

FEBRUARY 2013

# More ABCs of Employment Law

Organizer

**Steven Bartolotta, CPA**

Co-Presenters

**Steven Bartolotta, CPA**

**William J. Bethune, Senior Counsel, McCandlish & Lillard, P.C.**

In a regulatory environment where employment decisions are becoming increasingly expensive, the factors that make someone an employee or an independent contractor take on added importance. What are the tax and legal implications of classifying and misclassifying someone as an employee or an independent contractor? What are the hallmarks of an employee and an independent contractor? What steps can be taken to correctly classify employees and independent contractors? We'll also examine the use of interns in the workplace, including whether there is such a thing as an unpaid intern. Finally, we'll take a look at how some recent cases involving workplace issues have come out. There may be some surprises here!

Topics of discussion include:

1. What are the mistakes that employers most commonly make that lead to misclassifying someone as an independent contractor?
2. What legal protections should go into an independent contractor agreement?
3. What limitations can be placed on an independent contractor without jeopardizing the status?
4. What are the rules for employing unpaid interns?

## ABOUT OUR PRESENTERS

### Steven Bartolotta, CPA

Steve, a self-employed CPA, has a long career as a part time controller and CFO. Steve has worked with a diverse group of companies in different industries, but the largest group today is government contractors. Since many new government contractors are unaware of the DCAA accounting requirements, Steve sets up their accounting system in QuickBooks and teaches them the basic accounting requirements. Frequently, these companies are surprisingly large and have simply ignored the accounting / finance function. Typically, Steve works with them to reconstruct multiple years of accounting prior to a DCAA examination. Many of these companies are unable to have a financial statement audit or tax return completed until their accounting is reconstructed. In many cases, Steve stays on as a part time controller or CFO.

### William J. Bethune

Bill is well known to CXO Forum members, serving on the steering committee and as co-Chair of membership. Bill's practice includes representing clients on a wide variety of business issues including entity formation, dissolution, governance, transactions, workplace, and strategic partnerships and other combinations. Bill has been voted as Legal Elite in Business Law for 4 consecutive years in a survey of lawyers conducted by the Virginia Bar Association and published by Virginia Business magazine.

## Upcoming CXO Forum Presentations

Building a Sales and Marketing Organization .....	March 14, 2013
The Art of Networking .....	April 11, 2013
Tax Laws for Small Business.....	May 9, 2013
Financing Growth: Sources and Types of Capital (Debt vs. Equity).....	June 13, 2013

CXO Forum 12-13 SERIES

JOIN US!

THURSDAY,  
FEBRUARY 14,  
2013

7:30am to 8:00am  
Networking and  
Continental Breakfast

8:00am to 9:00am  
CXO Forum  
Panelist(s) Presentation

9:00am to 9:15am  
Burning Issues

*Discuss your specific  
issues and challenges  
with colleagues and  
fellow CXO members*

Location  
Cherry, Bekaert, &  
Holland  
1934 Old Gallows Road  
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