

## **PA205: Introduction to Legal Analysis and Writing**

### **Unit 5 Assignment**

#### **Notes from Client Interview: Natalie Attired**

- 23 years old
- Grew up in Albuquerque, New Mexico
- Attended private schools through 12th grade
- After graduation in 2007, spent a year in Europe, mostly Paris

Returned from Europe in 2008 and enrolled at New Mexico State University, planning to major in Early Childhood Education. After a couple classes, found out that she didn't like working with small children and reconsidered her career plan.

While she attended NMSU, she often went to a local bar called Skully's, which catered to a mix of college students and members of the local biker community.

At Skully's, she met a 30 year-old man named Zeke Teller, who was a member of the Los Calambres Motorcycle Club. Zeke had three children from three previous relationships. In early 2009, Natalie began riding on his motorcycles and after a few months of hanging around the club became Zeke's "old lady."

After attending NMSU for one year, Natalie dropped out of school in May 2009 and began working as a waitress at Biddy's Tea House and Croissanterie in Truth or Consequences, NM.

Biddy's has been in business for over 20 years, and is run by Biddy Baker, age 60. The restaurant serves tea, sandwiches, scones, and desserts. No alcohol is served in the establishment.

Biddy's evaluates waitress' performance every three months. Natalie received four evaluations while she worked there (attached). There is no employee manual or written policy about employee conduct.

After she had been working at Biddy's for about three months, Natalie mentioned to another waitress that her boyfriend, Zeke, wanted her to get a tattoo. The other waitress, who had been working at Biddy's for 10 years, cautioned Natalie to "get it where the sun don't shine" because if a tattoo was visible at work Natalie would be fired.

In June 2010, Natalie spent \$XX on a full-sleeve tattoo which covered her entire upper right arm, from shoulder to elbow. The tattoo was partially covered by the waitress uniform, but the lower portion near the elbow could be seen when the short-sleeved uniform was worn.

Biddy Baker was upset at this change in Natalie's appearance and told Natalie that if the tattoo was not removed she would be fired. Natalie refused to remove the tattoo. She worked at Biddy's for the rest of the week and was given a termination notice on Friday.

Ms. Baker said that the "more mature" clientele who came to her tea house would be "appalled and disgusted" by Natalie's tattoo, leading to a decline in sales. However, Ms. Baker was not able to provide any proof that sales or profits declined during the time Natalie worked there. However, she did provide the names of two longtime customers who requested a different table when seated in

Natalie's section the day before she was fired, because "who wants to look at that while you're eating?"

Natalie filed for unemployment compensation in July 2010. Her claim was denied by the New Mexico Employment Security Board on the grounds that she was terminated for "misconduct" and was therefore ineligible for unemployment compensation.

Natalie would like to know if she has a claim against the NMESB for wrongfully withholding her unemployment compensation.

### EMPLOYEE EVALUATION

Employee Name: <i>Natalie Attired</i>	Evaluation for the period: <i>May - August 2009</i>
Supervisor: <i>Biddy Baker</i>	
STRENGTHS	
<ul style="list-style-type: none"><li>• <i>Usually on time for work</i></li><li>• <i>Generally pleasant to the customers</i></li><li>• <i>Very good at making change without using a calculator</i></li></ul>	
AREAS FOR DEVELOPMENT	
<ul style="list-style-type: none"><li>• <i>Need to separate work and personal life</i></li><li>• <i>Sometimes struggle with order accuracy</i></li></ul>	
GOALS AND OBJECTIVES FOR NEXT EVALUATION PERIOD	
<ul style="list-style-type: none"><li>• <i>Ask boyfriend and his friends to come around less often, as they affect the environment in the tea house</i></li><li>• <i>Work to achieve 100% order accuracy - make sure you write everything down</i></li></ul>	
EMPLOYEE SIGNATURE	SUPERVISOR SIGNATURE
Name: <i>Natalie J. Attired</i>	Name: <i>Biddy Mae Baker</i>
Date: <i>8-29-2009</i>	Date: <i>August 29, 2009</i>

## EMPLOYEE EVALUATION

Employee Name: <i>Natalie Attired</i>	Evaluation for the period: <i>Sept. - Nov. 2009</i>
Supervisor: <i>Biddy Baker</i>	
STRENGTHS	
<ul style="list-style-type: none"><li>• <i>Always on time for work</i></li><li>• <i>Always pleasant to the customers</i></li><li>• <i>Boyfriend has been coming to the tea house less often</i></li></ul>	
AREAS FOR DEVELOPMENT	
<ul style="list-style-type: none"><li>• <i>Still having problems getting orders right</i></li></ul>	
GOALS AND OBJECTIVES FOR NEXT EVALUATION PERIOD	
<ul style="list-style-type: none"><li>• <i>Write down all orders and double check</i></li><li>• <i>Work to achieve 100% order accuracy - make sure you write everything down</i></li></ul>	
EMPLOYEE SIGNATURE	SUPERVISOR SIGNATURE
Name: <i>Natalie J. Attired</i>	Name: <i>Biddy Mae Baker</i>
Date: <i>11-29-2009</i>	Date: <i>Nov. 29, 2009</i>

# EMPLOYEE EVALUATION

Employee Name: <i>Natalie Attired</i>	Evaluation for the period: <i>Dec. 2009-Feb. 2010</i>
Supervisor: <i>Biddy Baker</i>	
STRENGTHS	
<ul style="list-style-type: none"><li>• <i>Writing down all orders</i></li><li>• <i>Usually pleasant to the customers</i></li><li>• <i>Improving cleanup on second shift</i></li></ul>	
AREAS FOR DEVELOPMENT	
<ul style="list-style-type: none"><li>• <i>Need to learn how to use the new cash registers</i></li><li>• <i>It's not OK to call people names when they don't leave you a tip</i></li></ul>	
GOALS AND OBJECTIVES FOR NEXT EVALUATION PERIOD	
<ul style="list-style-type: none"><li>• <i>Learn how to use cash registers without causing them to shut down or malfunction</i></li></ul>	
EMPLOYEE SIGNATURE	SUPERVISOR SIGNATURE
Name: <i>Natalie J. Attired</i>	Name: <i>Biddy Mae Baker</i>
Date: <i>2-28-2009</i>	Date: <i>Feb. 28, 2009</i>

## EMPLOYEE EVALUATION

Employee Name: <i>Natalie Attired</i>	Evaluation for the period: <i>March - May 2010</i>
Supervisor: <i>Biddy Baker</i>	
STRENGTHS	
<ul style="list-style-type: none"><li>• <i>Always on time for work</i></li><li>• <i>Always pleasant to the customers</i></li></ul>	
AREAS FOR DEVELOPMENT	
<ul style="list-style-type: none"><li>• <i>Still need work on mastering new cash registers</i></li></ul>	
GOALS AND OBJECTIVES FOR NEXT EVALUATION PERIOD	
<ul style="list-style-type: none"><li>• <i>Learn how to use new cash registers</i></li></ul>	
EMPLOYEE SIGNATURE	SUPERVISOR SIGNATURE
Name: <i>Natalie J. Attired</i>	Name: <i>Biddy Mae Baker</i>
Date: <i>5-30-2009</i>	Date: <i>May 30, 2009</i>