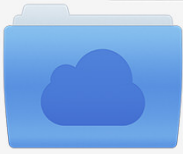

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Ask Annie: When Does My Nanny Need a Lawyer? Dear Annie: My nanny was just fired after 13 years with me. It's a minor financial matter, and the termination letter was completely fair. The only thing is that the notice was left at our home, which led to an outburst by my husband that I would be responsible for her legal fees. I told him that while she is a fine nanny, she is not the woman to hire and that I will not pay for any legal fees associated with this situation. Now, he wants to meet with her about her wrongful termination and is threatening legal action. Do I have to pay her legal fees? What about my husband's? — Fran

ANSWER: Fran, the letter left by your nanny is the basis for your husband's demand to meet her

and discuss the termination of her services. If you and your husband agree to the termination, it should be over and done with. But when your husband becomes threatening to sue your nanny, that sounds more like a way to pressure her into signing a contract or a will. If your husband is going to take that drastic step, do not tell him about your plan to meet with your nanny, and don't tell him to "let the chips fall where they may" and trust that the law will take care of the dispute. Fran, if your husband and nanny can't come to an amicable resolution, and you decide to go to court, the judge will decide whether a nanny is an independent contractor or an employee, and if she is an employee, how much she is entitled to receive in back pay and vacation pay. (If she is not an employee, then you will not have to pay her anything.) An independent contractor is someone who does not work for you and is not entitled to benefits like overtime pay or sick leave. The distinction between employee and independent contractor is pretty easy. But if you decide to go to court,

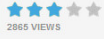


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