



# WEINSTEIN LAW FIRM, LLC

One Northbrook Corporate Center - 1210 Northbrook Drive, Suite 280 - Trevose, PA 19053  
meweinstein@comcast.net - 215.953.5200



## The Weinstein Law Firm Report - February 2010 from Marc E. Weinstein, Esquire “Your Supreme Court Winning Attorney”

Dear Friends,

We embark on a new decade, and 2010 is likely to bring modest job growth. This will create opportunities for employees, and so I reiterate some important principles to keep in mind:

1. If you are dissatisfied with your present employment, make the effort to look for a new job while you still have a job. This takes discipline, as you have to job search on your off hours, but it is worth it. Your bargaining power and marketability is higher when you are already employed.

2. Related to rule number 1, remember that the best time to get a raise or better benefits is before you accept a new position. So if you get a job offer, call me immediately. Together we can put together a negotiating strategy to get you a higher starting salary, or layoff protection, or additional vacation time, etc. And remember, the benefit of a higher starting salary can be felt during the entire period of your employment as *future raises are usually based on that starting salary*.

3. Make your supervisor look good and put your employer’s interests first. I realize that this is sometimes hard to do, especially if you feel unappreciated on the job. BUT - if you do this you will increase your job security. More job security means you have a better chance to advance within an organization, or be able to secure a better and higher-paying job elsewhere.

4. Take advantage of opportunities to expand your skill sets at work, and maintain a proficiency in key software and computer hardware. The reason is simple: the more you can do, the more valuable you are. Job security increases commensurately with the value you bring.

5. Remember that employers can hold you accountable for things you do or say outside of work. So be careful about what you write on your Facebook page, or what you Tweet to your friends and family. Your comments can make their way back to your employer.

6. Keep your resume short and to the point. You don’t need to put every job you’ve had on there, or every community activity in which you’ve participated. Include most recent positions you’ve held and describe what you did. Highlight your special skills. Include your education, even if did not result in a degree. Your resume should make it obvious what you can do for the organization.

7. These days there isn’t really much societal shame in being unemployed since millions of people have lost their jobs due to the economic downturn. So if you were laid off in a prior position, acknowledge it. If you were fired from your last job, I don’t necessarily recommend disclosing it to a prospective employer. Employers often hold it against you without considering the circumstances. Each case is different, however, so call me if you want some advice for your particular situation.

8. Have a list of three former co-workers (including one former supervisor) who will give you a good recommendation to a prospective employer. Talk to those people and alert them they may get a call. Tell them what you’d like them to say, or points you hope they’d highlight. If you doubt what they’re going to say, don’t use them as a reference.





# WEINSTEIN LAW FIRM, LLC

One Northbrook Corporate Center - 1210 Northbrook Drive, Suite 280 - Trevose, PA 19053  
meweinstein@comcast.net - 215.953.5200

## Weinstein Law Firm, LLC Recent Case Highlights

A Syracuse-area female employee of the U.S. Postal Service came to me in 2006. She explained that ever since she had filed a complaint of sex discrimination against her boss (the Postmaster of her station), he had been trying to push her out of the station. The Postmaster, in fact, acknowledged his intention, saying to her "I'm not going to have a bunch of women tell me how to run my office."

The Postmaster first tried to pressure her to leave voluntarily, then he changed her job to a part-time one hoping she'd leave for full-time work elsewhere, and then he tried to discipline her out of the office. We filed suit in federal court in upstate New York for employment discrimination.

After both sides prepared their case, the Postal Service asked the judge to dismiss the case without it going to a jury trial. The employee and I worked very carefully together for several weeks assembling the evidence showing why we deserved a trial. But the trial judge ruled against us and threw out our case. This was a very bitter pill to swallow.

When a federal judge rules against us it is not something we take lightly. The federal judges are very intelligent, very fair and they have no bias towards either side. They are appointed to their jobs for life, and so they are independent. But they don't always make the right decision. In this case, the employee and I took a very hard look at the case. I reached out to my colleagues who represent employees and asked for their guidance. Convinced that we were right and that we had assembled enough evidence to deserve a sex discrimination trial, we appealed.

The appeal went to the U.S. Court of Appeals in New York City. This court is one level below the U.S. Supreme Court. The employee and I worked very closely drafting the appeal brief. We made sure that we presented our arguments in the fairest and clearest way that we could. The employee joined me in New York City when a three judges' panel of the Court of Appeals heard oral argument. One month later the Court of Appeals unanimously ruled in our favor. The judges reversed the trial court and directed that a jury trial take place. Lesson for clients: our judicial system is not perfect, and sometimes a trial judge makes a mistake. If we remain convinced a decision was wrong, we will forge ahead with an appeal and keep on fighting.

### Call me no matter what your legal problem is!!!

Even if your legal issue is not one I frequently handle, call me anyway, 215.953.5200. If needed, I will refer you to another trusted colleague who is experienced in the area of law necessary for your case. For auto accidents, workplace injuries, wills, domestic relations, criminal cases, social security, bankruptcy law - it doesn't matter - call me.

Marc E. Weinstein, Esquire  
ph: 215.953.5200 • email: meweinstein@comcast.net

## WEINSTEIN LAW FIRM, LLC

One Northbrook Corporate Center  
1210 Northbrook Drive, Suite 280  
Trevose, PA 19053

February 2010