



# RESTAURANT RISK ADVISOR

*Keeping An Eye On Protecting Your Business Interests*

-Sponsored by BayRisk Svcs., Alameda, CA-

70+ years in CA, specializing in Employment Practices, Work. Comp. and Business Liability



## **Monthly Alert: January, 2010**

The challenging economy has created the risk of a more litigious and unstable business and political environment. As a value-added service for our existing and prospective clients, we monitor relevant events in the Restaurant Marketplace as it pertains to protecting your business assets. We've included a summary of recent, worthy news items below. For links to the entire News Flashes or other areas of inquiry, visit [www.restaurantriskadvisor.com](http://www.restaurantriskadvisor.com) or call me at 510-523-3435-Denny Christner, Senior Acct. Mgr.

### **WORKERS COMP FLASH REPORTS!**

**No Timely Update For Permanent Disability Rating Schedule** The Department of Industrial Relations Division of Workers' Compensation is facing a legislatively imposed deadline to update the Permanent Disability Rating Schedule by January 1, 2010, but the Division is going to ignore the mandate. "We're deferring action on updating the PDRS. We're not going to amend the schedule prior to January 1, 2010," Susan Gard, director of policy and legislation for the DWC.

**Analyst Says AIG's Workers' Comp Reserves Are Short** Shares in American International Group (NYSE: AIG) were taking a hit on Wall Street after a prominent analyst warned that three of its long-tail lines of coverage were significantly under reserved.

**California Businesses Reduce Work Comp Premiums With Effective Safety Programs** Every employer should want to increase their safety program and reduce on-the-job accidents. You can reduce your workers' compensation exposure by an effective and active safety program. Since a large part of workers' compensation premiums is based upon frequency of injury, the premiums can be reduced with an effective safety program.

### **EMPLOYMENT PRACTICE LIABILITY FLASH REPORTS!**

**Governor Arnold Schwarzenegger vetoed several employment-related bills...** They would have caused more headaches for California employers. California Legislature had passed the following bills and sent them to the Governor for signature: (1) AB 335, which would have prohibited forum selection and choice of law clauses in employment agreements (2) AB 793, which would have increased the statute of limitations and recovery period for compensation-related claims; (3) AB 943, which would have prohibited employers in most instances from obtaining credit reports for use in hiring decisions; and (4) AB 527, which would have created a presumption in Labor Commissioner proceedings that all pay records relating to the claim would be presumed false if the Labor Commissioner found that two or more records for any pay period were falsified.

### **EPLI (Employers Professional Liability Insurance)...A Critical Insurance For Your California Restaurant**

The past decade has witnessed an alarming surge in the number of employment related lawsuits lodged against American businesses. In the past year, the Equal Employment Opportunity Commission received a shocking 50,000 charges of alleged sexual and raced-based discrimination, comprising 72% of the agency's private sector caseload. Almost three-quarters of all lawsuits brought against companies today involve employment disputes.

### **-IMPORTANT CA RESTAURANT RESOURCES-**

CA Secretary of State	916-653-6814	<a href="http://www.sos.ca.gov">www.sos.ca.gov</a>
CA Work Comp Insurance Rating Bureau	888-229-2472	<a href="http://www.wcirbonline.org">www.wcirbonline.org</a>
CA Dept. of Alcoholic and Beverage Control	916-419-2500	<a href="http://www.abc.ca.gov">www.abc.ca.gov</a>
CA Uniform Food Facility Retail Law	<a href="http://www.foodserviceresource.com/State/CA/CURFFL.pdf">www.foodserviceresource.com/State/CA/CURFFL.pdf</a>	
CA Restaurant Association 800-447-5793	<a href="http://www.calrest.org">www.calrest.org</a>	
US Dept. of Labor Standards for New Business	866-487-2365	<a href="http://www.dol.gov">www.dol.gov</a>
US Food & Drug Administration	888-463-6332	<a href="http://www.fda.gov">www.fda.gov</a>
Occupational Safety & Health Administration	800-321-OSHA	<a href="http://www.OSHA.gov">www.OSHA.gov</a>
Government Food Safety Information	<a href="http://www.foodsafety.gov">www.foodsafety.gov</a>	