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Dedicated to the Business of Selling Travel

WORKRIGHTS

DIFFERENT CLASSIFICATIONS OF WORKERS

As the unemployment rate fell at the start of the year, it still might be tempting for businesses to classify workers as independent contractors versus employees resulting in savings.

According to the National Association for the Self-Employed, there are more than 23 million self-employed Americans — yet the Internal Revenue Service is cracking down on companies to ensure workers are not misclassified.

Employers aren't permitted to categorize an employee as 'temporary or contract' as a subterfuge to avoid compliance with these laws, according to Beth Schroeder, partner at LA-based Silver & Freedman. "While employers can contract around providing discretionary benefits to this category, such as health insurance or holiday pay, these workers would still be covered under mandatory laws such as Title VII, worker's compensation laws, wage and hour laws, and unemployment insurance benefits."

Another method employed to cut down on bottom-line personnel expenses is to hire temporary employees. Jane Lewis Volk, an employment law attorney at Pittsburgh-based law firm Meyer, Unkovic & Scott, says that with the economy still slugging toward recovery, companies are turning to staffing agencies and cutting back on payroll, recruitment, training and other hefty employment costs.

"Many companies are unaware of or misinformed about legal responsibilities," she warns. "Most people don't know that independent contractors can sue. Independent contractors should be aware that businesses should apply contracting, reimbursement, bonus and termination policies with the same consistency and fairness they apply to hiring, firing and other employment decisions."

Tina Maiolo, an attorney with the mid-Atlantic firm Carr Maloney, points out since contract employees are not 'employees' by definition, their rights are defined by their contract. "The best way for them to protect themselves is with a properly and thoroughly drafted contract."

For those who've been classified as independent but question if they're truly an employee, file an SS-8 with the IRS for a review and determination. For employers found improperly treating an employee as an independent contractor, they could be held liable for employment taxes for that worker.

FOCUS ON

Historical travel

ACCORDING TO THE report *The Cultural and Heritage Traveler: 2009 Edition* by Mandala Research, more than 60% of leisure travelers engage in heritage/cultural activities, testament to the lucrative potential of historical travel in the US. These include attending a cultural and/or heritage fair or festival, visiting heritage/historical buildings and indigenous sites, attending historical re-enactments, visiting history museums/centers; and going to living history museums.

Traveling to historical destinations may begin with an educational intention, but travelers visiting sites often studied in school soon discover history is alive and kicking. From battlefield re-enactments to panning for gold, trips can be formed around a specific moment, theme or event in time. Many states including Delaware and Virginia are recognizing the Sesquicentennial (150th anniversary) of the Civil War. To illustrate, this year's Dover Days Festival features a Civil War encampment by the 2nd Regiment Delaware

Volunteers (Reenactment Unit), allowing visitors to step back in time to the year 1861.

"We find history is best learned by seeing and doing, and with the large number of families, children and hopefully Civil War enthusiasts who come out, everyone will get a taste of what it was like to camp out, cook over live coals and live the way Delaware's Civil War soldiers did from 1861-1866," explains Second Sgt Bill Purdy.

Another popular historical tour is to relive the history of the American West, particularly the adventures of Lewis and Clark, according to Row Adventures' President Peter Grubb.

"Lewis and Clark personify the spirit of America and western expansion. The benefits of this trip are many, including the excitement of paddling the same waters they paddled over 200 years ago," explains Grubb. "This 60-mile trip follows the best-preserved section of the Lewis and Clark Trail, which hasn't changed much since they and their Corps of Discovery were here in 1805-1806."

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Re-enactment Of The Siege Of Yorktown

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