

New Jobs Tax Breaks

Employers may qualify for two new tax breaks when they hire someone who has not worked for more than 40 hours in the past 60 days.

These breaks are part of the *Hiring Incentives to Restore Employment (HIRE) Act*.

Here's what you should know:

6.2 percent payroll tax exemption

You may be exempt from your 6.2 percent share of social security tax on wages paid to qualified employees, effective for wages paid from March 19, 2010 through December 31, 2010. Most employers will claim it on Form 941, Employer's QUARTERLY Federal Tax Return, beginning with the second quarter of 2010. The exemption will also be claimed on annual payroll tax returns such as Form 944, Employer's ANNUAL Federal Tax Return.

Tax credit up to \$1,000 per worker

You may claim an additional new hire retention credit, up to \$1,000 for each qualified employee you keep as an employee for at least

a year and whose wages are not significantly reduced in the second half of the year. You claim it on your income tax return for your business, usually in tax year 2011.

Qualified employers

You may qualify for these tax breaks if you are a small or large business, tax-exempt organization, public college or university, Indian tribal government or farmer. But household employers and federal, state and local government employers, other than public colleges and universities, do not qualify.

Qualified employees

Generally, those beginning employment with you after February 3, 2010, and before January 1, 2011, who were either unemployed or worked 40 hours or less for anyone during the previous 60 days can qualify. You must get a Form W-11, or similar signed affidavit, from new hires certifying they were not employed for more than 40 hours during the 60 days before beginning employment.

Learn more about HIRE and new jobs tax breaks at www.IRS.gov.



Member News

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Krista Way, Account Manager for **Enterprise Fleet Management** presents a check from the Enterprise Foundation to Moss and Associates. The gift will be given on behalf of **Moss and Associates** to Give Kids The World.

Give Kids The World is a non-profit organization that exists only to fulfill the wishes of all children with life-threatening illnesses and their families.

ACE Mentor Program recently concluded a successful second year in Broward, Dade, Palm Beach and Martin County Schools. Mentor companies included **Coastal Construction, Current Builders, Hedrick Brothers, James A Cummings, Pirtle Construction, Roepnack Corp, Suffolk Construction and The Weitz Co.**

This year's program was highlighted by the field trip to the new Marlin's Ballpark, which was hosted by **Baker Concrete** and Hunt/Moss JV. Students experienced the excitement of the jobsite and took pictures with Billy the Marlin.



Enterprise Fleet/ Moss and Associates



Students with Billy the Marlin

Providing Timely Resolve to Legal Problems

Each month Construction FOCUS features a CASF member company, selected by drawing a business card from among those attending the monthly networking breakfast. The next breakfast, sponsored by Whiting-Turner Contracting Company, will be held on Thursday, August 19, 7:30 a.m. at the Embassy Suites - Boca Raton off Yamato Road.

Kelley, Kronenberg, Gilmartin, Fichtel, Wander, Bamdas, Eskalyo and Dunbrack, P.A. is a full-service law firm based in South Florida with a regional and national client roster comprised of insurance companies and corporate clients. The firm handles a variety of legal matters including commercial and construction litigation,

Established in 1980, Kelley, Kronenberg was founded on the guiding principles of quick and constant communication, cost containment, quick settlements (if consistent with client philosophy), and a high level of legal representation. The firm has eight offices strategically located from the Panhandle to South Florida, including a newly opened

Tampa location.

These offices provide the firm with the ability to service

clients through-

out the state through a vast network of accessibility and expertise. The firm also plans to continue its growth by actively diversifying and expanding into other legal areas, including the expansion of its construction litigation department, as well as an expansion of the Fort

Lauderdale office, estimated to be complete by December 2010.

Kelley Kronenberg considers service and outstanding representation of clients a top priority. The attorneys are accessible to clients at all times, and the firm's Administrative Department is actively involved in implementing procedures to improve the efficiency of the firm, client satisfaction, and reducing client costs.

The firm maintains urgency in resolving legal problems and closing cases. It strives to know the culture of the client in conjunction with a commitment to high quality work, and adhere to strict billing guidelines. In addition, Kelley Kronenberg makes an effort to be sensitive and knowledgeable of the needs and philosophies of its clients. The firm is a member of the national and local Risk and Insurance Management Society (RIMS,) and The Council on Litigation Management. The firm's legal team also provides clients complimentary legal advice and service, in addition to fully accredited seminars, newsletters and case law updates.

Kelley Kronenberg Attorneys at Law has offices in Fort Lauderdale, Miami Lakes, West Palm Beach, Fort Myers, Orlando, Jacksonville, the Panhandle and Tampa. The office in Fort Lauderdale is located at 8201 Peters Road - Suite 4000, Fort Lauderdale, FL 33324. The phone number at that location is 954-370-9970. For more information about Kelley Kronenberg, please visit their web site at www.kelleykronenberg.com.



general liability, labor & employment, OSHA, defense base act, Medicare set-asides, workers' compensation, environmental law, and appellate law.

The firm is AV-rated and many of its attorneys are individually AV rated, as well.

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Construction Focus is the official publication of the Construction Association of South Florida. Article suggestions and submissions for publication consideration should be forwarded to the Executive Vice President.

Surveillance of Suspected Employees

CASF Safety Committee recently held a session to discuss the surveillance of employees suspected of worker's compensation fraud, disability claims and illegal activities in the workplace. The meeting was presented by Luis Rubio from DigiStream Investigations, Inc. Below is a brief overview of the session.

4 Common Reasons for Surveillance

1. Red flags from employees
2. Policing malingers (repetitive claims, etc.)
3. Preventive measures
4. Fraud Deterrence

What are employee red flags?

1. Poor job performance
2. Looming layoffs
3. Injured worker (exaggerated or not)
4. History of short-term employment
5. Employee with claim rumored to be physically active
6. Employee familiar with the worker's compensation system
7. History of filing claims

Does your company have a surveillance plan?

1. Are you prepared for the results?
2. What is your plan to lower settlement or return employee to work?
3. Do you have an attorney or SIU (surveillance investigative unit)?

What you will need to share with a surveillance company?

1. Injury restrictions of employee
2. Employee photo ID
3. Employee contact info
4. Employee hobbies, habits and family situation

What you should get from a surveillance company?

1. Streaming video clip within 24-hours
2. Complete written report
3. Copy of final video footage

Top locations to shoot surveillance (away from employee home)

1. Retail department store
2. Grocery store
3. Fitness center
4. Restaurant
5. Shopping mall

What should you have when dealing with surveillance?

1. A reliable investigator
2. The video footage cannot stand alone
3. Match video footage with employee injury restrictions

Other Employee Surveillance Methods

There are many types of surveillance that could be instituted in the workplace. The most popular form of workplace surveillance is computer surveillance, which is a rapidly growing industry. This is also known as "employee Internet management". Computer surveillance can be broken up into two types: internet surveillance, and desktop surveillance.

Internet surveillance is the active surveillance of the user's Internet activities. When users operate a computer on the Internet, a record of the sites that were visited and the operations that were performed by the user can be generated by Internet surveillance software. Also known as spyware, this software is able to track the user's activities and report it to the administrator. The administrator can then report this to the employer with various techniques.

Desktop surveillance on the other hand, works by the employer's computer intercepting signals that are given off by the employee's computer. That is done through specific surveillance software that could be remotely or physically installed on the employee's

computer.

Pros and Cons of employee/workplace surveillance

Even though much useful software exists, some employers still prefer the traditional methods of surveillance, such as eavesdropping on employee phone calls, recording the employee's phone calls or even video recording.

Employee or workplace surveillance may offer increased safety and security. However, since there is often limited or no oversight of the employees with access to surveillance footage, employees with such access can act without ascribing their actions to such footage. It is very necessary that an organization has a clearly spelled out surveillance policy, with adequate safeguards in place. Some companies have their own rules for surveillance and inform their employees about such things in the contract or otherwise.

Employee and workplace surveillance can benefit the employer in many cases, and in some cases it can even have a benefit for the employee. Theft in the workplace is a common reason for workplace surveillance, which can often mean losses to the company, and thus losses to the employer in terms of benefits such as security as well.

Also, employing various surveillance tools to monitor employees will definitely decrease the chance of worker's compensation fraud, disability claims or other illegal activity. If you warn your employees about your company's policy for surveillance, they'll definitely think twice before doing something illegal.

1st Annual CASF GC Iron Chef Challenge

Thursday, July 15, 2010



2010 GC Iron Chef Winners:
John Moriarty & Associates
of Florida



SKANSKA



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