

# TRANSITION STRATEGIES, LLC

SUCCEED in ways you never thought possible

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Dear Clients and Friends,

These have been scary economic times: the collapse of Bear Sterns, Lehman Brothers, and AIG have ushered in a wave of consolidation in the financial industry. Weaker banks are merging one after another into stronger ones, and even Merrill Lynch was purchased by Bank of America.

The fears rippling through Wall Street are being felt on Main Street as thousands of people lose their jobs, and cannot find comparably paying new ones. The crisis in the financial industry is being felt in other industries as well. Employers seem to

be “waiting” to fill positions, redistributing work among existing employees, and filling any gaps with temps and consultants.

There are even more challenging times ahead. If you are negotiating for a new job, we will help you to secure the best pay, perks, and protections. If you believe you might lose your job, we'll help you strategize the best way to secure the maximum severance pay and benefits to help bridge you to your next opportunity. If you are considering entering the consulting workforce, we can help you get the right documents in place.



Thank you for trusting us as your workplace lawyers!

Best Regards,

A handwritten signature in cursive script, appearing to read "Robin Bond".

Robin Bond, Esquire  
Managing Partner

## Words of Wisdom

*The best way to make your dreams come true is to wake up.*

*The best way out is always through.*

*Winning isn't everything, but wanting to win is.*

*Courage is resistance to fear; mastery of fear—not the absence of fear.*

## Our Mission:

We are agents for executives and other professionals.

~ ~ ~  
We create negotiating strategies for your success.

- ~ ~ ~
- ◆ Severance packages
  - ◆ New job offers
  - ◆ Employment agreements
  - ◆ Any career crisis

~ ~ ~  
We make deals happen.

## U.S. Supreme Court Rules for Workers in Age Bias Suit

The Supreme Court made it easier for employees to prove age discrimination. In a 7-1 ruling, the Court said that when older workers are disproportionately affected by an employment decision, it is the employer who bears the burden of explaining whether there was a reasonable explanation other than age for the company's action.

The case involved workers over 40, who challenged their termination from the Knolls Atomic Power Laboratory, owned by Lockheed Martin, in upstate New York. Thirty of the thirty-one workers who were laid off by the lab were over the age of 40. Twenty-six of these employees sued Knolls claiming their actions violated the Age Discrimination in Employment Act.

The terminated workers sued arguing both the company intended to discriminate on the basis of age and the results of the layoffs were discriminatory. A jury found that although there was no proof of discriminatory intent, there was age discrimination in the effect of the layoffs.

In his opinion for the majority, Justice David Souter admitted that the decision “makes it harder and costlier to defend” age discrimination lawsuits.

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### Email Safety

Emails are rapidly becoming cyber targets for sabotage. Case in point: the email account of ex-CBS anchor Alycia Lane was compromised by co-anchor Larry Mendte. Mendte logged into Lane's former personal accounts thousands of times over a two-year period. He then released damaging private information to the press, which she alleges in a civil suit, ruined her reputation.

Mendte used a hardware keylogger that serves as a bridge between the keyboard's wire and the port on the computer. All the perpetrator has to do is take the keylogger from the victim's PC and plug it into his or her own computer to access every keystroke performed. This access gives the intruder access to passwords for emails, online credit card or bank accounts, and other accounts that may have been accessed at the time the keylogger was installed. These devices are easily available on the internet, as are their software counterparts.

Take measures to keep your passwords safe! First examine your PC and make sure there aren't any suspicious hardware connections as found on Alycia Lane's computer. Second, change your email passwords frequently, in case your original password was found. Installing firewalls further secures your computer from remote connections. Also, be careful of what you download and where you click. The banner that offers a chance to win an iPod or that "free" anti-spy ware program you found may really in fact be a virus or keylogger waiting to be sent to your PC. Finally scan your computer frequently for spyware and viruses — if something suspicious pops up, notify your supervisor or IT department as soon as possible.

### FAST FACTS

US workers worried over finding another job and healthcare:

- ◆ 51% are worried about finding a new job if they lose their current one.
- ◆ 45% are troubled by increasing cost to workers for healthcare plans.
- ◆ 37% fear losing their jobs due to poor economic conditions.
- ◆ 28% are concerned about fewer job opportunities due to outsourcing.

[ELA Poll - Conducted September 11, 2008](#)

Harris Poll: High prestige occupations do not always equal high pay:

- ◆ The percentage of Americans who think the following occupations have "very great prestige" are Firefighter (57%), Scientist (56%), Doctor (53%), Nurse (52%), and Teacher (52%).
- ◆ The percentage of Americans who think the following high paying occupations have "very great prestige" are Real Estate Agent (6%), Stock Broker (10%), Banker (15%), Accountant (15%), and Entertainer (15%).

[Harris Poll - Conducted August 5, 2008](#)

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#### Paid Jury Duty

In the fall 2008 session, the Pennsylvania General Assembly is considering numerous employment-related bills. One of them is House Bill 2568 which would require employers to compensate employees serving on jury duty at the rate they would receive on annual or sick leave. The days spent on jury duty will not be deducted from the employees accrued leave.

#### Four Day Workweek

Marion County, Florida and Hartland Township, Michigan are the latest municipalities implementing the 4-day workweek. In response to rising gas prices, the new hours are designed to help employees commute less each week, therefore decreasing the amount of gas they have to buy. In addition, one less day of firing up the office air conditioning or heat saves money for the county on energy. It is estimated that a nationwide 4-day work week would reduce gasoline consumption by 65 million gallons per day. In Marion County, the four-day work week is projected to cut energy costs by \$250,000 alone.

#### ADA Amendments

President Bush signed into law the Americans with Disabilities Amendments Act of 2008. The act will overturn Supreme Court decisions that have reduced protections for certain people with disabilities—including people with diabetes, epilepsy, heart disease, mental disabilities, and cancer.

The act redefines the term "disability". An impairment that limits one life activity need not impair other activities to be called a disability. Episodic impairments or those that are in remission also now count as disabilities if they substantially limit a major life activity. Finally, the act states the determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of specified mitigating measures, such as medication or therapy.

The President's father, George H.W. Bush, signed the original Americans With Disabilities Act into law in 1990.