



from the
Louisiana Restaurant Association

Restaurant Report

WWW.LRA.ORG

VOLUME 28 | ISSUE 4 | APRIL 2008

FEAST AT THE TABLE! 55TH ANNUAL LOUISIANA FOODSERVICE EXPO SEMINAR SCHEDULE UNVEILED

The Louisiana Foodservice EXPO is the largest, most complete industry event in the Gulf South region and this year will be no exception. With hundreds of exhibitors featuring a wide range of industry products and services, you won't want to miss this cutting-edge exposition at the New Orleans Morial Convention Center.

Many seminars, most free with your name badge, will be available to educate you about the latest restaurant industry trends, which in turn will further develop the hospitality industry as a whole. There will be a varied menu of seminars to choose from, each one addressing current needs among foodservice professionals. Take a look at some of our featured seminars:



SATURDAY, AUGUST 2

Kill them with Kindness— Customer Service that Cooks

Bruce Wilkinson

Noon – 1 p.m. Show Floor – Hall J

With more than 22 years as a professional motivational speaker, Bruce Wilkinson works with associations, schools and government agencies, to name a few, to assist in improving customer service. Wilkinson is a speaker with a point and uses a little humor, lots of enthusiasm and a wealth of information to help you establish an effective and positive customer service-oriented workplace. *Free with name badge*

How to Avoid Getting Sued

Alan Yacoubian, LRA Attorney

1:30 – 2:30 p.m. Show Floor - Hall J

A common sense approach to avoiding lawsuits and keeping both customers and employees happy and loyal. *Free with name badge*

Seasonal Buying Guide for Seafood

3 – 4 p.m. Show Floor – Hall J

Harlon Pearce, owner of Harlon's LA Fish, has spent a lifetime working in the seafood industry. In this need-to-know session, you will learn when your favorite catch is available and how much to order to get the best price.

Free with name badge



SUNDAY, AUGUST 3

Catering Clinic with Nanci Easterling

Noon – 1 p.m. Show Floor – Hall J

From dinner for two to 12,000, owner of Food Art, a premier catering and event-planning company in New Orleans, Nanci Easterling has grown her catering business by and large by trial by fire. Easterling has more than 20 years of experience and her love of catering marries her creativity and her financial acumen. She will share some of her trade secrets with seminar attendees in this session. *Free with name badge*

continued on page 3

Inserts included in this issue of *Restaurant Report*:

- Education Seminar Schedule
- 2008 Legislative Essentials



Jim Funk
President & CEO

A MESSAGE FROM THE PRESIDENT & CEO

The 2008 Regular Legislative Session began March 31 and ends June 23 and so far we've seen bills relating to trans fat and menu labeling. These issues, among others like workers' compensation reform and the creation of the Louisiana Workforce Commission will have the LRA staff quite busy during the next two and a half months.

During the Fall of 2007, LRA members and staff extensively interviewed candidates for the Louisiana House of Representatives and the Senate. This enormous undertaking had an outcome of 100 endorsements, of which 87 candidates were elected. Going into the session with such solid groundwork will give us an advantage given the large number of freshman legislators.

The LRA will actively monitor all bills positively and negatively affecting the industry. I'm sure we will contact you several times requesting you to contact your legislator on key issues. The LRA has a Key Contact Program for members who are politically active and allows the LRA to stay in touch with members and their legislators more effectively. If you have a personal relationship with legislator, please fill out the form found in this issue.

We may call you during the next few months to contact your legislator about issues important to the restaurant industry and your business. Remember, what we do together does make a difference.

Restaurant Report

VOLUME 28 | ISSUE 4
APRIL 2008

www.LRA.org

The official newsletter of the Louisiana Restaurant Association
2700 N. Arnoult Road
Metairie, LA 70002
(800) 256-4572
(504) 454-2277
Fax: (504) 454-2299
E-mail: info@LRA.org
www.LRA.org

Editor's Note: Because of the time required to print Restaurant Report, the status of various issues discussed may have changed by the time it reaches our members. Our goal is to provide accurate and authoritative information, although the LRA is not engaged in rendering legal or accounting services. If legal or other expert assistance is required, the services of a competent professional person should be sought.

Other EXPO seminars include:

FRIDAY, AUGUST 1

ServSafe® Sanitation Certification Seminar

9 a.m. – 5 p.m. Room #283

This seminar provides an in-depth knowledge of sanitation principles and ways to apply them in practical operational situations. ServSafe® centers on reducing your liability through handling techniques, safety systems and training and supervising employees. Register at least two weeks prior to seminar. Call Laurie at (800) 256-4572 or (504) 454-2277 for registration information. *Cost: LRA Members \$99 – Non-Members \$150*

SATURDAY, AUGUST 2

ServSafe® Sanitation Certification Seminar

9 a.m. – 5 p.m. Room #283

Louisiana's BEST® Alcohol Server Training

10 a.m. – Noon Room #284

Louisiana's BEST®, a state approved server training class, equips you with the knowledge, confidence and tools to serve alcohol successfully and responsibly. The Louisiana's BEST® training program will help you and your co-workers responsibly serve alcoholic beverages as part of the total service experience you provide to your guests. You must have a valid form of identification to be admitted into this seminar. Register at least one week prior to seminar. Call Laurie at (800) 256-4572 or (504) 454-2277 for registration information. *Cost: LRA Members \$25 – Non-Members \$40*

How Technology Can Increase Your Sales & Profitability

Time & Room – TBD

Mississippi Hospitality and Restaurant Association's Mike Cashion, Executive Director, and Grady Griffin, Director of Education & Training, will provide important information about e-mail marketing, point-of-sale management and managing by financial statements. *Free with name badge*



SUNDAY, AUGUST 3

Louisiana's BEST® Alcohol Server Training

10 a.m. – Noon Room #284

Credit Cards—Protecting Your Customers & Your Business

1:30 – 2:30 p.m. Show Floor - Hall J

Specializing in technology applications serving the hospitality industry, this informative workshop will give restaurant operators the low-down on PCI compliance. In this session, you will learn from the experts how to prevent your customers and your business from becoming the victim of credit card fraud. *Free with name badge*



MONDAY, AUGUST 4

Food Safety Recertification Exam

9 – 11 a.m. Room #291

This certificate meets the training and testing requirements needed to obtain the Department of Health and Hospitals Food Safety certificate. A copy of your ServSafe® certificate or State Food Safety certificate, not to be expired more than six months, is required to take the recertification exam. If you fail to pass the exam, you will need to take the all day ServSafe® class. Register at least two weeks prior to the exam. Call Laurie at (504) 454-2277 or (800) 256-4572 for registration information. *Cost: LRA Members \$75 – Non-Members \$100*

Employees: The XYZ's of the New Generation

Presented by the Louisiana Restaurant Association Self Insurer's Fund

9 a.m. – 10:00 p.m. Room #287

Attendance at this seminar satisfies one of the three requirements for the LRA/SIF's 5% Safety Credit. Come learn valuable techniques to assist you in properly hiring, training and managing today's employees. From Baby Boomers to Generation Y, you will hear which generation would be the best employee for your specific job positions. *Free with name badge*



continued on page 11

FEBRUARY ASSOCIATION HIGHLIGHTS

- The LRA received 26 membership applications for the month of February. Three new members signed up on the LRA's website. The 2008 new member goal is 468.
- Dues income for the month of February was \$122,865, a 3.67 percent increase over February 2007. Our goal for 2008 is \$1,154,646. Total dues income year-to-date through February 29 is \$360,187.10, a 4.51 percent increase over the same period last year.
- HostPAC contributions for the month of February were \$4,202.60. The HostPAC goal for 2008 is \$76,100, and we are at 18.08 percent of our annual goal.
- At the close of February, the total master-billing units were 3,294, compared to 3,264 in February 2007, a 0.8 percent increase.
- During the month of February, the LRA certified 50 food handlers in the ServSafe® sanitation program and 220 servers in Louisiana's BEST® alcohol training program.
- During the month of February, the LRA website had 790,543 hits, averaging 27,260 per day and 54 percent increase over 423,320 in February 2007. There were 1,565 unique (first-time) visitors during February.

YOUR NEWS IS GOOD NEWS

Frank Bruni, *The New York Times* restaurant critic, has chosen Donald Link's Cochon as one of his top 10 best new restaurants in the United States. Source: *The New York Times*, February 27, 2008

Congratulations to the Brennan Family of New Orleans! The owners and operators of restaurants such as Commander's Palace, Café Adelaide, Palace Café and Ralph's on the Park, received the Hall of Fame Award from the Culinary

Institute of
America in
New York City,
March 27, 2008.



The Louisiana Restaurant Association would like to thank the following establishments for hosting training classes during the month of March.

SERVSAFE® SANITATION CERTIFICATION CLASS HOSTS

Audubon Institute • New Orleans
Sam's Town Casino & Hotel • Shreveport
Holiday Inn & Suites • Monroe
Holiday Inn Convention Center • Alexandria
Don's Seafood & Steakhouse • Baton Rouge
Louisiana Technical College • Lafayette
Sowela Technical Community College
• Lake Charles

LOUISIANA'S BEST® ALCOHOL SERVER TRAINING CLASS HOSTS

Audubon Institute • New Orleans
Boomtown Casino • Harvey
Outback Steakhouse • West Monroe
WaterFront Grill • Monroe
The Atrium Hotel • Monroe
Dave's Cajun Kitchen • Houma
Ernest's Orleans Restaurant • Shreveport
Albasha Greek & Lebanese Restaurant
• Shreveport
Seafood Galley & Deli • Covington
Outback Steakhouse • Alexandria
Drago's Seafood Restaurant • Metairie
Trejo's • Shreveport

FOOD SAFETY RECERTIFICATION EXAM

Holiday Inn & Suites • Monroe
Sam's Town Casino & Hotel • Shreveport
Bailey's Seafood & Grill • Lafayette

Thank You

We are able to reduce the cost of training to all members when we hold down the cost of these seminars. If you are interested in hosting an alcohol server training class or sanitation class, please call Laurie at (504) 454-2277 or (800) 256-4572 to find out about the benefits.

CHAPTER NEWS

The **Acadiana Chapter** held its general membership meeting March 17 at Victor's in Lafayette with 22 members and guests in attendance. The 3rd Annual A Night of Red and White fundraiser will be held Thursday, April 10 at the University of Louisiana-Lafayette Alumni House. Dividends will be distributed at the general membership meeting Monday, April 21. For more information, contact Dianne Guidry at (337) 234-5935 or dcglft@aol.com.

The **Greater Baton Rouge Chapter** held its general membership meeting March 18 at Mike Anderson's Seafood in Baton Rouge with over 60 members and guests in attendance. Save the date! The Greater Baton Rouge Chapter Silent Auction is Monday, June 23 at Juban's Restaurant. For more information, contact Courtney Waguespack at (225) 673-9641 or courtneyt@LRA.org.

The **Bayou Chapter** held its general membership meeting March 17 at Tampico Mexican Restaurant in Morgan City with 20 members and guests in attendance. Bayou's next meeting will be Monday, April 21 at Dave's Cajun Kitchen, where dividends will be distributed. For more information, contact Joel Treadwell at (985) 871-4393 or joelt@LRA.org.

The **Cenla Chapter** will hold its general membership meeting and crawfish boil Wednesday, April 16 at Tunk's Cypress Inn on Kincaid Lake. Dividends will be distributed. For more information about other chapter events, visit the chapter website at www.cclra.com or contact Jamie LeMoine at (318) 793-4570 or lemoinelra@aol.com.

The **Greater New Orleans Chapter** held its board meeting March 19 at the Embassy Suites. The 7th Annual Taste of the Town was April 4 at Lafreniere Park and was a huge success. For more information, contact Pam St. Pierre at (504) 454-2277 or pams@LRA.org.

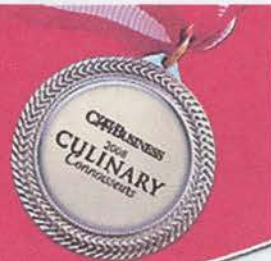
The **Northshore Chapter** held its general membership meeting March 18 at the Northshore Harbor Center in Slidell with 16 members and guests in attendance. Senator A.G. Crowe was the featured speaker and dinner was provided by Patton's Catering. The Northshore Chapter's Ultimate Wine Experience was April 7 at Benedict's Plantation in Mandeville and was a great event. For more information, contact Joel Treadwell at (985) 871-4393 or joelt@LRA.org.

The **Northeast Chapter** held its general membership meeting March 3 at the West Monroe Civitan Hall with 75 members and guests in attendance. Riverside Coney Island catered the event. ProStart® student Lauren Ogles was in attendance and gave an update of the ProStart® Invitational. The next meeting will be Dividend Night at Catfish Cabin, Monday, April 14. For more info, contact Patsy Rials at (318) 322-3356 or phrials@bayou.com.

The **Northwest Chapter's** general membership meeting March 18 was a crawfish boil at Becca's Steak and Seafood with 46 members and guests in attendance. Northwest's next meeting will be Tuesday, April 22 at Don's Seafood & Steakhouse in Shreveport with the LRA's Jim Funk in attendance. Dividends will be distributed. For more info, contact Gretchen Boothe at (318) 425-4548 or gboothe@bellsouth.net.

The **Southwest Chapter** held its board meeting March 3 at the Southwest Convention & Visitors Bureau in Lake Charles. Dividends will be distributed Monday, April 14 at the general membership meeting. For more information, contact Dianne Guidry at (337) 234-5935 or dcglft@aol.com.

New Orleans
CITYBUSINESS
2008
CULINARY
Connoisseurs



New Orleans CityBusiness is looking for the state's culinary leaders in 12 different categories.

CityBusiness will identify the top 50 professionals in the culinary industry based on cuisine, business success and community involvement. This event is open to applications statewide. Honorees will be recognized during a cocktail event July 31 at the New Orleans Museum of Art.

Award Categories

EXECUTIVE CHEF

SOUS CHEF

PASTRY CHEF

SOMMELIER

MAITRE 'D

NEW RESTAURANT

OWNER

RESTAURANT LEGEND
(CAREER ACHIEVEMENT AWARD)

BEST NEIGHBORHOOD ESTABLISHMENT

BEST FINE DINING ESTABLISHMENT

CATERER

BEST CASUAL UPSCALE
DINING ESTABLISHMENT

ENTRIES ARE DUE MAY 15

Nomination forms can also be submitted at
www.neworleanscitybusiness.com.

To nominate restaurant peers
contact Christian Moises
with New Orleans CityBusiness.
111 Veterans Blvd.
Suite 1440
Metairie, LA 70005
Fax: 504-832-3550
email: christian.moises@nopp.com

EVENT TICKET SALES:

Individual Ticket—\$85

EVENT DATE:

5–8 p.m. • July 31

New Orleans Museum of Art
All tickets must be prepaid.

Tom Misener 800-387-7450
tom.misener@dolanmedia.com

When nominating,
please be prepared to
provide specific information
about the culinary industry
professionals and/or
establishments of choice.



Proceeds benefit the LRA Education
Foundation ProStart® Program.

HIRING TEENS REQUIRES SPECIAL PROVISIONS



High school students statewide will soon be applying for summer employment in the foodservice industry. If you employ minors in your restaurant, take a minute to familiarize yourself with Louisiana's minor labor laws before you hire.

Louisiana students under the age of 18 are required to have an employment certificate. The superintendent of schools issues employment certificates during the summertime, or the principal will issue the certificate while school is in session. In order to receive a certificate, the prospective employer and the minor's legal guardian must both sign a completed notice of "Intention to Employ Minors Under 18" form. These forms are available through the principal's office at any school or from the Louisiana Restaurant Association at no cost.

THE FOLLOWING GUIDELINES RESTRICT THE TYPE AND DURATION OF WORK THAT MINORS CAN PERFORM:

- Minors 14 to 17 years of age must have an employment certificate or work permit in order to be employed.
- No minor under the age of 14 years may be employed, permitted or suffered to work, including by their parents.
- Employees under 16 years of age shall not operate a motor vehicle, power machinery, grinding machine, mixing machine, meat slicer/saw, elevator, automatic elevator or engage in cooking and baking (except at soda fountains, lunch counters, snack bars or cafeteria serving counters).
- Employees under 18 shall not operate power machinery, meat slicer/saw or elevator.
- An individual must be 18 or older to serve alcoholic beverages.
- Minors under 16 are not to be employed, permitted or suffered to work in any gainful occupation more than 8 hours in one day and not more than 6 consecutive days in one week.
- Minors under 16 are not to be employed to work in any gainful occupation except agriculture for more than 40 hours in any one week.
- Minors under 16 are not to work more than 3 hours each day on any school day and no more than 18 hours in any week when school is in session.
- If any minor works more than 5 hours continuously, he or she must have a meal period of at least 30 minutes.
- There are no time standards for minors 16 and 17 years of age regarding the number of hours worked per day or per week.

DURING THE PAST THREE YEARS, THE FOLLOWING CHANGES HAVE BEEN MADE IN REGARD TO THE LAWS THAT APPLY TO HIRING MINORS:

- Minors shall receive an eight-hour rest break at the end of each work day, before the commencement of the next day of work.
- Minors under 16 who have not graduated from high school cannot be employed, or permitted, or suffered to work between the hours of 7 p.m. and 7 a.m. prior to the start of any school day, or between the hours of 9 p.m. and 7 a.m. on any day.
- No minor 16 years of age who has not graduated from high school can work between the hours of 11 p.m. and 5 a.m. prior to the start of any school day.
- Minors 17 years of age who have not graduated from high school cannot work between midnight and 5 a.m. prior to the start of any school day.



Further information about employment of minors can be found at the Louisiana Department of Labor Web site, www.laworks.net, or through the LRA Communications Department at (504) 454-2277.



CAUTION: INCREASED PENALTIES FOR IMMIGRATION VIOLATIONS

By Martha Velasco Suarez (Houston)

Effective March 27, 2008, the Department of Homeland Security increased penalties levied on employers for various employment-related immigration violations by approximately 25 percent in order to keep up with rising inflation. Some examples of the new penalties are as follows:

VIOLATION	OLD PENALTY	NEW PENALTY
First knowledge of employment of an unauthorized alien	\$275	\$375
First violation maximum	\$2,200	\$3,200
Multiple violations maximum penalty	\$11,000	\$16,000

All penalties are assessed on a per-alien basis. Most of the penalties were last adjusted in 1999. For a copy of the Final Rule, which includes a breakdown of all affected adjustments, please go to www.laborlawyers.com. For more information contact the author by email at mvelascosuarez@laborlawyers.com or call (713) 292-0150.

THE EEOC IS PARTYING LIKE IT'S ... 2002?

By Joe Shelton (Atlanta)

The EEOC recently released its statistics for 2007 and the news was not good for those hoping for a slowdown in EEOC enforcement activity. Last year saw an almost double-digit percentage growth from 2006 in charges filed at just under 83,000, returning to a level not seen since 2002 when there were almost 84,500 charges filed with the EEOC.

STATS AT A GLANCE

Basis of Charge Filing	FY 2007	FY 2006	Percentage Increase/Historical Comparison
RACE	30,510	27,238	Up 12% to highest level since FY 1994
RETALIATION	26,663	22,555	Up 18% to record high level, double since FY 1992
SEX/GENDER	24,826	23,247	Up 7% to highest level since FY 2002
AGE	19,103	16,548	Up 15%, largest annual increase since FY 2002
DISABILITY	17,734	15,575	Up 14% to highest level since FY 1998
NATIONAL ORIGIN	9,369	8,327	Up 12%, above 9,000 for second time ever
RELIGION	2,880	2,541	Up 13% to record high level, double since FY 1992
TOTAL CHARGES	82,792	75,768	Up 9%, largest annual increase since FY 1993

Your managers and supervisors are on the front lines in the workplace and oftentimes have the opportunity to halt a discrimination, harassment or retaliation issue in its early stages. If they are properly trained, your chances of being on the receiving end of an EEOC charge will

decrease. If you are not conducting basic EEO-type training for your managers, you should strongly consider making this a priority for 2008 and then annually thereafter.

For more information email the author at jshelton@laborlawyers.com or call (404) 231-1400.

MINIMUM WAGE CHANGES ON THE HORIZON

Effective on Thursday, July 24, 2008 the federal Fair Labor Standards Act's minimum wage rises again from \$5.85 to \$6.55 per hour. This is the second step of the three-stage increase that became law last year. On July 24, 2009, the rate will jump to \$7.25 per hour.

7 TIPS TO AVOID RETALIATION CLAIMS (And Still Hold Poor Performers Accountable)

By A. Kevin Troutman (Houston)

Experienced human resources professionals know this dilemma all too well – slackers and malcontents who have learned to use the threat of retaliation claims as a sword. Besides failing to perform their duties, these employees regularly complain, almost daring their supervisors to intervene. As a result, supervisors need extra support and attention when managing a poor employee, especially one who has engaged in some sort of “protected activity.”

RETALIATION CLAIMS ARE TRICKY, INCREASINGLY PREVALENT

Many statutes prohibit retaliation against employees who engage in certain conduct, though it can be difficult to determine just what constitutes protected conduct or what constitutes retaliation.

The U.S. Supreme Court has determined that a tangible employment action, such as termination, is not

necessarily required to establish retaliation under Title VII of the Civil Rights Act. Retaliation charges filed with the EEOC have increased by about almost 25 percent during the past 10 years and nearly one-third of all charges now include retaliation allegations. Besides Title VII, the Americans with Disabilities Act (ADA), Age Discrimination in Employment Act (ADEA), Fair Labor Standards Act (FLSA), Family and Medical Leave Act (FMLA) and myriad whistleblower statutes provide protection against retaliation.

To establish a retaliation claim, a current or former employee may only need to show materially adverse action that would tend to discourage a reasonable worker from engaging in similar protected conduct. Moreover, courts and juries tend to be sympathetic and generous toward employees who they think have experienced retaliation.

THE SEVEN TIPS Although they may not prevent all retaliation claims, these tips will better prepare your company to deal with such claims when they arise:

1. Encourage your managers to seek assistance in recognizing potentially protected activity.
2. Spend time guiding the troublesome employee's supervisor and instruct them to deal with problems in a timely fashion, which will help busy managers ensure steady, consistent and honest communication with employees.
3. Maintain, publicize and enforce your company's policies prohibiting retaliation and be certain employees have options regarding how and to whom they may complain.
4. Don't overlook the “small stuff.” While trivial harms are generally insufficient to carry the day for a retaliation plaintiff, details are critical.
5. Don't overreact against the allegeded retaliator or the employee who claims retaliation.
6. This should go without saying, but act upon your findings. Your actions should be timely and reasonably intended to put a stop to any inappropriate conduct.
7. Seek review and input from an authorized manager who had nothing to do with the underlying allegations

If practical, it may be ideal if the reviewer is not even aware of the employee's protected conduct. The investigation should include review of relevant documentation and detailed discussions with the primary investigator or those who played a key role in the alleged retaliation.

BONUS TIP: Without divulging confidential information, let the employee know the results of your investigation and what, if any remedial steps you are taking. Most importantly, make sure the employee knows that he must report any further suspected incidents of retaliation.

For more information email the author at ktroutman@laborlawyers.com or call (713) 292-0150.

Solutions at Work®

www.laborlawyers.com

LRA New Members

FEBRUARY ACADIANA

Aqua Foods Crawfish, LLC • Mamou
Dwayne LeJeune

Blue Agave Mexican Restaurant • Lafayette
Roberto Cervantes

Incredible Salads, Seafood & Steaks
• Ville Platte
Ray Jason

Karma Nightclub & Lounge • Lafayette
Robert Oja

Shucks! The Louisiana Seafood House
• Abbeville
David Bertrand
By: Chris Sogga

BATON ROUGE

New York Life Insurance Company
• Baton Rouge
Christopher Dimattia
By: Jim Urdiales

BAYOU

Ruby's Sweets, Inc. • Houma
Wendy Poindexter

NEW ORLEANS

Final Play • LaPlace
Bruce Pitre

Hoshun Restaurant • New Orleans
Steve Ho

Maximo's Restaurant • New Orleans
Vincent Marcello
By: Greg Reggio

Myme's Cafe, LLC • LaPlace
Lois Stovall

Orleans Club • New Orleans
Darlene Bretz

Rincon Hispano • Kenner
Olga Shirer

Tavern On Citrus • New Orleans
Gabriel Saliba

Vega Tapas Cafe • Metairie
Glen Hogh

NORTHEAST

Gabbeaux's Bayles Landing • West Monroe
Sommer Gabb
By: Jim Doull and Don Weems

Vieux Carre Gourmet • Monroe
Mary Fontenot
By: Charles McGaha and John Riley

NORTHWEST

D.D.'s Super Discount Liquor • Minden
Allen Smith

Monjuni's of Bossier City • Bossier City
Lisa Susano

Mr. Gatti's • Bossier City
David Kazemi

Phase 2 • Shreveport
Chad Fanguie

Pieworks Pizza By Design • Shreveport
Stuart Douglas

The Riverside Warehouse • Shreveport
Chad Fanguie

SOUTHWEST

Roc's Steak & Seafood • Iowa
Kendal Racca

LRA/SIF New Members

FEBRUARY

Mr. Gatti's • Shreveport

Gabbeaux's Bayles Landing • Monroe

Roc's Steak & Seafood • Iowa

Hickory Cafe & Grill • New Orleans

Vega Tapas Cafe • Metairie

D.D.'s Super Discount Liquor • Minden

Hoshun Restaurant • New Orleans

Lisa's Drive Inn • Tickfaw

Med-Bill Reconciliation • Metairie

Rincon Hispano • Kenner

Myme Cafe • LaPlace

Kokopellis • Shreveport

Incredible Salads, Seafood & Steaks

• Ville Platte

Backroads Steak & Seafood Restaurant

• Slaughter

Karma Nightclub & Lounge • Lafayette

T-Coons Restaurant • Lafayette

Victor's • Lafayette

Cafe Ditali's • Harvey

HostPAC Contributors

FEBRUARY

ACADIANA

Bonanza-Mart Systems, Inc.

Cafe Vermilionville

Ensco Offshore Catering Co.

Fezzo's Seafood & Steak House

Marley's Sports Bar & Grill

Nitetown

BATON ROUGE

Bocage Racquet Club

Clements Management, LLC

K & W Park Place, Inc.

Mike Anderson's Seafood Rest.

Stage One Catering

BAYOU

Blackie's Seafood Restaurant

Cafe Milano and Aficionados

Economy Inn

Griffin Restaurants, Inc.

Plantation Inn

Sports Bar

Tampico Restaurant, Inc.

CENLA

Dairy Queen

Lucky Rose Casino

Ron's Place

NEW ORLEANS

Arnaud's Restaurant
Auntie Anne's
Austin's Restaurant
Bayou Food Distributors, Inc.
Breaux Mart Supermarkets, Inc.
Brown's & Barbe's Dairy
Bywater Bar-B-Que
Christina's Empress of China
Clementine's Belgian Bistrot
Coconut Beach
Evans Creole Candy Co., Inc.
Fausto's Bistro
Felix's, Inc.
Lagniappe Luncheonette
Landmark Hotel & Towers
Lighthouse Lodge
McDonald's of Chalmette
Metropolitan Acceptance
Mona Lisa
Patti Constantin Designs In Catering
Randolph Sheppard Vendors Of Louisiana
Restaurant Des Familles
Rizzuto Management Group, Inc.
Schiro's Cafe & Bar
Smoothie King
St. Charles Tavern
Still Perkin'
Subway - Healthbreak, Inc.
Tastee Donuts #61

NORTHEAST

Airport Coffee Shop Rest.
Best Western-North Inn & Suites
Bountiful Foods
Daily Harvest Bread Company
Dansby's Taylor Rental Center
Gabbiaux's Bayles Landing
Johnny's Pizza House, Inc.
Johnny's Pizza House, Inc.
McDonald's of Bastrop #6903
Riverside Coney Island
Samurai
Sevin's A Cajun's Restaurant
WaterFront Grill

NORTHSHORE

Pizza Pete's
Southside Cafe
St. John's Coffeehouse
The Crazy Pig
Thompson Packers, Inc.

NORTHWEST

Crawfish Hole #2
Dairy Queen/Calcasieu Rests.
Deli Casino Sandwich Shoppe
Jan's River Restaurant
Kon Tiki Restaurant

SOUTHWEST

Andrea's
Comeaux's Cajun Gold
Hackett's Cajun Kitchen
Honey B. Hams
Pappy's Drive Inn
Popeyes/Church's - Idora, Inc.
Southern Spice Rest. & Grill
Steamboat Bill's

OUT OF STATE

Domino's Pizza
Golden Corral Corporation

Foodservice Management Professional (FMP)

9 a.m. - Noon Room #283

FMP is the industry's highest mark of professionalism. Demonstrate your leadership skills and receive industry-wide recognition for your commitment. You must submit your application for acceptance before June 1, 2008. For more information, contact Laurie at (504) 454-2277 or (800) 256-4572.

Creating a Smoke-Free Workplace

Presented by: The Department of Health and Hospital's Louisiana Tobacco Control Program
Sponsored by: The Louisiana Campaign for Tobacco-Free Living and American Lung Association

10:30 - 11:30 a.m. Show Floor - Hall J

Learn how to provide a healthy and smoke-free workplace under the Louisiana Smoke-Free Air Act (ACT 815). Get useful information on creating a smoke-free workplace policy and how to help your employees quit using tobacco, while boosting employee productivity and savings in company healthcare costs. Informational packets with all the presented information will be available at the seminar. *Free with name badge*



Louisiana's BEST[®] Alcohol Server Training

10 a.m. - Noon Room #284

How to Franchise Your Business

Presented by Francorp, Inc.

12:30-1:30 p.m. Show Floor- Hall J

Francorp's seminars are designed for business owners and corporations to better understand franchising as a growth strategy. Attendees will come away from the seminar with a thorough understanding of franchising, franchise regulation, the expansion alternatives, the risks, the expenses, the timeframes, and the probable returns in franchising a business. *Free with name badge*

PART-TIME EMPLOYEES MUST BE DOCUMENTED



It has become increasingly important that foodservice businesses document their part-time employees as such in writing. If an employee is injured on the job and is entitled to workers' compensation, there is a significant difference between part-time and full-time indemnity payments.

Case law has proven that Louisiana courts will favor a plaintiff who testifies they were hired as a full-time employee unless personnel records clearly state otherwise. As a result, the employee will receive the workers' compensation benefits of a full-time employee, causing the employer to incur the additional cost.

In *Shortt v. Wal-Mart Stores, Inc.*, 95-978 (La. App. 3d Cir. 1/31/96), 670 So2d 369, an employee who regularly worked less than 40 hours but whose personnel records reflected her classification as full-time was given the 40 hour presumption. In another case of note, *Johnson v. Traveler's Insurance Company*, 509 So2d 519 (3d Cir. 1987), the appellate court denied the employer's claim that the employee was part-time because the employer failed to meet his burden to prove that there were any employment records showing the employee's status as part-time.

EXAMPLE:

An employee who works 40 hours per week at an hourly wage of \$7.50 has a \$300 average weekly wage and is therefore entitled to a workers' compensation rate of \$200 per week.

In contrast, a part-time employee that works 26 hours per week at an hourly wage of \$7.50 has an average weekly wage of \$195 and will receive a workers' compensation rate of \$130 per week.

If the part-time employee is awarded the workers' compensation rate of the full-time employee, they would earn more on workers' compensation than actually working (\$200 comp rate full-time vs. \$195 working part-time per week). As a result, gaining this individual back as an employee could prove difficult.

Assuring that this employee was aware that they were being hired as a part-time worker and noting so on their job application, personnel file and/or wage records could have saved this business \$70 per week.

The LRA/SIF suggests that all members immediately amend all part-time employees' paperwork to reflect part-time status. This could potentially save businesses thousands of dollars in hard-earned profits.



H-2B VISAS: WHAT YOU NEED TO KNOW

BACKGROUND

The H-2B visa allows foreign-born individuals to work in the United States temporarily, with a maximum authorized period of one year. The employer may extend the duration of the visa up to three years, but with a very close watch from immigration authorities. For H-2B purposes, the work must be:

- RECURRING SEASONAL NEED;
- INTERMITTENT NEED;
- PEAK-LOAD NEED; &
- ONE TIME OCCURRENCE.

The employer must also prove that there are no unemployed US workers willing or able to do the work and requires a labor certification process. This process includes a recruitment campaign, including advertising in a local newspaper for available temporary workers.

REFORM BATTLE

Established in 1990, Congress set a cap of 66,000 workers per fiscal year that can be brought to the US on a H-2B visa: 33,000 for winter workers and 33,000 for summer workers. That cap has already been reached for fiscal year 2008.

Returning workers became exempt from the cap in 2005, when Congress passed the Save Our Small and Seasonal Businesses Act, and President Bush signed it into law.

This allowed roughly 50,000 additional workers to return to the U.S. The act expired in 2007, but Congress passed a one-year extension that expired in September 2007 and it hasn't been renewed. This issue is being held up in Congress, particularly by the Hispanic Caucus, who fears extending the program will slow more complete immigration reform.

The National Restaurant Association (NRA) supports the extension of the H-2B returning-worker extension and wants the Save Our Small and Seasonal Businesses Act renewed as soon as possible. The NRA believes the congressionally mandated 66,000 annual cap on the number of workers allowed to participate in the program does not reflect current economic realities or meet the needs of the seasonal businesses that rely on these workers.

LOCAL INTEREST

Many local businesses along the Gulf Coast, including LRA member Harvest Time Seafood in Abbeville, are starved for seasonal workers. Harvest Time has resorted to importing crab meat from Colombia, because they cannot employ the Mexican workers they have traditionally brought to the U.S. on H-2B visas to pick the meat out of crab shells and no locals are interested in the work.

In Louisiana, political stances on the renewal of the Save Our Small and Seasonal Businesses Act are divided along party lines. Rep. Charles Boustany, R-Lafayette, is pushing for quick action on legislation that would expand the allotment of H-2B visas. Rep. Charlie Melancon, D-Napoleonville, is concerned that a permanent exemption would create an ever-growing population of immigrant labor and possibly crowd out American workers.



Sources: www.workpermit.com; *The Times-Picayune*: "Gulf Coast businesses are starved for seasonal workers," March 14, 2008; *The National Restaurant Association*; and *The New York Times*: "Businesses Face Cut in Immigration Work Force," March 14, 2008.

LRA/SIF CLAIMS FREQUENCY RATE LOWER THAN NATIONAL AVERAGE

The Louisiana Restaurant Association Self Insurer's Fund for Workers' Compensation (LRA/SIF) announces that in 2005 its members posted 2.8 work-related injuries per 100 employees, below the restaurant industry's national average of 4.1 cases per 100 employees, as reported by the Bureau of Labor Statistics. In addition, the LRA/SIF's current incidence rate for 2006 shows a decrease from that number to approximately 2.5 claims per 100 employees.

"The success this fund has realized over the past few years is reflective of the high level of service and attention to detail offered to its members, especially those who experience losses," said LRA President and Chief Executive Officer Jim Funk. "This unprecedented loss experience also allows the LRA/SIF to return more in dividends than any comparable workers' compensation program in the country—\$81 million to date."

The national incidence of 4.1 cases per 100 employees is below the incidence of 4.5 cases for employees in all leisure and hospitality industries, and far below the 6.1 cases for every 100 employees in accommodations

**SINCE THE
2003 FUND
YEAR,
LOSSES
HAVE
DROPPED
26 PERCENT.**



(such as hotels); 6.5 cases in supermarkets; and 6.7 cases in general-merchandise retail stores.

The LRA/SIF covers a combination of all these exposures, making its average of less than 3 claims per 100

employees even more impressive.

While workers' compensation claims typically trend upward based on increases in premium and the number of policyholders, such is not the case with the LRA/SIF. Since the 2003 fund year, losses have dropped 26 percent.

For more information, or to obtain a free workers' compensation quote, call LRA/SIF at (504) 454-2277 or (800)256-4572. The LRA/SIF is located at 2700 N. Arnoult Rd., Metairie, LA 70002, just outside New Orleans.

STATEMENT OF POLICY

In order to receive a dividend, a LRA/SIF member must be in good standing with the LRA/SIF (active, participating member) and with the Louisiana Restaurant Association (dues-paying member) on or before the dividend calculation date set by the Board of Trustees. For the LRA/SIF's next distribution, the eligibility date is March 3, 2008. If the LRA/SIF member has ceased to do business and is no longer required to maintain workers' compensation insurance in Louisiana, it is entitled to a dividend if the member remains in good standing with the LRA (dues-paying member). Eligibility is based on a lower than 70% loss ratio for any given fund year.





Goldie Ann Comeaux

Goldie Ann Comeaux, founder and owner of Mulate's, "The Original Cajun Restaurant" in Breaux Bridge, died March 22, 2008 at the age of 66. A native of Carencro and a resident of Lafayette, Comeaux opened Mulate's in 1980. She created Ms. G's Seasonings and was the author of Ms. G's Cookbook. Upon her death, she was serving and has served on the LRA, Acadiana Chapter Board of Directors since 2005, during which she received the Active Member of the Year Award and Restaurateur of the Year.

Al Copeland Sr.

Al Copeland Sr., famous founder of Popeyes Famous Fried Chicken, died March 23, 2008 at the age of 64. A native New Orleanian, Copeland opened his first Popeyes in 1972 in Arabi. Under his leadership, a Popeyes franchising empire was born, with over 800 Popeyes franchises in the United States, Puerto Rico, Panama and Kuwait since 1977. By 1987, Popeyes was the third-largest fast-food chicken chain in the country. Copeland was inducted into the LRA Hall of Fame in 1995.

Leebob Cox

Leebob Cox, United States Army veteran and founder of Lafayette's La Fonda Restaurant, died February 27, 2008 at the age of 78. A native of Jamestown, New York, Cox moved to Lafayette in 1954 and opened La Fonda three years later. Just before his death, Cox celebrated La Fonda's 50th year in business.

Maurice Fitzgerald Jr.

Chef and restaurateur Maurice Fitzgerald Jr. died March 8, 2008 at the age of 85. A lifelong New Orleanian, Fitzgerald was the owner and executive chef of Fitzgerald's Seafood Restaurant in the West End, overlooking Lake Ponchartrain. Fitzgerald's was sold in 1989 and was closed for several years before being demolished following Hurricane Georges in 1998. Until Hurricane Katrina, Fitzgerald taught culinary arts at Delgado Community College.

Anthony "Tony" Moran

Anthony "Tony" Moran, a restaurateur in New Orleans for more than 60 years, died March 5, 2008 at the age of 85. Throughout his long career, Moran owned or operated many well-known restaurants in the French Quarter, including Jimmy Moran's, La Louisiane, Acme Oyster and Seafood House, Tony Moran's, and the Old Absinthe House. A World War II veteran, Moran co-hosted a cooking show on WDSU TV and was known as one of New Orleans' first celebrity chefs.

It's all about who you know!

Become an LRA Key Contact

The LRA is looking for members that are politically active and have a personal relationship with state senators or representatives to become Key Contacts. When a key issue arises that affects our industry, the LRA will notify the Key Contact and ask them to make a quick phone call, set up a meeting or write a letter to their legislator.

Name: _____
Company: _____
Address: _____
City: _____
E-mail: _____
Phone: _____
Fax: _____

I know the following Louisiana Senators: _____

I know the following Louisiana Representatives: _____

*Become a Key Contact today and help influence the political process for our entire industry! Please complete this card, cut and mail to:
Louisiana Restaurant Association, 2700 N. Arnoult Rd., Metairie, LA 70070.*

EVENT CALENDAR

MARCH 31-JUNE 23

Louisiana Legislative Session
Baton Rouge

APRIL 10

A Night of Red & White
UL-L Alumni House • Lafayette

MAY 15

Culinary Connoisseurs
Nomination Deadline
www.neworleanscitybusiness.com

MAY 17-20, 2008

NRA Show 2008
McCormick Place • Chicago

MAY 24

Louisiana Cookoff
New Orleans Wine and Food Experience
LA Superdome • New Orleans

JUNE 2

Fishbowl Marketing Demo Webinar

JUNE 23

Greater Baton Rouge Silent Auction
Juban's Restaurant • Baton Rouge

AUGUST 2-4

55th Annual
Louisiana Foodservice EXPO
New Orleans Morial Convention Center

SEPTEMBER 8

Fishbowl Marketing Demo Webinar

SEPTEMBER 23-24

2008 NRA Public Affairs Conference
Washington, D.C.

NOVEMBER 17

Fishbowl Marketing Demo Webinar

PRSR STD
U.S. Postage
PAID
Metairie, LA
Permit No. 594

Louisiana Restaurant Association
2700 N. Arnoult Road
Metairie, LA 70002-5916
(504) 454-2277
(800) 256-4572
fax: (504) 454-2299
www.LRA.org

August 2-4

Louisiana Foodservice
EXPO 2008

New Orleans, LA
Halls I-J

New Orleans Morial
Convention Center

www.LRA.org

