

President's Message

Chamber Foundation Membership

Foundation members of the Santee Chamber of Commerce are very special business members of the Santee Chamber of Commerce who have helped complete special projects. A recent project was the First Special Edition of the Echo that was mailed to every home and business in Santee. Dan Kitchen, Assistant Vice President and Branch Manager of North Island Credit Union's Santee branch was editor of the publication. In addition to giving Dan time to work on this project, North Island also paid for the postage to mail the publication to every home and business in Santee. Barratt American also offered the services of their graphic artist to format the publication.

The City of Santee helps sponsor many events with the Chamber. The Miss Santee Pageant is an example of this cooperative effort. Barona Resort and Casino has been a Foundation member for several years and has worked with Santee and other East County chambers in sponsoring Mega Mixers at their facility in Lakeside. Lennar Homes and One Stop Lending and Realty contributed to the effort to publish the last Santee telephone directory. In addition One Stop also sponsors the monthly Jackpot Drawing each month at the Business After Five Mixers.

Businesses interested in becoming Foundation members receive many benefits. A publication with the different levels and the benefits is available from the Chamber office by calling 619-449-6572.

The Santee Chamber of Commerce will be holding the annual election of officers between November 1st and December 13, 2008. Ballots are being mailed out at the time of the Echo publication and must be returned either in person or by mail no later than 7:30 am on December 13, 2008. The officers are:

President. Rob McNelis
1st Vice President. John Olsen
2nd Vice President. Dan Kitchen
3rd Vice President Ronn Hall
Treasurer. Jana Bradley
Secretary. Richard Jackson



Santee Awards Winners!!!

October 23, 2008, was an evening to be remembered in Santee. A dozen awards were presented to individuals and businesses representing the community of Santee. The four businesses presented awards were:

- Large Business of the Year – Walmart**
- Medium Size Business of the Year – Pure Flo**
- Small Business of the Year – Color Me Mine**
- New Business of the Year – Simply Spa**

See page three for a complete list of awards. Articles will appear in the Echo during the next year about each of the businesses or individuals honored at Awards Night.

Walmart, the Large Business of the Year winner, has contributed to the community in many ways since arriving in the Santee area. The Santee store has offered the parking lot to the Santee Chamber year after year for our Expo and the many craft faires including the Fall Frenzy Craft Faire that was held on October 25 and 26, 2008. The local store also has made many charitable contributions to Santee organizations.

RV (motorhome) enthusiasts throughout the country love Walmart because the firm offers a location to stop overnight to rest tired bodies. Some communities do not permit overnight stops any place in town including Walmart parking lots but that is a rare happening.

As of October 3, 2008, there were 35 supercenters in Cali-fornia, 139 discount stores, 36 Sam's Clubs and 7 distribution centers. As of September 2008, there were 72,893 employees in California – certainly, a big contributor to local economies.



Award

Large Business of the Year	Walmart
Medium Size Business of the Year	Pure Flo Water
Small Business of the Year	Color Me Mine
New Business of the Year	Simply Spa
Wendell Cutting Humanitarian Award Citizen of the Year ...	Ike Enzenauer
Deputy Sheriff of the Year	Detective Brian Patterson
Firefighter of the Year	Chris Balch
Rotary Club Award	Dan Kitchen
Lions Community Service Award	Dr. Lis Johnson
Santee School Dist. 2008 Educator Rotarian of the Year	Kristin Baranski
President's Award	
Honored Marine Unit	Heavy Helicopter Squadron 462
Honored Marine Unit	2nd Battalion, 1st Marine Regiment



Santee Santas Needs Your Help

Every year food and toys are given to needy Santee families. Volunteers are needed during the month of December to sort and box the items.

Donations of toys or new books for all ages can be dropped off at a Santee Fire Station or bring them to the Taste of Santee at Union Bank of California on December 4th. Donations of non-perishable food items can be dropped off at any elementary school in Santee. Applications from needy families are accepted until the first part of November each year.

The year 2008 will be the 56th year of bringing holiday cheer to Santee families and seniors. In 2007, 176 families and 430 children received holiday giving from Santee Santas in the form of toys, food, cash donations and Christ-mas trees. The Santee Chamber of Commerce donated truckloads of toys and bicycles as well as a monetary contribution to support the program through the annual "Taste of Santee" at Union Bank of California. That event will be held on December 4, 2008, from 5:30 to 8:00 pm. Admission to the evening is the donation of a non-perishable food (canned food) or a new unwrapped toy. A cash donation of a minimum of \$5 can also be presented at the door.

The event usually features a dozen restaurants serving their most delicious food items with the festivities being concluded with drawings for prizes. A band usually performs for the partygoers. The event is labeled a networking opportunity, however, with up to 200 people in attendance, the networking probably takes a back seat to the holiday celebration that takes place. Mark your calendar for December 4, 2008!!



The Candy Cane – A Seasonal Decoration?

Tradition has it that some of these candies were put to use in Cologne Cathedral about 1670 while restless youngsters were attending ceremonies around the living creche. To keep them quiet, the choirmaster persuaded craftsmen to make sticks of candy bent at the end to represent shepherds' crooks, then he passed them out to boys and girls who came to the cathedral.

Claims made about the candy's religious symbolism have become increasingly widespread as religious leaders have assured their congregations that these mythologies are factual, the press have published these claims as authoritative answers to readers' inquiries about the confection's meaning, and several lavishly illustrated books purport to tell the "true story" of the candy cane's origins. This is charming folklore at best, and though there's nothing wrong with finding (and celebrating) symbolism where there wasn't any before, the story of the candy cane's origins is, like Santa Claus, a myth and not a "true story".

It has become fashionable of late to claim that the candy cane was not only designed to be fraught with Christian religious symbolism, but that it was created as a means by which persecuted Christians could furtively identify each other. Like the apocryphal tale of the "true" meaning of the song "The Twelve Days of Christmas," these claims are fiction — latter day attempts to infuse secular holiday traditions with specifically religious origins and meanings.

First off, the notion that candy canes could have been used as a secret means of identification by persecuted European Christians is directly contradicted by history. Candy canes didn't appear until at least the latter part of the 17th century, by which time Europe was almost entirely Christian. By then, people who were not Christians would have been the ones in need of this form of "secret handshake"!

Next, candy canes were most assuredly not created by "a candymaker in Indiana" who "stained them with red stripes to show the stripes the scourging Jesus received." Candy canes were around long before there was an Indiana, and they initially bore neither red coloration nor striping — the red stripes were a feature that did not appear until a few hundred years later, at the beginning of the 20th century.

About 1847, August Imgard of Ohio managed to decorate his Christmas tree with candy canes to entertain his nephews and nieces. Many who saw his canes went home to boil sugar and experiment with canes of their own. It took nearly another half century before someone added stripes to the canes . . . Christmas cards produced before 1900 show plain white canes, while striped ones appear on many cards printed early in the 20th century.

Soon after Europeans adopted the use of Christmas trees, they began making special decorations for them. Food items predominated, with cookies and candy heavily represented. That is when straight, white sticks of sugar candy came into use at Christmas, probably during the seventeenth century.

In fact, the strongest connection one can make between the origins of the candy cane and intentional Christian symbolism is to note that legend says someone took an existing form of candy which was already being used as a Christmas decoration (i.e., straight white sticks of sugar candy) and produced bent versions which represented a shepherd's crook and were handed out to children at church to ensure their good behavior:



New Format for Visa Cards

Visa, Inc. has announced that it will begin supporting the issuance of "unembossed" cards in the U.S. for Visa consumer debit, business debit and consumer credit cards. Unembossed payment cards feature printed personalized information, such as the account number and cardholder name, rather than embossed with raised lettering currently found on most U.S credit and debit products. By changing the Visa U.S.A Inc. Operating Regulations to allow the issuance of unembossed cards, Visa is providing more choice, flexibility and value for issuers and their cardholders. The move follows a series of successful pilot tests with a dozen U.S. financial institutions, including Commerce Bancshares, Inc., TD Banknorth and United Heritage Credit Union.

"Being able to instantly provide members with Visa cards has helped us drive activation, usage and loyalty while reducing costs," said Michael Ver Schuur, executive vice president at United Heritage Credit Union, which participated in a pilot program testing the unembossed Visa cards. "Not only that, our cardholders felt secure receiving their cards directly at the branch and enjoyed the ability to access their accounts conveniently right away."

Traditional embossed cards typically require lengthier production times and more complex supply chain management. Because the cards have to be created offsite, they are generally shipped to the cardholders days after enrollment, leaving the new cardholder unable to make purchases or conveniently access cash at ATMs in the interim or relying on a temporary generic card. The ability to provide personalized printed cards instantly at the bank branch enables cardholders to take advantage of their cards immediately.

Visa has permitted unembossed prepaid cards in the U.S. since 2005. The new regulations give issuers the ability to also issue a consumer debit or credit card as well as a business debit card immediately to customers, giving them greater flexibility to manage their Visa card distribution methods to best fit their business needs.

Visa unembossed cards are accepted by most Visa merchants, with the exception of those who require a manual imprint at the point of sale such as with an old-style "zip-zap" machine, and can be used for purchases made online, by mail or by phone.

Visa Inc. operates the world's largest retail electronic payments network providing processing services and payment product platforms. This includes consumer credit, debit, prepaid and commercial payments, which are offered under the Visa, Visa Electron, Interlink and PLUS brands. Visa/PLUS has acceptance around the world and is one of the world's largest global ATM networks for cash access in local currency in more than 170 countries.



An Attorney's Advise

A corporate attorney sent the following out to the employees in his company.

1. Do not sign the back of your credit cards. Instead, put "PHOTO ID REQUIRED."
2. When you are writing checks to pay on your credit card accounts, DO NOT put the complete account number on the "For" line. Instead, just put the last four numbers. The credit card company knows the rest of the number, and anyone who might be handling your check as it passes through all the check processing channels won't have access to it.
3. Put your work phone on your checks instead of your home phone. If you have a PO Box, use that instead of your home address. If you do not have a PO Box, use your work address. Never have your SS! # printed on your checks. (DUH!) You can add it if it is necessary. But if you have it printed, anyone can get it.
4. Place the contents of your wallet on a photocopy machine. Do both sides of each license, credit card, etc. You will know what you had in your wallet and all of the account numbers and phone numbers to call and cancel. Keep the photocopy in a safe place. I also carry a photocopy of my passport when I travel either here or abroad. We've all heard horror stories about fraud that's committed on us in stealing a name, address, Social Security number and credit cards.
5. We have been told we should cancel our credit cards immediately. But the key is having the toll free numbers and your card numbers handy so you know who to call. Keep those where you can find them.



New Laws/Guidelines for 2009

Cell Phone Use

Since July 1, 2008, drivers have been re-quired to use a hands-free device while talking on a cell phone and driving. Starting January 1, 2009, text-based communication while driving is prohibited as well, with the same penalties - \$20 for the first offense and \$50 for subsequent offenses. Specifically, the law prohibits writing, sending or reading text-based communication including text messaging, instant messaging and e-mail, on a wireless device or cell phone while driving.

Meal and Rest Compliance Unresolved

Compliance with California's meal and rest period requirements - mainly the question of whether employers must ensure breaks are taken or just simply provide them - has been a source of significant litigation in both federal and state courts. In early 2008, class certification for a meal and rest period lawsuit was denied by a federal district court, which found that nothing in California law required the employer to ensure that employees took their meal breaks, but rather the employer need only supply or make such time available to employees. *Brown v. Federal Express Corporation* 249 F.R.D. 580 (2008)

However, because this is a federal court ruling it did not change the law in California that employers must ensure employees stop working during their meal breaks. As such, merely providing meal breaks to nonexempt employees is insufficient.

Then, in July 2008, a California court of appeal denied class certification for almost 60,000 restaurant employees because the lower court did not properly consider the elements of the employees' claims in determining if they were susceptible to class treatment. Specifically, the court found that:

- While employers cannot impede, discourage or dissuade employees from taking rest periods, they need only provide, not ensure, rest periods are taken.
- Employers need only authorize and permit rest periods every four hours or major fraction thereof and they need not, where impracticable, be in the middle of each work period.
- Employers are not required to provide a meal period for every five consecutive hours worked.
- While employers cannot impede, discourage or dissuade employees from taking meal periods, they need only provide them and not ensure they are taken.
- While employers cannot coerce, require or compel employees to work off the clock, they can only be held liable for employees working off the clock if they knew or should have known they were doing so.

Because rest and meal breaks need only be made available and not ensured, the court also found that individual issues predominate and, based upon the evidence presented to the trial court, they are not amenable to class treatment. Further, the off-the-clock claims are also not amenable to class treatment because individual issues predominate on the issues of whether employees were forced to work off the clock, whether the employer changed time records and whether the employer knew or should have known employees were working off the clock. *Brinker v. Superior Court* 165 Cal. App. 4th 25 (2008)

This case was appealed to the California Supreme Court, which stayed the holding. The Court had not yet decided whether it will hear this case as of the date of publication.



It's Time To Turn Up The Heat On Energy Savings

Early fall is an ideal time to prepare for winter heating. This is especially true if you're concerned about natural gas prices, which are expected to be higher this winter than last winter.

Get cash back on new equipment

One of the smartest ways to ease the impact of higher natural gas prices on your company's operations is to improve energy efficiency.

Among the 140 gas and electric measures that may qualify for rebates through SDG&E's Small Business Super Saver and Express Efficiency programs are: tankless (instantaneous) water heaters that conserve both natural gas and water; storage water heaters; boilers; insulation for pipes and tanks; and commercial food service equipment such as ovens, steam cookers, fryers and griddles.

Take advantage of 0% financing

Energy-efficiency upgrades also may qualify for SDG&E's On-Bill Financing. This program offers 0% financing for up to five years - and the convenience of paying on your SDG&E bill - for measures that cost \$5,000 to \$50,000.

Before buying new equipment or starting energy-efficiency projects, be sure to call SDG&E's Energy Information Center at 1-800-644-6133 to verify that your upgrades qualify for available rebates or incentives. You'll also find rebate information and applications posted online at the Energy Savings Center, www.sdge.com/esc, along with links to training opportunities, online tools and tips, all designed to help your business save energy.

These programs are funded by California utility customers and administered by SDG&E under the auspices of the California Public Utilities Commission.

Credit Reports and Background Checks

Your Legal Rights

Following are some guidelines from federal and state acts giving limitations on the use of credit reports and background checks.

1. Does an employer have the right to access my credit report?

Under the federal Fair Credit Reporting Act and California Consumer Reporting Agencies Act, anyone with a “legitimate business need” may access your credit report. Employers have a legitimate business need to see an applicant’s or employee’s consumer credit as part of their background check as long as the employer uses this report to evaluate the applicant for hire and to evaluate a current employee for promotion, retention, or reassignment.

2. Does an employer need to provide notice that it is accessing a credit report?

Yes. If an employer accesses an employee’s or applicant’s credit report, the employer must give written notice to the individual ahead of time. This notice must include the source of the report and should allow the applicant to receive a copy of the report at no charge. The written notice must be:

- Clear and straightforward so that the applicant or employee knows a credit report will be obtained for employment purposes; and
- A separate, stand-alone document that is not combined or “buried” with other documents or information.

Exception: Notice is not required if an employer uses a third party, such as an investigation agency, to conduct an investigation of an employee suspected of wrongdoing or misconduct, such as sexual harassment (CA Civil Code §1786.16(2)).

3. Does the employer need my permission to access my credit report?

If an employer uses a third party to conduct a background check or to access the credit report of an employee or applicant, the employer must obtain written consent prior to beginning the investigation/accessing the credit report. If an employer conducts his or her own investigation or obtains their own credit report, the employer must obtain consent either verbally or by including it in a job application or other document.

4. How long does my consent last?

If the employer wishes to conduct an additional background check for an employee in the future, the employer may do so for employment purposes only, by obtaining written consent from the employee.

5. Are certain things from my past excluded from the credit report?

Under California law, a credit report MAY NOT contain any of the following:

- Medical information (unless you give your consent);
- Bankruptcies over 10 years old;
- Suits or judgments more than 7 years old;
- Unfavorable eviction actions;
- Tax liens more than 7 years old; and
- Records of arrest, indictment, misdemeanor complaint, or conviction more than 7 years old.

Under federal law however, a credit report MAY contain records of criminal convictions indefinitely.

6. Can an employer use my credit report against me?

An employer may take adverse action based on a consumer credit report, but it also has to:

- Give written notice to the individual;
- Furnish the employee with the name, address and phone number of the credit agency;
- Provide a statement that informs the employee that the adverse action was taken in whole or in part due to information in the report; and
- Inform the individual that she/he can receive a free copy of the report and that she/he has the right to dispute its accuracy or completeness.

“Megan’s Law”

While a consumer credit report may contain information found in the “Megan’s Law” (registered sex offender database), the employer is not permitted to use this information for employment related decisions unless the employer could reasonably believe that the information would put someone at risk.