



“If we cannot now end our differences, at least we can help make the world safe for diversity.” –John F. Kennedy

Diversity in the Workplace

This month we focus our newsletter on the topics of diversity, culture and language in the workplace. On March 1, 2011, we will have a seminar dedicated to the issue of the legal implications of diversity in the workplace.

Diversity in the workplace has become a hot button topic in today’s society. But what is diversity and how does it affect an employer? Diversity in the workplace deals with topics such as race, ethnicity, gender, background, education and employees’ different personalities, religions and cultural backgrounds. Employers are now embracing these issues and adapting rules and regulations that help the business succeed and employees be more productive.

Some businesses and organizations have also created affinity groups, networking groups for employees to relate to one another such as a Women’s Leadership Network, a Native American Forum, or a Hispanic Employee Network. This way, employees can create relationships with other their colleagues and become more comfortable and accepting of everyone’s differences.

However, it is also necessary for employers to implement diversity programs with caution so as to not expose themselves to any kind of liability. Although diversity in the workplace has always existed, it is not until recent years with new and ever evolving employment laws, an increase in employment discrimination cases and a growingly diverse U.S. society that this has become such a topic of discussion. There are many cases that guide us about affirmative action and diversity programs within the workplace and this will be a topic for our April 2011 newsletter. More and more cases will evolve as more companies implement diversity programs into the day to day activities and job responsibilities of the workplace.

To learn what you can do for your business, [contact](#) Attenza Law.

Passion for Law. Passion for Business.



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Si parla italiano
Se habla español



Pictured above is the Mimosa plant which is the symbol of International Women's Day in Russia and Italy.

Women's History Month

March is Women's History Month and March 8 is International Women's Day; however, here in the United States, this holiday goes rather unnoticed, unlike the rest of the world.

This holiday celebrates women in a variety of ways from a day of respect and appreciation to celebrating their achievements in society whether economic, political or social accomplishments. Although in some countries this day was originally used for political views, today it is used as a platform to discuss issues that are important to women all over the world such as sexual discrimination, sexual violence against women, women in the workplace, and other important issues.

In some countries, it is an official holiday where everyone stays home from work or school. It is customary for men to give flowers and gifts to the important women in their lives such as mothers, wives, daughters, coworkers or teachers.

Women have come a long way in society as far as equality and women's rights, especially in the workplace, but there is still more to be accomplished. To show how far women have come, today, there are over 10.1 million women-owned businesses in the United States alone. Attenza Law is a women-owned business and has WBENC certification. We are proud to serve Minnesota women business owners in their legal needs. [Contact us](#) to learn more about how we can help your business.

History is herstory too. ~Author Unknown

International Laws and Women in the World

Lunchtime Legal Workshops

As part of our effort to educate our clients, partners and colleagues about the law, Attenza Law and [HRTechies](#) are organizing a series of lunchtime workshop this winter and spring.

TATTOOS, TURBANS AND TWITTER: UNDERSTANDING HR AND LEGAL ISSUES IN THE MODERN WORKPLACE

Each of these seminars will cost \$35.00. To RSVP call 952-921-8322 or 612-414-4537 or at <http://lunchtimeworkshops.eventbrite.com> Space is limited to 24 attendees.

March 1, 2011: Language, culture and diversity

April 5, 2011: Employee privacy and monitoring

May 3, 2011: Defensive writing, documentation and performance evaluations

11:30am - 12:45pm
Conference Room - Lower Level
8500 Normandale Lake Blvd.
Bloomington, MN 55437

Laws vary from state to state, but there are even greater differences in laws all over the world, especially those regarding women. This article will provide some interesting examples.

One example is the right to maternity leave. In many countries paid parental leave exists. In Sweden, individuals are allowed to take 480 days or 16 months of paid parental leave per child. The minority parent is required to use 2 of the 16 months as well. In Estonia, individuals are allowed to take up to 18 months of paid leave and can start to take it up to 70 days before their due date. They are then allowed to take up to 3 years unpaid leave after the birth of their child with the guarantee of their job when they return to work.

In steep contrast, the United States does not have paid parental leave, but the Family and Medical Leave Act of 1993 allows unpaid parental leave of up to 12 weeks. However, in order to qualify for unpaid parental leave through this act, a person must work for an employer that employs 50 or more employees and must have worked at least 1,250 hours for the employer in the 12 months prior to the leave. Some states, like Minnesota provide leave to employees of companies with fewer than 50 employees. Minnesota law allows 6 weeks of unpaid leave for the birth or adoption of a child for employees of companies with more than 21 employees. California is the only state to provide paid maternity or paternity leave.

In addition, there are at least 107 countries in the world that allow women the right to breastfeed. 73 of those countries allow for women to have paid breaks to do so. The United States does not have any of these types of allowances.

Another interesting law is that of the draft of women into the military. As of 2010, the following countries can draft women into the military: Israel, Benin, Libya, Chad, Cuba, Taiwan, China, Mongolia, Egypt, Tunisia, Eritrea, Malaysia, Peru, North Korea, and the Ivory Coast.

In the United States, the U.S. Supreme Court addressed the issue of only requiring men to register in the military in the 1981 case [Rostker v. Goldberg](#). The Supreme Court found that the Selective Service Act of 1948 was constitutional and Congress was allowed to focus on military needs and not equality during a draft.

It is quite remarkable to see the differences between countries and their laws and how the United States compares. Although the United States has progressed through the years with more opportunities and avenues for women, there is still much change that can be done and that hopefully will continue to be made.



English Only?!?

Most countries in the world have an official language. What is an official language? According to Wikipedia.org, an official language is one designated as having a unique legal status in the state, typically, the language used in a nation's legislative bodies, and often, official government business. Although English is spoken in the majority of states, is used in its legislative bodies and is spoken by the President when conducting important and official business, English is not the official language of the United States. English is only considered the *de facto* language of the country, meaning it is practiced all around the country, but there is no official law mandating that all people speak English.

The main languages that are spoken in the United States are English, followed by Spanish and then Chinese. An English-only movement has begun where some states have created legislation that makes English its official state's language. Currently, there are 27 states that have implemented such legislation including Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Virginia, and Wyoming. It recent years, the English-only movement has created much controversy and debate and also led to a number of cases of discrimination in the workplace.

Title VII of the Civil Rights Act of 1964 is the federal law that safeguards against discrimination based on national origin and race. English-only rules in the workplace violate Title VII unless the employer can show that speaking English is necessary to conduct business. If this is the case, then the employer has to tell the employees when they must speak English and what the consequences are for not doing so. An employer may not forbid employees from speaking a language other than English during their breaks.

In Minnesota, former Governor Tim Pawlenty announced in 2010 that the state of Minnesota should have English the official language of Minnesota. This debate has continued as a [bill](#) to make English the official language of Minnesota was recently introduced in the House. Last year, the city of Lino Lakes passed an ordinance that requires English to be used in all city documents and prohibits the city from using its money to translate various city documents and city businesses into languages other than English. Their reasoning for the ordinance is to save money.

What do you think? Should the State of Minnesota or the United States adopt laws that force English only as an official language?



Attenza is a play on words, from the Italian word *attenzione* which means attention.

For us, it means paying attention to our clients' needs, to the trends in the legal industry, and bringing attention to the services of our firm: in marketing and in our practice.

Who is our ideal client?

- Woman owned company located in Minnesota
- 75 employees or more
- Proactive in contacting counsel before taking action
- Concerned with "doing the right thing" with regard to employees, the environment, and others

Do you fit that profile? If so, give us a call. We are proud to be a certified woman business enterprise and we are in a unique position to serve the legal needs of women business owners.

And if you don't fit the profile but are a growing Minnesota business and you have or think you might have employment or business law issues, give us a call too.

Disclaimer: This newsletter might very well constitute legal advice. However, that does not mean that you should rely on it without consulting an attorney, whether us or another one, about your specific situation. That the newsletter is legal advice doesn't mean that an attorney-client relationship exists without a agreement signed by you and Attenza Law.

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Upcoming Projects



Legal English Courses For Foreign Legal Professionals

We all know that a solid knowledge of English is essential these days, regardless of where you live or the job that you do. For attorneys and legal practitioners, this is especially true.

This course gives you the language and skills you need to master and confidently use English in your profession. It is aimed at lawyers, law students and judges...anyone who works in the legal field and uses English in various legal matters.

For more information about this and other trainings, please visit attenzalaw.com/trainings or call 952-921-8322

Attenza Training

Do you own your own business?
Are you in charge of HR?
Do you have legal issues that are related to employment?

If you answered **YES** to any of these questions, then Attenza Training is right for you.

Attenza Training can help make sense of it all in our legal workshops where we will answer the most challenging legal questions facing employers in the modern workplace such as:

- Do I have to accommodate requests for religious holidays and prayer breaks?
- Can I make my employees take a drug test?
- Can I fire an employee for making inappropriate comments on his Facebook page?

For more information about this and other trainings, please visit attenzalaw.com/trainings or call 952-921-8322

Attenza Training: Legal Boot Camp

Do you have students who want to be self-employed but don't know what to do?

Our Legal Boot Camp can complement the great education you've provided and prepare your students with the legal basic of operating a business.

Legal Boot Camp is held at your school, for the convenience of you and your students.

Legal Boot Camp can cover:

- Business entity formation
- Commercial leases
- Employment law
- Intellectual Property

Available as a comprehensive overview or a mix-and-match series.

For more information about this and other trainings, please visit attenzalaw.com/trainings or call 952-921-8322.



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