

THE DAILY RECORD

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Paralegal PERSPECTIVES

PAR members learn about employment law

The Paralegal Association of Rochester, Inc. ("PAR") has been in full swing of renewal season and we extend our appreciation to all members and the Board for their diligence in working through this year's process. If you have not sent in your renewal and/or payment, please do so as soon as possible.

On May 4, several PAR members were fortunate to attend an Employment Law CLE with Steve Modica, Esq. of the Modica Law Firm. Modica provided the attendees with an overview of numerous government programs and agencies including New York State Worker's Compensation, Social Security Disability, New York State Retirement and Disability Benefits, as well as the changes to the federal and New York State wage and hour laws. Modica described the timelines for filing claims within each agency and the benefits available to each of us when we find ourselves injured at work and/or disabled and unable to perform the duties of a job any longer.

Of particular interest, Modica described how the changes to the Fair Labor Standard Act ("FLSA") and how this has affected many paralegals in New York state. Essentially, in New York the law states that in order for an employee to be exempt from receiving overtime pay three factors must be present. The first is that the employee must be paid a weekly salary of at least \$727.50. Second, there must be no unlawful deductions from the salary paid other than in instances of absenteeism, sick leave, or disciplinary suspensions. Third, and most important, is that the duties performed by the employee must meet one of several tests in



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the FLSA. These include Administrative Exemption, which requires the employee to exercise independent judgment and/or perform work directly related to the business operations of the employer's customers. There is also an Executive Exemption if the employee's primary duty is to manage others, and a Professional Exemption when the employee's primary duty is the performance of work requiring advanced knowledge. Modica provided a fantastic handout with the overview of his presentation. If anyone was unable to attend and would like a copy, please email our PAR's VP of Education and Programming at PARoc.Education@gmail.com.

PAR's next seminar is scheduled for June 14 at Nixon Peabody, LLP and is titled E-filing in Monroe County and the 7th Judicial District. Our guest speakers will be Sarah Sennett and Lisa Preston of the Monroe County Courts. With the implementation of consensual e-filing in Monroe County and the expected change to mandatory e-filing later this year, we welcome Sennett and Preston to speak on topics such as local rules, procedures and protocols; a tour of the NYSCEF website; the user registration process; a demonstration of a Mickey Mouse v. Donald Duck lawsuit; notification and service; and a general discussion on e-filing and forms. The seminar is open to members and non-members with a

registration deadline of June 7. Please visit our website at www.rochesterparalegal.org to register.

PAR's Annual Dinner is scheduled for May 24 at Monroe's Restaurant. The dinner will include networking, a sit-down dinner for all attendees, the presentation of the Paralegal of the Year Award and a business meeting with the installation of new officers and directors for the 2017-2018 year. Registration is now closed so please watch for news and updates in next month's Daily Record article.

As previously mentioned, PAR is hosting the National Federation of Paralegal Associations, Inc. ("NFPA") Convention in Rochester in October 2019. NFPA's Annual Convention and Policy Meeting brings paralegals, including military paralegals, from across the country for networking, educational sessions, workshops, exhibitor halls and social events, as well as for important NFPA policy, Board of Directors', Treasurer and Region meetings. PAR is honored to have Rochester selected.

Although this is the second time that Rochester has been selected, it will be the first time hosting as the prior convention was cancelled in 2001 due to the tragic 9/11 attacks. While it may seem far off, the Planning Committee is hard at work beginning to put things in place to make this monumental event a true success. The committee is coordinated through our NFPA Primary Representative, Deborah Wilcox Mabry, and consists of members Dina Beaudette, Deborah King, Elizabeth Collins, JP Fountain, Amanda Nemchick, Jane Gor-

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ski, Carol Cross and myself. We would welcome any current members (voting, affiliate or student) to join our committee for this exciting opportunity to bring the NFPA Convention 2019 to Rochester. We also welcome any vendors or companies who would like to be an exhibitor or sponsor for this event. Please contact any of the listed committee members or any member of the PAR Board if interested.

PAR has recently changed contact email addresses for all officers, directors and representatives. Please visit the contact page of our website at [\[esterparalegal.org\]\(http://esterparalegal.org\) for current contact information. In addition, our website contains upcoming events, important announcements and/or news and opportunities available through our Career Center. We continue to welcome all employers to contact \[PARoc.Employment@gmail.com\]\(mailto:PARoc.Employment@gmail.com\) to have their listings posted to our members-only portion of the website.](http://www.roch-</p></div><div data-bbox=)

The Paralegal Association of Rochester, Inc., and, in particular, the Board members of PAR are very saddened by the loss of an extremely dedicated member. Doug Kaleta passed away on Friday, May 5.

Doug was a paralegal at Harris Beach,

PLLC for many years. He was also the treasurer of PAR and was involved in every aspect of the association for approximately the past eight years.

Even though Doug had many medical challenges from MS for many years, it never stopped him from contributing to the association. He attended all of the events of PAR and was an integral member. His easygoing and comical personality will be missed by all!

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