may be a disaster with someone else. You're going to make mistakes, maybe even big mistakes. That's how you're going to learn. All you can do is the best you can in each situation.

Pay attention.

This is what matters most in communication. Pay attention to the other person or to the audience. If you are looking at a spreadsheet, you will miss the confusion on the client's face. If you're watching television you will miss your child's hurt look. I believe that most communication mistakes are made because we do not pay attention to the other person. Up to 93% of face-to-face communication is nonverbal. That means you really have to pay attention



to tone and body language as well as words to get the whole message. Quit looking at your phone!

Realize what you're saying in addition to the words.

You are always communicating. If you are speaking with clients and you don't smile, look only at your paperwork, and use jargon they don't understand, don't be surprised if you lose their account. If you present to a group and stare only at the Power Point slides and exude the energy of a mortician, don't expect them to be compelled by your words. No leader ever fired up his or her people by reading Power Point slides to them. Good eye contact, gesture and facial expressions are vital for your success.

Create opportunities to communicate.

The great thing about practicing communication is you get instant feedback. (But you have to be paying

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Communication: Ask family or co-workers for feedback

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attention to get it!) If the waitress gets your order wrong, there was a communication error somewhere. If you are in a fight with someone you love, there was a communication error somewhere. If you told a joke and no one laughed, ditto. Pay close attention to these errors and work to understand what went wrong. Communicate more, pay attention to the results and adjust accordingly. Over time you can only improve.

Learn as much as you can about this important skill.

To improve your skills, read a book or listen to an audiobook, sign up for a class or seminar. Communication skills do not come naturally. This is a false belief many people hold. You're either growing or you're dying—I recommend growing.

Ask for feedback - WARNING - this is

only for the non-thin skinned.

Ask your family how well you listen. Ask your co-workers or supervisor how well you communicate in meetings or during presentations. Ask for specifics—“was I interesting? Clear? Did I make good eye contact? Do I have any weird gestures? Do I have ANY gestures? Could you tell I was alive?” Tell them you are trying to improve your communication skills and need their input - make it safe for them to respond. Remember, this is only for the non-thin skinned. It's hard to take constructive feedback. And the truth is, if you're paying attention, you get constant feedback about your communication skills. Sadly, most of us aren't paying attention.

Overcome your fear of communicating.

Here's the real deal: most people are more intimidated by YOU than you realize. If you're an introvert you may seem quiet and withdrawn, which some

people may mistake for arrogance. I know it seems ridiculous, but the more you smile, the less scary you are! Break one out—I swear it doesn't hurt. You shouldn't be afraid of communicating. The biggest thing you should focus on is putting others at ease.

Communication is vital to your success. Improving your communication skills will improve your relationships and make you richer. Treat it like any other professional skill: learn about it, practice it, get better at it. You can't run from it, you can't hide from it, you can't avoid it.

Denise Ryan, MBA, is a Certified Speaking Professional, a designation of excellence held by less than 10% of all professional speakers. She is a blogger at motivationbychocolate.blogspot.com Visit www.firestarspeaking.com, where you can see more articles and sign up for a free newsletter.

Jump start a car battery the safe way

As the cold weather starts to come upon us, many car batteries will start to fail. When a motor vehicle battery fails, a jump start often is the best short term way to get the motor going.

It's always a good idea to carry jumper cables in your trunk in case you, or someone else on the road, needs help. Best safety practices suggest keeping a pair of work gloves in the car with the cables. (Nothing to do with the battery, but why not include a blanket in your trunk to stay warm in case of car trouble of any kind?)

Because it is important that jump starting be done properly, the National Safety Council recommends the following procedure:

- Position another vehicle with a healthy battery and your car so they do not touch each other. Be sure both batteries are of the same voltage.
- Read the owners' manuals for BOTH vehicles for any special directions.
- Turn off the ignitions of both vehicles and set the parking brakes. Place automatic transmissions in "Park" and standard transmissions in neutral.
- If possible, wear safety glasses and gloves while using cables.
- Unless given different directions in the owner's manual, use the booster cables in this order:
 1. Clamp/connect one end of the positive (+) booster cable to the positive (+) post of the dead battery. Positive is typically color coded RED.
 2. Connect the other end of the same cable to the same marked post (+) of the booster battery.
 3. Connect the second, negative (-) booster cable to the other post of the booster battery. Negative is typically color coded BLACK.
 4. Make the final negative (-) booster cable connection on the engine block of the stalled vehicle away from the battery.

vehicle and let it run for a few minutes. Then, start the disabled vehicle.

- Remove the cables in the reverse order of connection, being very careful not to let the booster cable clamps touch each other or come in contact with car parts. Also, avoid the fans of the engines. Electric fans may run without the engine being on.

Finally, remember that there is a reason the battery failed in the first place. If obvious reasons such as leaving your lights on aren't responsible, you had better get your car's electrical system, including the battery, checked out before you end up with another dead battery, and without a jump.

- Start the booster

Five tips to avoid wage and hour lawsuits

By Becky Regan

Recent broadcasts from multiple sources, including Kiplinger and the national employment law firm of Seyfarth Shaw, are advising clients and workplace managers of a large uptick in wage and hour class action lawsuits. This dramatic increase in the number and settlement size of these class action suits provides further support to train managers in wage and hour issues.

Both sources contend that wage and hour lawsuits are exponentially outpacing all other types of workplace class action lawsuits. Collective actions filed in federal court outnumbered all other types of private class action suits, and hit the following states the hardest last year: California, Florida, Illinois, New Jersey, New York, Massachusetts, Minnesota, Pennsylvania, and Washington. This trend is expected to continue.

The cost of losing these complaints and lawsuits for employers is huge. Seyfarth Shaw reported that the dollar valuation of the “top 10” private settlements totaled \$363.8 million, up from \$252.70 million the previous year.

At Ohio Employer’s Law Blog, attorney John Hyman wrote a blog that highlighted a \$1 billion class action lawsuit (as he says, “yes that’s 9 zeroes!”) filed against AT&T for their alleged misclassification of their first line managers as being “exempt.” Unfortunately, it only takes one disgruntled employee to instigate a wage and hours complaint that has the potential to become a major class action suit against an employer.

Here are five tips you can implement in your organization to avoid wage and hour complaints and lawsuits:

1). Conduct a wage and hour audit. Now is the time to become proactive, to be certain that your organization’s jobs are properly classified as being either “exempt” or “non-exempt” under the FLSA and DOL’s regulations. If you don’t have the time to conduct the audit yourself, hire an experienced HR consultant or attorney to perform this



analysis.

2). Identify and focus on known “problem jobs” including jobs under the administrative exemption, IT jobs, outside/inside sales jobs, and first line supervision jobs. The FLSA evaluation tends to become difficult when evaluating the “threshold jobs” that are just on the border of transitioning from being “non-exempt” to “exempt.” States who have more restrictive wage and hour regulations regarding specified jobs groups can also be problematic.

3). When in doubt, hire an expert to make the determination as to the proper classification status. Run the most difficult problem jobs by your labor attorney to make a final determination. Or decide to manage this conservatively and classify problem jobs as being non-exempt to avoid any future problems. Of course, many employers don’t want to do this because of the overtime pay costs.

4). Bring your managers into the decision making process. Get additional information from them about the job’s responsibilities and duties as necessary, and use the time to educate them about why the job has to be classified one way or the other. You’ll have greater buy-in from them once the final decision’s been made because they were a part of the process.

5). Train your managers. Clarify and correct common managerial beliefs

such as discretionary classification of jobs based upon their whim, the differences between salaried and exempt, and key elements of your compensation practices.

Knowledgeable managers won’t allow unauthorized overtime practices, missed lunch or regular breaks from their employees.

Experts believe that approximately 70% of businesses are out of compliance with wage and hour laws. Through implementing these five recommended practices, you could potentially save your organization thousands and maybe even millions of dollars in avoided complaints or lawsuits. If you suspect that your company has wage and hour issues, don’t wait for one of the 250 newly hired DOL agents to show up on your doorstep before you address them!

Becky Regan is the founder and President of Regan HR, Inc., a human resources consulting firm specializing in compensation consulting for California employers and purveyor of online HR products. A former Corporate Human Resources Director (10,000+ employees) with more than 25 years of HR work experience in many industries, her team works with private, public and non-profit clients. Becky is passionate about designing HR programs and compensation plans that build organizations.

Declutter and organize your computer data

By McKenzie Jones

We use our computers and technology daily, especially now that doing work remotely and school from home is becoming more common, we can accumulate a lot of documents and photos on our storage. Especially if using computers for personal purposes by releasing creativity in writing or digital design, it is important to keep all documents organized.

We often hear about people decluttering their homes and clearing up space; but what about our computers? Most people in this age spend quality time in front of the PC, so it's important to routinely clear up digital clutter. Depending on how long it's been since your last computer cleanup this may prove to be stressful; once you have a clean PC, however, everything will feel fresh and new.

Unsubscribe from Unwanted Emails

Sometimes you subscribe to newsletters, promotions, and updates that end up no longer serving you years down the line. On occasion, you may even give your email when checking out at a store for coupons and discounts you never use. Life gets in the way, things change, and so do our interests and what we want to subscribe to. The very first thing to do to give your computer a fresh start is to unsubscribe from everything you don't need and clear it all out. Having a clean email will be satisfying and save you the hassle of constantly cleaning up ads and news for what you're not interested in.

Clean Out Social Media Newsfeeds

The next thing to do to give your computer that fresh start feel is to declutter your social media. This means unfriending or unfollowing people you don't want updates on, blocking ads that don't serve you and even cleaning up your profile for potential employers and new friends. If your friend tagged you in



an embarrassing photo, remove the tag. Update your information and the people you want to be friends with. Cleaning out your social media feed will make scrolling online more personalized and you'll only be updated on the things and people you care about.

Defrag and Disk Cleanup

Now it's time to discard any unwanted and unnecessary files on your hard drive. The old term for a general disk cleanup is defragging, but many new versions of operating systems refer to the process as optimizing. This is the first step in clearing up space, as the program will automatically detect unnecessary items such as leftover files from uninstalled software, clearing the recycle bin, or removing old software that's been updated. Of course, this will not involve all the files on your computer, so you'll still have to remember to manually go through items such as pictures, programs, downloaded files, and other documents. There are plenty of resources available online to help you figure out what needs to be cleaned and organized on your PC.

Run Antivirus and Malware Protection Programs

Arguably the best thing to do to give your computer a fresh start in the digital

decluttering process is to make sure all the files you have are safe. It's recommended to run antivirus software often, but if you've forgotten to keep up on the scans, now is the perfect time to run it. Removing harmful files that may be a scammer trying to steal your information is crucial in keeping a healthy computer running. Routine virus scans will protect your data, identity, and the computer itself. If you happen to be searching for managed IT services pricing guide for your business, Buchanan offers a price list for various services you may need to clean up your computer in case you need help finding where to start.

Organize Files and Store on the Cloud

After sifting through all your files and deciding on what needs to be kept, it's best to keep everything organized. Creating several folders may be a hassle all at once, but your documents will never be lost again if your organization is clear enough. It's also important to remember that there are several ways to store your files off the computer if they are not required for routine use. Many people will upload their files to digital storage services, but this can pose a risk in scammers accessing your information. If you're unsure of using this service, you can still store your files on physical equipment like flash drives or external storage.

Although decluttering and organizing your computer may prove to be a long and tedious process, it's well worth the effort. Keeping your computer organized will save time and keep everything important close enough to access without additional digital clutter.

McKenzie Jones is a freelance writer in the Midwest. When she is not writing or reading, she can be found training for her next half-marathon, baking something sweet, playing her guitar, or cuddled up with her golden retriever, Cooper. She loves watching football, fall weather, and long road trips.

Flu season in the time of COVID

Winter is upon us, the pandemic is dragging on and if this wasn't enough, the season for yet another infectious disease is looming: Influenza.

While the focus is on the new omicron variant COVID outbreak, flu season cannot be ignored. Just like coronavirus, influenza virus can spread with mild infections that can be serious for many people. In a typical year, flu causes an average of half a million hospitalizations and 35,000 deaths in the United States (for more information and a detailed breakdown, visit www.cdc.gov/flu/about/burden/index.html).

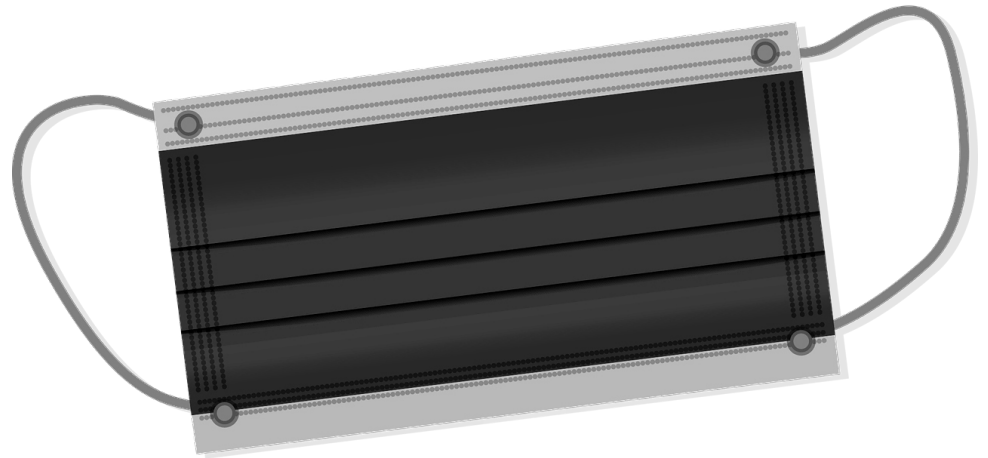
Influenza is a viral infection that attacks the nose, lungs and throat. Last year more than 39 million people got sick with influenza, according to estimates from the CDC. So the question is, what will this winter be like with both COVID-19 and flu in the mix? It's not entirely known.

The flu season may start in October and doesn't come to a head until January or February, making this month prime flu season. But there are certain steps you can take to protect yourself and your loved ones, and help keep the hospitals from becoming overwhelmed with sick patients. Using face masks, maintaining social distance, limiting large social gatherings and taking other actions to reduce the spread of coronavirus also helps limit flu transmission. Face masks provide a physical barrier for large particle respiratory droplets when an infected person sneezes or coughs.

Both the flu and coronavirus are serious illnesses. Prepare yourself and your loved ones with these steps.

Get your flu shot

Research shows that the flu vaccine can reduce the risk of flu illness and makes it less likely that you would get severely ill even if you did become



infected. The CDC recommends that anyone over the age of 6 months can get vaccinated. It is advisable to get a flu shot in early October to prepare for the beginning parts of flu season, but anytime you get it is helpful. So if you haven't gotten it yet, there's still time!

Stay vigilant with safety precautions

Just like coronavirus, flu infection spreads through droplets from a person's nose or mouth. All the safety measures taken to prevent spread of coronavirus, such as masking, staying six feet away, frequent washing of hands etc. can also be followed for flu season. This will reduce your chances of being exposed to a flu virus.

Know what to do if you get sick

Influenza virus and COVID-19 have similar symptoms, such as cough, fever, muscle aches and difficulty in breathing. If you develop any of the above symptoms, immediately get in touch with your doctor. The doctor will better advise you what can be done and if a test for the flu or COVID-19 should be conducted.

Stock your medicine cabinet

If you get a mild case of the flu, stay home until you get well to avoid passing it on to others. Doctors recommend keeping a few things handy to mitigate symptoms: a fever reducer such as acetaminophen (Tylenol) or ibuprofen (Advil), cough syrup, thermometer, heating pad for muscle aches. To measure the level of oxygen in one's blood, it's a good idea to keep a pulse oximeter at home.

Winter is also the time for other contagious illnesses, like respiratory syncytial virus (which commonly affects children) and norovirus (a stomach bug). Taking necessary precautions for covid and flu virus will also help keep these illnesses at bay. Washing your hands frequently, practicing good cough etiquette, disinfecting hard surfaces with sanitizers and staying home while you're sick are good practices in winter no matter what.

With several serious bugs burdening our health care system, it's even more important to take the utmost care. The above preventative measures can help us protect ourselves and at-risk people around us from flu and more.

Compost, don't toss, with new food law

Starting Jan. 1, instead of throwing that container of fuzzy strawberries into the trash, a new law will require Californians to recycle their food scraps and other leftovers.

Senate Bill 1383 mandates that you toss organic material into bins you use for other “green” waste, such as garden trimmings, lawn clippings and leaves. This is part of a larger effort to reduce short-lived climate pollutants (including methane) and redirect organic waste from landfills back to the soil as compost or mulch.

In the United States, up to 40% of food produced is disposed of uneaten. Food waste occurs from farms, manufacturers, businesses (such as restaurants and grocery stores), and households—with individual households making up the largest percentage of waste at 43%!

Food waste is about more than what goes into the trash. Getting food from farm to fork takes an enormous amount of resources—energy, land and water. All told, the U.S. spends \$218 billion each year to grow, handle, deliver and dispose of uneaten food. Food is the largest component of municipal landfills. In addition to taking up space, decomposing food releases methane, a powerful greenhouse gas, making it a powerful contributor to global warming.

Right now, California landfills contain 23 million tons of organic material. The state is hoping to cut that by 75% by 2025.

The bill also targets large food distributors like grocery stores that must now donate edible food that would otherwise be thrown away to food banks or other organizations or face fines.

Food waste is a problem with solutions. State and federal laws, as well as efforts by businesses, organizations and consumers, can reduce the amount of food that goes to waste, helping to conserve natural resources, create economic opportunity and feed the hungry.

If you're unsure about how to get started with recycling food waste, here



are some tips.

Food that can be composted:

- Coffee grounds, coffee filters and non-nylon tea bags
- Fruit and vegetable scraps (even the moldy parts)
- Egg shells
- Used/dirty paper food containers
- Juice pulp
- Paper towels and tissues
- Paper plates

Many municipalities accept more food items. For example, Santa Monica also accepts meat, seafood scraps and dairy products. In Marin county, Marin Sanitary Service's green waste bins accept food-stained cardboard and paper items along with anything edible: If you can eat it, it can go in the green cart. Check with your local municipality to get an exact list of approved food items that can be recycled, along with information on programs available for home composting.

The bill directs municipalities to provide organic waste collection services to all residents and businesses. Some cities in Southern California — Santa Monica, El Segundo, Manhattan Beach, Rolling Hills and Costa Mesa —

already have a program in place. Others have pilot programs or are gearing up to implement new ones by Jan. 1.

To figure out what collection services your municipality provides, call or visit the website of the city, public works department, sanitation bureau or whatever department is in charge of waste collection.

If your municipality doesn't already offer curbside food waste/composting pickup, private companies may take up the slack. Look up food waste pickup companies in your area; in Southern California, try Compostable LA, LA Compost, or Orange Compost charges \$20 a month to pick up food waste from Anaheim, Fullerton, Orange and Santa Ana residents.

Recycling in your home

To recycle food waste at home without a curbside green bin, start by separating your vegetable and fruit scraps. You may be able to get a free countertop compost bin from your city, or use any reusable, washable container with a lid. Don't make it so big you can't empty it frequently or easily.

To keep away smells, bugs, and excess liquid, try layering with sawdust or paper towels (this is a great way to dispose of kitchen paper towels, paper napkins, tissues... or rip paper grocery bags to the right size to layer). You can also store the container in the fridge or freezer, or put your scraps straight into a brown paper bag and into the freezer until they can be picked up by your designated service. You can also take them to a farmer's market or community garden with a composting space.

Finally, be wary of compostable plastics, including “biobags” made of corn. They seem like the perfect solution for lining food scrap containers, but many recyclers don't accept them, and it creates more waste as your compostables can't be used. The same goes for “compostable” plastic cups and utensils; keep them out of green bins unless you know for sure your service accepts them.

SAFETY ... IT PAYS



Get a good workout at home with limited space

By Marko Rakic

It can be tough to get to the gym these days, and for many reasons, people are choosing to work out from home. When you're a fitness fanatic and don't know which corner to turn because you can't go to the gym, you're probably looking for ways that you can get a great workout at home. For those of us doing forms of bodybuilding, we need some type of resistance training as well that can only come from lifting weights.

It might seem difficult to do a strength training workout at home, but having a small room or apartment doesn't mean you need to skip out on exercise. Check out these easy home gym equipment ideas if you have minimal space. Best of all, they don't cost a fortune.

Adjustable Dumbbells

Dumbbells are an essential part of strength training and if you've ever



gone to a proper gym they usually have a whole section dedicated to dumbbells ranging from a few pounds to a few hundred pounds. It's really a gym staple.

Adjustable dumbbells are great because you don't need to have 20 different dumbbells sitting in your home taking up a lot of space. They are like ordinary dumbbells, except that the weight is not fixed. They tend to have a locking system and come with different plates of weights that you can fix to the dumbbell and then lock it.

This makes it easy to start with a low

number and then work your way up as you build upon your strength training, pretty neat right?

Adjustable Kettlebells

Much like adjustable dumbbells, adjustable kettlebells are similar in nature where you can increase the weight range of them and lock them into place. Some of them have a simple system where you just push a button to release the weights and then clip in further sizes, usually in 6-pound increments.

Kettlebells are a lot more versatile than dumbbells because you can use them to do things such as goblet squats, as well as bicep curls and various other kettlebell exercises. They're a great space saver as well as they can just sit in your wardrobe or in a corner.

Ab Wheel Rollers

You've probably seen these at gyms; people usually look like they're flattening out the pastry of a pizza base on the floor moving up and down. Those are called ab rollers. They can be used to train your core, hips, arms and back muscles and don't require much room other than your body size.

And if none of the above items fit your needs, you can focus on the good old basics of calisthenics such as pushups, sit-ups, jumping jacks, squats... you get the idea. Resistance training with bands takes up very little space, or try a Pilates workout! Staying in shape is not only good for the body, it's great for the mind and heart, too.

Marko Rakic is a trail runner and fitness enthusiast from Sydney, Australia. He is the lead writer for The Ultimate Primate and believes the best way to live a happy life is to take a holistic approach to fitness and health.

OSHA CORNER

Please visit the following address on the web to download helpful safety posters, guides and pamphlets for a safer workplace.

<https://www.osha.gov/publications>



Need to brush up on skills? Try an online class

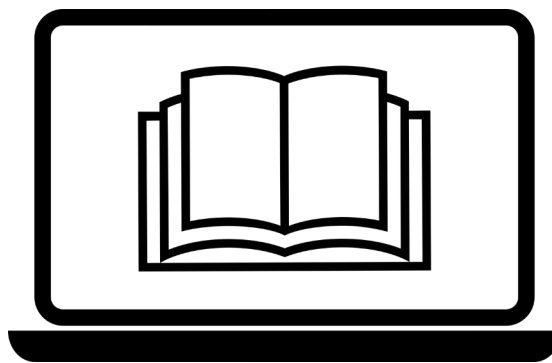
By Sam Ellis

The notion of distance learning programs varies, as many individuals still aren't aware of what taking a distance learning course involves or whether an education through a distance learning school is the right one. There are advantages and disadvantages to studying online. Before enrolling in a distance learning course, the following points should be taken into consideration:

A better focus and concentration is a huge advantage of distance learning programs. Wasted time commuting and the distractions of listening to lectures amidst a group of shuffling people are gone. Distance learning courses can be worked on when the time is right and when the student can sit down to fully direct his or her attention to the course material.

Everyone in an online classroom gets a chance to contribute. Many times, students grouped in traditional classrooms are reluctant to raise their hand to either ask or answer a question. In a room full of fellow students, pressure to avoid embarrassment is high. With distance learning programs, students are able to think through a question carefully and can post the answer online to the distance learning school website or message board, when they are ready to do so.

Being taught online leaves very little room for cheating or slacking off. As with live classrooms, quizzes and exams through distance learning programs are timed. Through discussion boards of the distance learning school, it is easy to tell whether or not a student understands the ideas in a lesson. There is actually little chance for people to get by unnoticed while competing a distance learning course.



With online courses, there is no such thing as a 7 am class. There is no driving across town and having to hunt down a parking spot that is close to campus. Distance learning programs give students the ease of learning at their own pace and at their own convenience. Students can study their distance learning course in the comfort of their own home.

With that being said, working at home can have its own set of distractions. The sound of the television, the telephone, or the noise coming from kids or pets can be major distractions. Working online can also lead to temptation of doing something more fun, such as chatting via instant messaging or surfing the web. It may not apply to every student, but things like browsing can take out a chunk of time in your day that could have been used towards your distance learning program.

Distance learning courses involve independent learning, with very little physical contact with the teacher or other students. Everything must be done on your own. Taking online classes from a distance learning school usually means things like study groups are nonexistent, due mostly to time or distance constraints. While some students thrive on working independently, other students find

difficulty in going at it alone.

When a student has a problem while working on homework or on an exam, the student taking a distance learning course can directly ask a teacher for help. With distance learning programs, though, the teacher and students may not be together at the same time, meaning that an instructor cannot give a student immediate feedback and must communicate differently.

Distance learning programs are taught through a computer and a student must uphold a minimum level of computer knowledge. Knowing just the basics of computer technology is usually not enough for a student to excel within an online class.

Some students find that the lack of examples or explanations that a professor can provide to be a distinct disadvantage of distance learning programs. After all, if we don't understand the material presented, there isn't anyone we can go to for extra discussion or explanation until the idea sinks in. However, students can contact the distance learning school to speak with someone who can help. Email communication is also available, but the time delay in responses might slow studies down.

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