

The INSIDE STORY

July 2014 • Volume VI • Issue 3

Inside This Issue:

- Kelly's Employment Corner2
- Dyer Law Wins at Nebraska Supreme Court3
- Recipe of the Month.....3
- Free Information.....4

About That "Selfie" By Mike Dyer

Someone just ran a stop sign and t-boned your car in an intersection. You grab your phone and start taking photographs.

And then . . . you post them on Facebook and your other social media pages and let all of your friends and your friends' friends know that your car is a mess but you are okay.

BUT WAIT! What happens when in a few days you start feeling neck pain – and not just a little soreness but the real deal? You just announced to the world that you were ok – now you aren't.

Insurance adjusters and defense attorneys can and will get their hands on your social media posts and use them against you. They will argue that if you were fine when you posted your photos that something else must have happened after the accident to cause your neck pain. Sounds ridiculous, right? There is an easy solution though –



DON'T POST ANYTHING ONLINE ABOUT AN ACCIDENT YOU'VE BEEN INVOLVED IN !!

And parents of teenage drivers, your social media expert teenagers really need to have this information. Please talk to them about this BEFORE the situation ever becomes a possibility.

Thank you for the referrals...

A referral from a former client or friend is the greatest compliment our firm can receive. We are grateful for every referral – below is a list of the people who recently referred a friend or family member to our firm. We would like to publicly thank each and every one of them.

- | | | | |
|----------------|-------------------------|--------------|---------------------|
| Mike Johnson | James Young | Scott Miner | Sheila Woitaszewski |
| Brian Keister | Julie Bell | Shaun Parker | Tami Smith |
| Jo-El Chiles | Justine Laravie | Kelly Brown | Lea Coe |
| John Wilke | Michelle Rother-Lindsay | Jim McMurphy | Jamie Scholz |
| Russ Zeeb | Steve Henning | Jamie Olson | David Thompson |
| Adam Rokes | David Smith | Sean Cotton | Robyn Clark |
| Amanda Herrick | Chris LeGrow | Rick Uryasz | Lisa Fischer |
| Steve Langley | Mark Shirley | Brenda Lewis | |
| Byron Rahn | Allen Jenson | Kati Lippe | |



Dyer Law PC, LLO
Attorneys at Law
10730 Pacific Street, Suite 111
Omaha, NE 68114
402-393-7529

6940 O Street, Suite 324
Lincoln, NE 68510
402-488-3937

TOLL FREE
888-393-7529

Call or visit
www.dyerlaw.com and enter
your questions. You will get
confidential answers from
one of our attorneys.

Kelly's Employment Corner

By Kelly Brandon



What does the term “at-will” employment mean?

At-will employment governs most employment relationships when there is no contract (oral or written) as to the term of employment. As an at-will employee, your employer can discharge you whenever and for whatever cause it chooses, as long as that reason is not an illegal reason.

What are illegal reasons for termination?

An employer cannot decide not to hire you, discipline, demote or terminate you based on your sex, race, national origin, age, pregnancy, disability or religion. An employer also cannot demote or terminate you because you filed a worker's compensation claim or because you reported an unsafe workplace to OSHA. Some states protect sexual orientation. If you feel you have been harassed or discriminated against because of the reasons above, what should you do?

First of all, call a lawyer who specializes in employment discrimination. Secondly, most employers have a procedure in their employment handbooks for reporting discrimination. You need to follow that policy. There is usually a designated HR representative or company official who you should report the complaint to, and they are required by law to investigate it. If there is no handbook or procedure, you can also report discrimination to the Nebraska Equal Opportunity Commission.

Are there time limitations for filing a complaint for discrimination or harassment?

Yes, they vary depending upon what the basis of the claim is. If you think you are being harassed or discriminated against, call an attorney right away. Some deadlines are as short as 30 (thirty) days.

Who qualifies for FMLA leave?

An employee is eligible for 12 weeks of unpaid FMLA leave for a serious health condition or for a serious health condition of a loved one if: (1) the employee has worked for the employer for at least 12 months (not necessarily consecutively); (2) the employee has worked for the employer for at least 1,250 hours in the previous consecutive 12-month period; and (3) the employee works at or is assigned to a worksite that has 50 or more employees or which is within 75 miles of worksites that taken together have a total of 50 or more employees.

If I am not ready to return to work after my 12 weeks of FMLA leave, can my employer terminate me?

It depends. If you cannot perform the essential functions of your previous position because of your disability or illness, then your employer may be able to terminate you. If, however, you can perform your job with some sort of modification or accommodation, you should request it.

Your employer is obligated to at least discuss an accommodation, additional unpaid leave, or possibly a transfer to another vacant position for which you are qualified. Put these requests for reasonable accommodation in writing to the proper designated employer representative as outlined in your employee handbook.

Dyer Law Wins at the Supreme Court

Recently, the Nebraska Supreme Court released its opinion regarding a case our own David Handley argued before the Court, adding another win for a Dyer Law client and defining a portion of the workers' compensation law in a more favorable light for future injured workers.

David represented Charles Rodgers for an on the job injury. At the trial level, David argued that Mr. Rodgers should be paid compensation according to a loss of earning capacity which would result in more compensation than what the defendant was willing to pay. The trial judge determined that certain facts had to be present before the court could provide the analysis that David requested for Mr. Rodgers and gave an Award to Mr. Rodgers that was less than desired. David appealed and asked the Nebraska Supreme Court to decide the case because this specific issue had never been previously brought to a Nebraska appellate court.

The Nebraska Supreme Court granted David's request. Ultimately, the Supreme Court agreed with David's argument and reversed the trial court's previous decision and instructed the trial court to analyze Mr. Rodger's case consistent with the way that David had previously requested. Congratulations to Charles Rodgers and David Handley on this hard-fought win. This High Court win certainly helps set the standard for potentially broader benefits available to future injured workers under similar circumstances.



David Handley



Recipe of the Month Peanut Butter Crispy Bars

by
Jody Batenhorst

Ingredients:

- | | |
|---------------------------------------|---------------------------------|
| 1 cup sugar | 4 cup Special K |
| 1 cup Karo syrup | 3 cup Rice Krispies |
| 1 1/2 cup chunky peanut butter | 1 pkg. butterscotch chip |
| 1 tsp. vanilla | 1 pkg. chocolate chips |

Directions:

Place Special K and Rice Krispies in large bowl and set aside. In a medium sauce pan, bring sugar and Karo syrup to a boil. Remove from heat and mix in peanut butter and vanilla. Pour this mixture over the cereal and mix well. Pat the cereal mixture into a 15 1/2 in. x 10 1/2 in. jelly roll pan and set aside. Stir together and heat both packages of chips together in the microwave just until melted. Frost the bars with your melted chips. Cut into squares when ready to serve.

Client's Bill of Rights

Lawyers will tell you that it is impossible to offer a guarantee in the legal business. WRONG! We say that law firm clients should settle for nothing less! Remember, your attorney works for you - not the other way around.

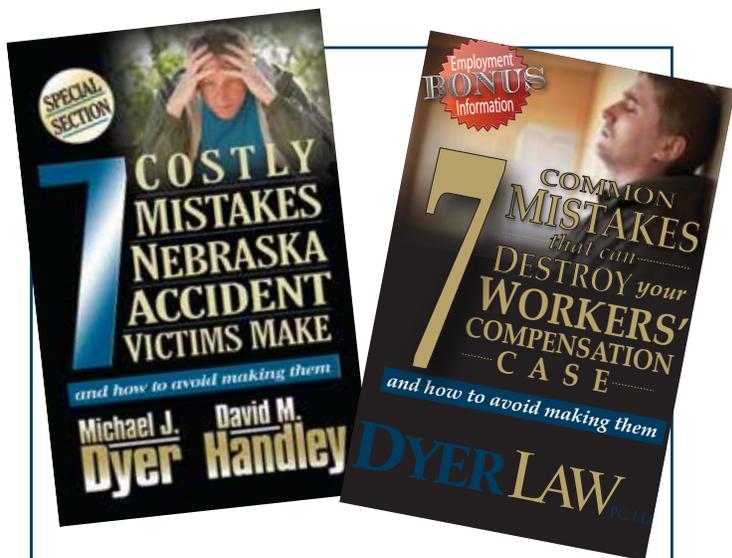
At Dyer Law we believe we can promise our clients quality service with personal attention. We believe that as our client, you are entitled to have the:

1. Right to loyalty to you and your cause.
2. Right to be updated regularly and in a timely manner as to the progress of your case.
3. Right to our respect.
4. Right to expect competence from our firm and all who work here.
5. Right to know the truth about your case.
6. Right to prompt attention from us.
7. Right to have your legal rights and options explained in plain English without legal mumbo jumbo.
8. Right to a fair written fee agreement with our firm.
9. Right to a fair fee for the work we do.
10. Right to make the ultimate decision on your case.



DYER LAW PC, LLO
*Calls Returned. Questions Answered.
We're Your Team.*

Dyer Law PC, LLO
Attorneys at Law
10730 Pacific Street, Suite 111
Omaha, NE 68114



INFORMATION FOR FREE!

Getting a copy of our free books is as easy as logging into our website at

www.dyerlaw.com

Complete the on-line request form and click on the "submit" button. Your free book will be sent to you by mail.

Quick Tip!

Head out for some great family fun at the Nebraska State Fair from August 22 – September 1 in Grand Island. The fair's concert, show and activity line-up has something for everyone. Find more information at statefair.org.

