



Region 7 Review

A monthly publication for the members of IPSSA, Inc. – Region 7

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IPSSA, INC. REGION 7

Board Officers

Rick Bishop, Region Director
(760) 730-3116
Gordon Pithart, Region Treasurer
Don Wall, Region Secretary

Director's Corner

IPSSA Scholarship Fund In the last enrollment period, nine people applied for the IPSSA Scholarship Fund; four were eligible, and each was fully funded for their educational goals. The next enrollment period will begin on November 1 and end February 1. Applications will be available some time in October. Retroactive payment will be made for any courses completed after February 1, 2001. Because the IPSSA Scholarship Fund is a separate entity, if IPSSA members request funds for Contractor's license, they can still be eligible for the IPSSA rebate program.

R7 Directory AJ Wilson and his wife were at last month's R7 picnic taking pictures of members for the upcoming revised R7 directory. If you missed him at the picnic, he is also making the rounds of all the chapters in R7 to take pics for the updated directory. If you haven't seen him at your chapter, you soon will. Thanks, AJ, for all your help!

Cool Web Site

Got a question on a spa? Try logging onto www.spaDepot.com. It gives tips on maintenance and equipment trouble-shooting and explanations about water chemistry. Replacement parts, filters, and covers also can be bought through the site.

Twin Towers Disaster

--Donations of Blood Needed

As you know, because of this horrendous tragedy, donations of blood are needed. However, right now large numbers of people are donating, and there is a long line of donors. Instead of giving blood in the next few days, you are encouraged to give blood during the next several weeks. Once the immediate emergency is over, there will still be an ongoing critical need for blood.

You can donate blood at the Red Cross (1-800-GIVE-LIFE, or www.redcross.org) or San Diego Blood Bank (www.sandiegobloodbank.org). As you may recall, some time ago the San Diego chapter of R7 had set up an account (IPSA) at the Blood Bank as a benefit to R7 members and their families.

San Diego Blood Bank Locations

680 Fletcher Pkwy, El Cajon 619-441-1804
1340 W Valley Pkwy, Escon. 760-489-0621
1415 Ross St, El Centro 760-353-3554
Sweetwater Plaza, 1717 Sweetwater Rd #G,
National City 619-336-4090
400 Upas, San Diego, 619-296-6393
161 Thunder Dr. #108, Vista 760-945-1906

To donate blood, you should be in reasonably good health, with no recent surgeries. Your blood pressure will be taken, and you will be asked a series of questions to determine if you are a good candidate to donate blood. If you have second thoughts about the safety of your blood, don't worry – they test all blood before using; it's strictly confidential.

Calendar of Events

- **R7 Board Meeting**, Tues., Sept. 25, 7:00 p.m., location TBA with mailed agenda. *Bring your nominations for the R7 Election.*
- **Pool Industry Expo**, Sept. 27 – 29, Monterey Convention Center. (650) 323-7743 (general info), (415) 883-3743 (exhibitors).
- **NSPI Design Awards and Golf Classic**, Fri., Sept. 28, Doubletree Golf Resort, 14455 Penasquitos Dr., San Diego, to benefit Children's Hospital. For info, reservations, or sponsorships, call (888) 269-1589, fax (760) 941-3782, e-mail: matthewgardner@msn.com.
- **B.O.R.D.**, Nov. 10, Burbank Hilton.

Seven Things to Do to Keep You Out of Court

--by Michael Perdue

1. Business Entity Insulation - CORP versus LLC Choosing the proper business entity and properly implementing it is an important aspect of business and personal protection. Methods of doing business include sole proprietorships, partnerships, corporations and LLCs.

A sole proprietorship is where a person owns a business and what he makes he takes home, and what he loses comes out of his pocket. That would also include some small family businesses and many professionals, contractors, etc. In many cases, one person will join with another and form a partnership.

A partnership is an arrangement between two or more people stating business goals and ambitions, who pays for what, who does what, and the consequences of success and failure. Some other items that should be included in a partnership agreement are names, term of agreement, how to divide profit and losses, etc. Agreements need to be written and understood by all parties involved.

The advantages of a **corporation** include very clear rules of operation, limited liability to owners, tax advantages, funding, and ease of transfer of ownership. In a corporation, you have three main entities: shareholders, directors, and officers. The shareholders (or stockholders) are the owners. They choose the policy makers (managers) called directors, and the directors choose the people to run the business, the officers. Officers include the president (CEO), the treasurer (CFO), the secretary, and whatever lesser officers are needed to run the business.

An **LLC** is a hybrid of the limited partnership and the Sub S corporation. Unlike the limited partnership, all of the LLC's "members" may participate in the management of the business while limiting their liability to their investment in the LLC. Unlike a Sub S corporation, you do not have to comply with corporate formalities and it is still taxed as a partnership. The LLC is much more flexible as to the formalities of doing business. Danger: LLCs are taxed differently than corporations in California.

2. Insurance policy exclusions It would be foolish to operate a business without appropriate insurance coverage. One of the most important parts of an insurance policy is the exclusions section. While very few business people ever read their policies, even fewer really take note of what a policy does not cover. This can be a fatal mistake. An insurance policy is a legal contract that defines what the company will and will not cover. It would be prudent to have an attorney review your policies BEFORE you buy them to let you know what is not covered.

3. Up-to-date employee manuals Have a well written, easy to understand employee handbook. Make sure each

new hire reads and understands it and then review it at least once a year.

4. Proper termination procedures Wrongful Termination is the firing of an employee, or sometimes causing him or her to quit, with no legal right. You can fire or lay off employees for economic problems of the business; stealing or dishonesty; insubordination; excessive absence or tardiness; or even incompetence. Never fire or lay off an employee: for filing a claim for disability or sexual harassment; during pregnancy leave; during other disability or family medical leave; on the basis of sex, race, color, religion, national origin, whistleblowing. Seek legal advice to avoid many of these problems by knowing the rules that govern "At will employment."

5. Avoid sexual harassment complaints Sexual harassment comes, basically, in two forms:

- 1) Participation in sexual conduct as a requirement of employment or advancement.
- 2) Unwelcome sexual conduct that creates an offensive or hostile working environment. Unwelcome sexual conduct includes verbal, physical and visual mediums. Sexually oriented speech, touching, and displaying of sexually oriented pictures or materials and incessant requests for dates can be actionable.

To avoid sex harassment complaints, have a clearly written, detailed policy against it that you regularly review with your employees. Have a complaint procedure. Take all complaints seriously and investigate them thoroughly. Discuss all such complaints with your attorney promptly.

6. Written & reviewed contracts While "doing business on a handshake" may be a personal policy, it is not a good way to conduct business, even between honest, like-minded business persons. A written contract allows parties to clearly state expectations of each other and consequences for failing to meet these obligations. There are so many variables in any business transaction that without a written agreement, it is very easy for even the most honest to fail to satisfy the expectations of another person.

7. Have an up-to-date trust Estate Planning involves many things, earning, budgeting, spending, saving, investing, and preserving and controlling. The

major hurdles in estate planning include taxes, probate and conservatorships.

In most cases, a trust will vault these hurdles and others as well. Many experts recommend that a person with an estate of \$100,000.00 or more seriously look at the advantages of a living trust. Even in smaller estates, a person should look at the effects a conservatorship may have on them. If you have a trust, make sure you review it with your attorney at least once every 5 years or so.

This is not intended as an exhaustive list or to be applicable to all persons, businesses or situations. Michael Perdue is a member of the Business Resource Committee and can be reached at 930-9668 or at www.SoCALaw.com.

Drowning Risks Detailed

--North County Times, July 3, 2001

The first national study on childhood drowning suggests that rivers, lakes and ponds pose the biggest threat except for children under 5.

The study is based on figures collected from death certificates for 1,420 children under age 20 who drowned in 1995. It appears in the July issue of Pediatrics.

Among children who died in accidental drownings, 5 percent were less than a year old and 37 percent were between 1 and 4 years old. Fifteen percent were age 5 to 9, 15 percent were age 10 to 14, and 29 percent were between 15 and 19 years old. Seventy-four percent were male.

Forty-seven percent of the drownings happened in freshwater such as rivers, creeks, lakes and ponds, while 32 percent happened in pools. Only 4 percent were in the ocean.

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