13. Of course they're ugly: Letter from Na-Na boutique refusing a claim over "unsightly" Doc Martens As manager of the trendy Na-Na boutique in Santa Monica, you've sold so many pairs of "Doc Martens"—the clunky, street-combat boots made by Dr. Marten—that your buyer can barely keep them in stock. Even your employees wear them because they're easy on the feet. They cater to comfort first and fashion not at all.

Ugly as Doc Martens are, you can't remember receiving a single customer complaint about the comfy boots until you received this unusual letter from Susan Stone of Ventura:

> Several months ago I purchased a pair of burgundy Doc Martens with black laces, after one of your salespeople convinced me that they're the most comfortable boots around. They look cool with both short and long skirts and with jeans. Then a week ago I got a job as a waitress at the Eggshell Café. After two days of eight-hour shifts, I figured I'd wear my Doc Martens and save what was left of my feet. I got fired. I argued with the manager, pointing out that she lets the girls wear whatever they want—miniskirts or leather or tank tops—but she said, "You're out of here." Why? Customer complaints about my "unsightly footwear."
>
> I was misled by your salesperson, who told me that Doc Martens can be worn anywhere in Los Angeles. I think I'm entitled to a full refund of the $116 that I paid for the boots, plus $1,200 compensation (a month's wages and tips) for losing my job over them.

Ms. Stone says she bought the boots "several months ago," so a full refund is out of the question. Besides, waitress dress codes in Los Angeles are liberal; since Stone had been on the job for only two days, you suspect that her manager used the boots as an excuse to fire an employee who simply wasn't capable. (It's unfortunate, but you know that some managers have difficulty telling fired employees the whole truth.) The fact that Ms. Stone makes no mention of a second chance to improve her wardrobe choice convinces you that she was actually fired for other reasons. In any case, the claim for job-loss compensation seems extreme for a shoe retailer, and you're not about to pay it. The boutique's owner agrees.

Your task: Write a letter to Susan Stone (235 W. Alameda, #42, Ventura, CA 93001) refusing her refund request and her claim for job-loss compensation. As a goodwill gesture, invite her to visit the store for a 20 percent discount on any of the other popular footwear the boutique sells.[30]

14. It's legal: Memo to Salem State College employee defending video surveillance Maybe it was bad employee relations, but it was legal. That's what your school's lawyers told you, as human resources director for Salem State College, after you passed along an angry memo from an employee in the college's Small Business Development Center (SBDC).

In her memo, Nancy Kim expressed her horror and outrage at discovering, too late, that when she slipped behind a divider after hours to change from her office attire into her jogging outfit for the trek home, she had been recorded on videotape by cameras installed in the department for security reasons. The SBDC houses a lot of expensive computer equipment, and your security department believed that the video surveillance was warranted; they had suspicions about a night intruder. However, no one informed the employees who work in the department that the cameras had been installed and were operating 24 hours a day. Your security department may have thought that was a good strategy for catching any dishonest employees red-handed, so to speak. But in light of what happened to Kim, it just seems like a rude and embarrassing misjudgment.

Kim has demanded an apology and $5,000 in damages for the indignity she suffered. Although she hasn't yet contacted her union representatives or a lawyer, she does hint that those will be her next steps. Your legal department insists she has no claim; employees relinquish their privacy rights the minute they step into the workplace. The only federal law limiting employer surveillance is the 1986 Electronic Communications Privacy Act, which prohibits employers from listening in on spoken personal conversations. Otherwise, they can tally phone numbers and call duration, videotape employees, and review e-mail, Internet access, and computer files. Only the state of Connecticut has passed a law also limiting employer surveillance in bathrooms and other areas designated for "health and personal comfort."

The college's attorneys have provided you with a copy of an article quoting Robert Ellis Smith, publisher of *Privacy Journal*. He says, "Employees are at the mercy of employers. . . . There is no protection in the workplace." According to the article, 63 percent of employers in an American Management Association survey of 900 midsize and large companies use some kind of employee surveillance, and 23 percent of them don't tell workers. Moreover, 16 percent use video cameras for their employee monitoring.

Legally, it sounds as if the college is in the right. But personally, you can't help but agree that Kim was wronged. Nevertheless, the legal department wants to discourage Kim from any form of litigation or pursuit of the case with her union representatives or the Massachusetts Labor Relations Committee. In hopes of downplaying the college's concern about the incident, the legal department wants you to handle the response. Go ahead and apologize, say the lawyers, but don't invite further action. This is not going to be easy, you think with a sigh.

Your task: Write an answering memo to Nancy Kim, denying her request for monetary compensation.[31]

15. A taxing matter: Letter from O&Y Tax Service refusing to pay for another's mistake During the mid-April rush at tax time last year, Hilda Black phoned to ask whether she could roll over funds from one retirement account into another without paying taxes on any gain. You answered that such a rollover was not considered a tax event, as long as the transaction was completed in 60 days. You also informed her that when she eventually draws out the funds to supplement her retirement income, she will pay taxes on the portion that represents interest earned on the account.