



CAPLAW has teamed up with the experienced employment law attorneys at Fisher & Phillips LLP to offer CAAs the essential low-cost legal service they need during challenging times.

CAPLAW works with its members on a range of employment law issues. We understand that lack of access to an attorney and Community Action Agency (CAA) budget limitations can be challenging. That is why CAPLAW has teamed up with the national employment law firm of Fisher & Phillips LLP to create the **Employer Smarts Program**, offering our members an array of reasonably-priced legal services.

Why Join the CAA Employer Smarts Program?

The attorneys of Fisher & Phillips are familiar with the unique requirements that govern CAA and Head Start grantees and will offer your CAA an array of flat fee legal services and training opportunities that CAPLAW or your local attorney may not be able to provide. **These services include in-person staff training, employee handbook preparation, and phone access to attorneys familiar with your state's employment laws.**

By working with an attorney to ensure your CAA's policies and procedures are legally and practically compliant, you will be taking vital preemptive steps to avoid costly litigation, negative press, and the low employee morale and performance that goes along with it.

This service can supplement and complement legal information provided by CAPLAW and representation by a CAA's local attorney by making available cost effective in-person on-site training for your entire CAA staff, legally compliant and individually state-law tailored personnel policies, and quick telephone access to an attorney licensed in your state, knowledgeable on a wide array of employment law issues who will be familiar with the legal issues at your CAA and have access to a other firm attorneys across the country on difficult issues. CAPLAW will work with the CAA and the Fisher & Phillips lawyers on issues where our expertise would be useful.

Want more information about the importance of working with an attorney? Check out CAPLAW's website, www.capl原因.org.

When Should We Consult an Attorney?

Fisher & Phillips attorneys will not only explain the legal implications of a matter but also provide you with objective and analytical viewpoints. They will provide you with options for addressing a matter and discuss the level of risk associated with each option. Some situations when a CAA should consider consulting an attorney include:

- *Revising personnel policies*
- *Hiring and terminating an employee*
- *Responding to a lawsuit filed against a CAA*
- *Addressing a complaint filed by an employee against a CAA*
- *Classifying exempt and non-exempt employees*
- *Drafting employment application and other hiring documents and procedures*

Include Legal Services Costs in your Grant and Administrative Budgets

As you budget for the coming year, don't forget that legal services are generally an allowable professional service expense under the OMB Federal Cost Principles, so long as the requirements of those principles are met and the costs are not related to certain unallowable legal proceedings. Spending money on the prevention side is likely to save your CAA money and time in the long term by decreasing the likelihood of legal claims down the road.

Who is Fisher & Phillips?

Fisher & Phillips is a law firm devoted exclusively to assisting employers, including non-profit tax-exempt organizations, in labor and employment matters. With 27 offices and more than 275 attorneys, Fisher & Phillips is well-positioned to assist CAAs throughout the United States. The firm has been committed to delivering quality legal services to its clients for 70 years. Learn more about Fisher & Phillips and where they practice at www.laborlawyers.com.

Please call or e-mail Fisher & Phillips attorney John Polson for detailed information on each option: 949.851.2424; jpolson@laborlawyers.com.

CAA Employer Smarts Options

Your CAA can benefit from one or more of five different *Employer Smarts* options.

1. Advice Retainer:

The Advice Retainer covers basic, day-to-day legal questions regarding labor and employment law. Terminations and medical leave issues are some of the most common questions that should be vetted by an attorney and are covered in this package.

Cost:

150 employees or less at the time of the retainer agreement: \$3,750
More than 150 employees at the time of the retainer agreement: \$3,750 plus an additional \$5 per employee over 150

2. Employee Handbook:

A well written employee handbook is critical to an employer's ability to defend its employment practices. Many CAAs have "legacy" handbooks that contain policies passed down from generation to generation, as well as policies that have been copied from other employers' handbooks with insufficient legal review. The Fisher & Phillips model handbook policies have been honed over the years to take into account the various legal challenges that can test the employer's written policies. The handbook would include the policies of the individual CAA along with additional policies intended to protect the employees and the CAA. The handbook will be provided in an electronic format that can be maintained by the CAA.

Cost:

Single state handbook: \$3,000
Each additional state: \$500

3. In-Person Training:

A Fisher & Phillips attorney will provide three hours of preventive training to managers and executives. Preventive training topics include: hiring, discipline and discharge, leave laws, discrimination and harassment avoidance, and basic wage and hour issues.

Cost:

Within 50 miles of the closest Fisher & Phillips office: \$1,500
50 miles or more from the closest Fisher & Phillips office: \$2,500 plus travel expenses.
Webinars: \$1,000

4. Wage Hour Review:

Wage and hour compliance is one of the more challenging areas of labor and employment law for CAAs. There are many gray areas of the law, and it is very costly to review every single aspect of wage and hour compliance on a regular basis. Fisher & Phillips has formulated a program whereby it gathers wage and hour data from the client and reviews compliance remotely without going on site. The review includes an analysis of exemption issues, hours worked issues, recordkeeping, overtime pay calculations, and a variety of other wage and hour topics. The review is based on a sampling of data, so it is not an "audit," but it is based on sufficient data to identify the most significant compliance problems.

Cost:

\$2,500 per annual wage and hour review

5. I-9 Review:

The Federal government has dramatically increased I-9 enforcement (documentation that an employee is legally permitted to work in the U.S.) and audits by Immigration and Customs Enforcement (ICE) have become more common. Fortunately, I-9 compliance can be improved dramatically by having an attorney review I-9 practices and advise the employer how to correct existing errors and compliance problems. Fisher & Phillips offers an I-9 review program that covers a sampling of I-9s that allows it to spot the most common problems and advise the CAA how to review the remaining I-9s to spot/correct the errors themselves. A Fisher & Phillips attorney would review a sampling of 50 I-9 forms and advise your organization regarding compliance problems and necessary corrections.

Cost:

\$1,500 per annual I-9 review

The scope of services and pricing described in this document are subject to change. The actual cost and pricing of services will be confirmed by Fisher & Phillips at the time the Firm is engaged to provide services.