



Lively Debate Highlights Immigration Summit

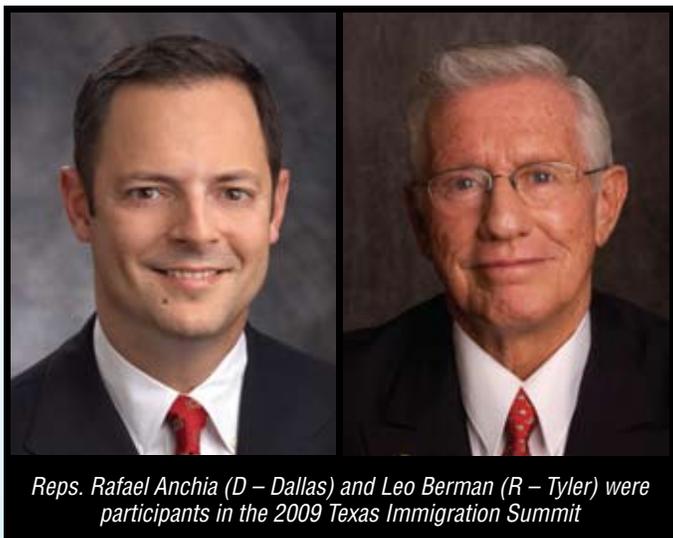
Texas Leaders Discuss Controversial Issue

Over 200 business leaders, state lawmakers and legislative staff attended the Texas Immigration Summit held on Wednesday, February 18, 2009. The event, hosted by TAB, was geared towards opening the dialogue on Texas' immigration issues and what effects state and federal legislation will have on Texas' economy.

IBC Bank Senior Vice-President Eddie Aldrete opened the conference with an in-depth presentation on the positive financial impact immigrants bring to the American and Texan economy and the struggles law enforcement faces as political decisions drive bad immigration policy.

One of the struggles Aldrete highlighted was the danger of lowering hiring standards to maintain an effective Border Patrol. Aldrete said lower standards led to corruption of the Miami Police Department when they followed suit in an effort to combat the flow of cocaine during the 80s.

At the conclusion of Aldrete's remarks, TAB President Bill Hammond introduced Representatives Rafael Anchia (D – Dallas) and Leo Berman (R – Tyler), participants in the much anticipated immigration debate.



Reps. Rafael Anchia (D – Dallas) and Leo Berman (R – Tyler) were participants in the 2009 Texas Immigration Summit

The two went back and forth, with Anchia touting the need for the federal government to grab the reins and institute comprehensive immigration reform, thus bringing undocumented immigrants out of the shadows and into compliance with federal laws.

Berman made clear that his anti-illegal

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WORKFORCE Q&A

How do you handle pay issues when you have to shut down the office or company when there is inclement weather?

(see page 2)

OBAMA & THE ECONOMY

"As 2009 opened...the [Dow] closed at 9034 on January 2... Yesterday the Dow fell another 4.24% to 6763, for an overall decline of 25% in two months and to its lowest level since 1997. The dismaying message here is that President Obama's policies have become part of the economy's problem."

*"The Obama Economy"
Wall Street Journal,
March 3, 2009*

TAB MISSION

To make the Texas business climate the best in the world.

WORKFORCE Q&A



Linda H. Evans,
Neel, Hooper & Banas, P.C.

How do you handle pay issues when you have to shut down the office or company when there is inclement weather? Do you need to pay the non-exempt employees? What do you do about someone who doesn't come in because of bad weather when others from the same area in town make it in?

Hourly (non-exempt) employees are paid for hours worked. If an employee did not work, regardless of the reason, then the employee does not have to be paid. Of course, like most things in employment law, there are exceptions. Contracts guaranteeing a certain wage have to be honored. Likewise, policies regarding pay for periods that the business is closed due to emergencies have to be followed. Other factors to take into consideration include morale and fairness issues.

However, salaried (exempt) employees are a different matter. Those who are exempt must be paid their full salary if the business shuts down for less than a full workweek or if the employer does not have work available for the employee for the full workweek. Making improper deductions from pay can endanger the employee's exempt status. If the business was open and work was available, deductions can be made from an exempt employee's salary if the employee is absent from work for one or more full days for personal reasons. Deductions can also be made for a full day's absence if it occurred because of sickness or disability, as long as the deductions are made pursuant to a bona fide sick or disability leave plan, policy or practice.

Texas law prohibits discrimination for participation in an emergency evacuation. An employer may not discharge or discriminate against an employee who leaves the employee's place of employment to participate in a general public evacuation ordered under an emergency evacuation order. (But, emergency service personnel are exempt from this provision.) Additionally, an employee who is called to active duty in the uniformed services as a result of a national emergency has job protections.

Sometimes employees who lost some, but not all of their income due to the bad weather, may be entitled to unemployment benefits. And if you had to reduce employees' hours, which triggers a loss in health insurance coverage, your employees may be entitled to COBRA coverage depending on the circumstances.

Employment Relations questions?

***Don't forget to call TAB's Employment Relations Hotline
for your next HR Question
1.800.856.6721, ext. 164 or E-mail smcgee@txbiz.org***

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Immigration Conference Wrap-Up

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immigration stance was not related to ethnicity or immigrants who came here legally. He then articulated his desire to use all legal methods to remove undocumented workers and stop the flow of illegal immigration because their entry and residence in Texas is simply against the law.

Bill Hammond moderated a brief point-counterpoint between the two and took questions from the audience.

Anchia detailed the business dependence on immigrants and the potentially disastrous effects their absence from the workforce would create.

Berman reinforced his ideas that Texas must have state-driven efforts to eradicate illegal immigration.

After a brief break, Senator Kirk Watson (D-Austin) delivered remarks on a principled approach to assuring legal immigrants “bolster, strengthen, and preserve Texas business, jobs and the economy.”

Watson also discussed his legislative proposal, dubbed the “Texas Essential Worker Program” that will be filed this week. The bill would allow Texas to work proactively

with the federal government to establish an adequate, legal and stable workforce for certain Texas employers experiencing a labor shortage.

Former Congressman Henry Bonilla and Precision Task Group President Massey Villarreal shared the stage as the summit drew to a close. Villarreal opened with a brief presentation highlighting the economic impact of immigrants in Texas, and how our state’s financial outlook would be crippled if immigrants were not a part of our state’s fabric.

Congressman Bonilla concluded the conference with his overview of the Washington machinations that have stopped comprehensive immigration reform from taking place in a meaningful way. Bonilla’s experience on Capitol Hill gave the audience an insider’s perspective on the players important to the process.

TAB thanks its generous sponsors, featured guests and summit attendees for their participation and support.

More information about TAB’s workforce and immigration priorities can be found online by visiting www.txbiz.org.

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so you can find out the most up-to-date information on events, news and publications. Be a part of our team and show that you support Texas business by becoming a TAB Fan. Visit our Web site online at www.txbiz.org for a direct link to our Facebook page.



**TEXAS EMPLOYERS FOR
IMMIGRATION REFORM**

MEMBER PROFILE

Sampson Steel

Sampson Steel is a general line steel service center named after its founder B. Sampson. Originally Sampson functioned as a scrap metal recycling business. Today, Sampson Steel is celebrating its fourth generation in business. Under current president Jay Eisen, Sampson Steel is a third generation TAB member.

Although the business began in 1916 as a scrap metal recycling business, it has grown from its original roots. As the company had customers coming by with scrap metal, a greater need was realized. In 1940, the business added a full line steel service center to fulfill the needs of its recycling customers.

While expansion was an obvious necessity for both the business and its patrons, Sampson did not let go of its original scrap metal roots until the year 2002. Jay Eisen recalls his sadness at letting that side of the business go as it was his great grandfather's original idea for the company. Eisen understood though that responding to its customers needs was paramount to the longevity of the company.

Today the company provides carbon steel plates, structurals, bars, tubing, bar grating and expanded metal. They also offer pre-production processing including shearing, sawing, and high definition plasma burning and edge beveling to the petrochemical, offshore, fabrication and manufacturing industries in Southeast Texas.

Offering steel services for over eight decades to the Beaumont and surrounding area, has given Sampson Steel an opportunity to partner with the Greater Beaumont Chamber of Commerce. Being chamber members for over 65 years, Eisen and Sampson Steel believe the chamber is an outstanding voice for local business by promoting the community, encouraging expansions of area businesses and attracting new business. The company further credits the chamber for being active on every high profile issue in their district and taking a leadership role on issues that will improve the community.

Jim Rich of the Beaumont Chamber expresses his appreciation for the family business as well, "The Eisen family and their company have been a part of the Beaumont landscape for decades. They have been faithful to promoting a positive business climate and a strong community. We applaud their success and staying power through good times and bad."

TAB also recognizes Eisen for his work with its Southeast Texas Chapter. His dedication ensures our message reaches many other Beaumont area business leaders.

"TAB provides our business and many others with a legislative voice by supporting pro-business legislation."

***Jay Eisen
President, Sampson Steel***

Many businesses in the Houston and Beaumont region were faced with great challenges when hit by both Ike and Rita. Sampson Steel, like others, found themselves out of power for several days and in a position where they simply could not operate. During this time they continued to pay employees. Being a family business, Sampson considers its own employees to be a part of their family. By such gestures as continuing to provide compensation during trying times, Sampson has been successful in creating a sense of family in its corporate culture.

Being an active participant in TAB Southeast Texas Chapter activities and initiatives, Jay Eisen says, "TAB provides our business and many others with a legislative voice by supporting pro-business legislation. We appreciate that TAB keeps us informed of legislative issues and leads the way in taking positive actions for all businesses to succeed."



Jay Eisen (President) on location at Sampson Steel

TAB Education Efforts Gaining Notice

To ensure that Texas children have every opportunity to succeed, the TAB has been a strong advocate of reforming our public education system. Principal among our concerns is overhauling the current accountability system that rewards mediocrity and undermines true academic honesty and the expansion of career and technology education in our high schools.

In a recent meeting with Lt. Governor David Dewhurst, TAB President Bill Hammond and newest team member Sandy Kress met with Lt. Governor David Dewhurst to discuss the Association's education priorities. Among the issues addressed were social promotion, the need for career and technology education (CTE), an improved accountability

system and the potential benefits and hazards the sudden influx of stimulus money will have on our schools.

Lt. Governor Dewhurst was just one of many state leaders who TAB has lobbied on education reform. **The hard work is paying off.** TAB President Bill Hammond stood with Education Chairs Florence Shapiro and Rob Eissler, Senator Chris Harris, Representatives Jim Keffer and Susan King, and education and industry leaders to support Senate Bills 1312 and 1313, relating to the expansion of career and technology courses in the state's required public high school curriculum.

After spending the interim period advocating relentlessly for education accountability reform, Education Chairs Florence Shapiro and Rob

Eissler debuted SB 3 and HB 3 the day after unveiling their CTE proposals. These bills aim to overhaul the broken system that has, for too long, rewarded mediocrity and undermined true academic honesty.

When introducing the legislation at a press conference, Senator Shapiro spotlighted the efforts of the TAB, by saying “[*TAB President Bill Hammond, who's been a strong advocate for a very strong workforce, has been telling us for a long time that our passing standards are way too low - and we thank you for that, because we listened.*”



(from left) Sen. Chris Harris, Sen. Florence Shapiro, Rep. Jim Keffer & TAB President Bill Hammond

In addition, the *Lone Star Report's* William Murchison spotlighted TAB efforts on education saying, “...Texas

Association of Business President Bill Hammond never tires of pointing out that “The Texas Education Agency has created a prejudiced accountability system that undermines true academic honesty.”

“What’s in it for [Hammond],” Murchison asks. “A low-skill, low-competency work force means a low-performance economy.”

These efforts are a valuable first step in this battle, but true victory on behalf of our children is far from over. Please visit us online at www.txbiz.org for updates on this most important issue.

For more information on our education priorities, contact Bill Hammond at 512/477-6721 or via e-mail at bhammond@txbiz.org

What They're Saying

“No one should doubt the commitment of Bill Hammond and his colleagues at TAB toward improving public education. They more than most know the Texas economy and the quality of life of all Texans depend on it.”

– Quorum Report

“The accountability system may get tougher because of [the Shapiro/Eissler bills],” [TAB lobbyist Sandy] Kress said. “It may get more honest about whether students are on the path to reaching the real goal, not just passing a test.”

– Austin American-Statesman

“There’s a way to keep our [public school] accountability system while moderating it at the same time. I credit Sandy Kress... and others with a strong interest in schools for coming up with some of these alternatives.”

– Dallas Morning News

Talk **About** Business



Bill Hammond, TAB President

Obama Declares War On Texas

With the recent unveiling of the Administration's \$3.6 trillion budget proposal and a "cap and trade" emissions tax plan, President Barack Obama has tacitly declared war on Texas business and consumers. At a time when our economy is shrinking, Obama's call for dramatic tax hikes and anti-growth environmental legislation places consumers, entrepreneurs and businesses in the crosshairs.

In a tumultuous global market that famed investor Warren Buffet has likened to an "economic Pearl Harbor," President Obama has opportunistically used this period of vulnerability to ram radical anti-business legislation down the throats of American taxpayers at a breakneck pace.

A pillar of Obama's budget, which spends nearly \$10 billion per day, calls for the repeal of tax cuts and institution of tax hikes for couples making more than \$250,000. Obama is trying to cast himself as Robin Hood with this stunning re-distribution of wealth. However, behind the President's populist rhetoric lies the fact that his class-warfare plan is, in reality, an assault on small business owners and entrepreneurs who already pay the lion's share of the American tax burden.

In the prism of this economic climate, it is no doubt that Americans are outraged at bloated corporate salaries and the shady practices of Wall Street financiers. Yet this legislation casts a much broader net and ensnares the employers who help provide the jobs that are keeping countless families afloat during this global financial crisis. Obama is hamstringing the individuals who comprise the small business community, which provides over 70 percent of Texas jobs.

In addition, the energy sector, one of the primary job creators in our state, will suffer as a result of short-sighted attempts to regulate emissions standards. Obama is seeking to declare carbon dioxide as a pollutant that endangers human health. To dovetail that proposal, the new budget will institute a "cap-and-trade" program that will sell greenhouse-gas emission permits to the energy and manufacturing industry. The projected cost to these job creators would be \$79 billion by 2012.

One only has to look at the "cap-and-trade" tax proposal to see where the money will come from to pay for the Administration's massive new budget. "Cap-and-trade" compliance costs will likely be passed onto consumers via

increased prices or higher utility rates. According to House Minority Leader John Boehner, "Cap-and-trade" is code for increasing taxes, killing American jobs, and raising costs for consumers."

Were America to cease releasing any greenhouse gases today, the effect would be infinitesimal as developing nations such as China and India continue to increase energy production and carbon emissions without consequence. In an era in which energy security is essential to our future, the Obama wish-list would "price developers out of the market" and "force these companies overseas," according to Congressman Gene Green (D- Houston).

If Obama's proposals were to become law, Texas would shoulder an extraordinarily onerous burden. Our State is the energy capital of America and home to tens of thousands of small business owners. This federal legislation would shrink our State's ability to promote economic development, drive some of our best employers overseas and leave Texas consumers to pay even higher costs. Bankrolling Obama's liberal agenda on the back of our state's economic future is simply too high of a cost for Texas to bear.



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