

# Benenati Law Firm

A Professional Corporation

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## Handling Workplace Harassment Complaints

**Employers could be ignoring** a workplace harassment or discrimination complaint without even knowing it. It is important to pay attention to what employees are saying and be able to read between the lines. Perhaps it is something as simple as “Jane told a rude joke the other day” or “what did you think of Joe’s joke?”

If it crosses your mind as an issue, it should be addressed. If management has reason to know and does not address it, then the company could be liable if there is a formal complaint or lawsuit in the future.

Once it is determined there is an issue, take corrective action and be sure to document it. What that action will be depends on the situation. Was it a one time occurrence? Was it just a bad joke or was it a directed action against an individual?

Never make excuses for the action, such as “that is just Joe.” It makes the person raising the issue feel like they are not important or their opinion is not valid. If the person making the statement feels they are being taken seriously, it goes a long way to avoid a formal complaint or litigation in the future.

As a reminder, it is very important to have a formal sexual harassment policy and discrimination policy and all employees should receive a copy of it. These policies are generally included in an employee handbook. Let us know if you need your handbook reviewed.

**Over 65 Homestead Tax Exemption:** If you or a spouse are turning 65 this year and you have a homestead, be sure to take advantage of the over 65 tax exemptions that may be offered by the various taxing entities in your county. You may apply to your local appraisal district during the year you turn 65 and up to one year after your date of birth. If you qualify, you will receive the exemption for the entire year in which you turned 65 and for subsequent years as long as you own the homestead. The rules differ in each taxing district, so call or go online to your local county appraisal district to find out what exemptions apply to you.

## Mission Statement

*We believe that integrity is the foundation for all that we do in serving our clients and our community.*

*We are dedicated, first, to serving our clients through proactive communication, keeping pace with current issues, and anticipating client needs.*

*We focus on providing the highest quality legal services in a timely manner at a fair and appropriate price.*

## Planning for a Child with Disabilities

**Providing for a child** with disabilities (hereinafter referred to as “Disabled Child”) is an important part of a parent’s planning process. If the child is receiving government aid, an inheritance of any amount could disqualify them under current law. If a gift is given directly to a child who is mentally disabled, such as beneficiary of a life insurance policy or retirement account, then it may require a court appointed guardian or a court created trust. This increases the expenses associated with the management of such inheritance.

Leaving a Disabled Child’s share of an estate to a sibling or other relative with the understanding it will be used for the child brings its own risks. What if the relative dies before the child? And there can never be a guarantee it will be used as intended, as there is no legal obligation to do so.

Under current law, an inheritance for a Disabled Child can be placed into what is known as a “Special Needs Trust.” This trust does not disqualify the child from receiving government aid because it is not available for basic needs, such as food and shelter. However, the funds are available to enhance the life experience of a Disabled Child, such as an upgraded wheelchair or special pillows.

There are other provisions associated with a Special Needs Trust, but those are beyond the scope of this article. As always, if there are questions, please do not hesitate to call us.

*Disclaimer: The information contained in this newsletter is not intended as legal advice but for informational use only.*

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Meetings available in Bedford, Boyd  
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**For other articles,  
 forms and information,  
 access our website at  
[www.benenatilaw.com](http://www.benenatilaw.com)**

**My therapist told  
 me the way to achieve  
 true inner peace is  
 to finish what I start.  
 So far I've finished  
 two bags of M&Ms  
 and a chocolate cake.  
 I feel better already.**

**-Dave Barry**

## Our Areas of Practice

The **Benenati Law Firm** is dedicated to anticipating and meeting the diversified needs of our clients. We are pleased to offer our individual, business and corporate clients a complete range of legal services.

### Our practice areas include, but are not limited to:

- Estate Planning and Probate
- Tax Planning and Asset Protection Planning
- Business Planning and Formation
- Mergers and Acquisitions
- Pre-Marital and Post-Marital Planning
- Intellectual Property/Trademark
- Labor and Employment Law
- Real Estate and Business Transactions
- Charitable Planning



**Watching your salt intake?** Prepared seasonings can have a very high salt content, but you can make your own salt free version and keep on hand.

### Blackened Seasoning

- 1 1/2 Tbsp Paprika
- 1 Tbsp Garlic powder
- 1 Tbsp Onion powder
- 1 Tbsp Ground dried Thyme
- 1 tsp Ground Black Pepper
- 1 tsp Cayenne pepper
- 1 tsp Dried Basil
- 1 tsp Dried Oregano

Recipe makes a 1/4 cup.

### Privacy Notice from Benenati Law Firm, P. C.

Attorneys, like all providers of personal legal services, are now required by law to inform their clients of their policies regarding privacy of client information. Attorneys have been and continue to be bound by professional standards of confidentiality that are even more stringent than those required by law. Therefore, we have always protected your right to privacy.

#### Types of Nonpublic Personal Information We Collect

We collect nonpublic personal information about you that is provided to us by you or obtained by us with your authorization.

#### Parties to Whom We Disclose Information

For current and former clients, we do not disclose any nonpublic personal information obtained in the course of our practice, except as required or permitted by law. Permitted disclosures include, for instance, providing information to our employees, and in limited situations, to unrelated third parties who need to know that information to assist in providing services to you. In all such situations, we stress the confidential nature of information being shared.

#### Protecting the Confidentiality and Security of Current and Former Clients' Information

We retain records relating to professional services that we provide so that we are better able to assist you with your professional needs and, in some cases, to comply with professional guidelines. In order to guard your nonpublic personal information, we maintain physical, electronic, and procedural safeguards that comply with our professional standards.

Our firm occasionally engages other professionals on a contract basis to assist in the timely completion of projects. Accordingly, it is possible that such personnel would be involved in your service.

Please call us at (817) 267-4529 if you have questions, because your privacy, our professional ethics, and the ability to provide you with quality legal services are very important to us.