

Business entities assignment

[Sociology](#)



The paper will explain the kind of business, taxation, liability and employment laws they have to take in consideration. Restaurant/ Bar Business Lou and Jose want to open a sport bar but don't have much money to open the bar but they have Miriam a wealthy Investor. But the thing is Miriam doesn't have time to participate. In this situation, the three Individuals can form a general partner with all three owning the business. General partners' is partners in a limited partnership who invest capital, manage the business and are personally liable for partnership debts.

With being general partners this will make Miriam the investing partner with Jose and Lou being the managing partners. This will allow Jose and Lou to control the business and Miriam share in the business profits. " A business must meet four criteria to qualify as a partnership under the PUPA [PUPA Section 6(1)]. It must be (1) an profit" (Chessman, 2010). With all the criteria meet this is why general partners fit for Lou, Jose and Miriam. When it comes to taxation in a partnership this is none, a partnership doesn't have to pay federal taxes. Instead, the income and losses of a partnership flow onto and have to be reported on the individual partners' personal income tax returns. This is called " flow-through" taxation" (Chessman, 2010 pig 255). The partnership must have file information return with the government to inform of them of the amount of income earned or losses incurred by the partnership. With the information reported to government tax authorities can trace whether partners are correctly reporting their income and losses. With opening any type of business you have laws and regulation.

For opening a bar you have to follow the standard employment laws and regulations. Anyone working for the sports bar serving alcohol will have to be

over twenty one and may not be intoxicated with working. They will also have to follow to Fair Labor Standard Act (FLSA) in order to run a business with no problems. The sports bar will also need additional insurance due to it a bar and also liquor license. Extermination Business Frank is a wealthy investor who plans to open a chain of exterminating businesses across the United States.

When opening a business in this type of industry can be rewarding but also hard work at the same time. Frank will be opening franchises which will benefit him opening exterminating businesses around the United State.

There are different types of franchises; the franchise that fit most with Frank is chain Tyler franchise. " A chain-style franchise, the franchiser licenses the franchisee to make and sell its products or services to the public from a retail outlet serving an exclusive geographical territory. The product is made or the service is provided by the franchisee" (Chessman, 2010 pig 276).

With Frank having a franchise her will still have percentage of the profit and still have royalty to the business. Frank will have to follow all law and regulations on having a franchise. Having insurance is a must for any business operating dealing with people. Having a good action for the business is good, so working with a realtor may be a good idea. Targeting a marketing plan around realtor will help with the business growth. As for liability' if a franchise is properly organized and operated, the franchiser and franchisee are separate legal entities.

Therefore, the franchiser deals with the franchisee as an independent contractor. Franchisees are liable for their own contracts and torts (e. G. ,

negligence). Franchisers are liable for their own contracts and torts.

Generally, neither party is liable for the contracts or torts of the other”

(Chessman 2010 pig 277). Construction Mel-Line is a hiring manager looking to fill a position at her company Surprised Inc. , a new constructions company. She advertised the position for a Jackhammer operator, with a high school diploma for qualification for positions.

This is where the problem Mel-Line is faced she has four people applying for the position Michelle 35, who pregnant, high school graduate and has previous experience. Eric who is 55, who has experience with no high school diploma; Feline who is 38, speaks no English , no high school diploma but has experience as well; Nick 23, college graduate who is epileptic and has no experience. First as for the business Mel-Line is a general The employment laws and regulation that Surprised Inc Construction must comply with to make a decision is Americans with Disabilities Act (DAD) and Equal Employment Opportunity Commission (EEOC).

Americans with Disabilities Act (DAD) is a federal statute that imposes obligations on employers and providers of public transportation, telecommunications, and public accommodations to accommodate individuals with disabilities. This has to use for Nick who has epileptic which is a disability, when he applies for the Job they do have to take this in consideration but not hold it against him. Equal Employment Opportunity Commission (EEOC) is the federal administrative agency that is responsible for enforcing most federal nondiscrimination laws. This applies to all the people who applied for the Job.

With the Job posting stating need high school diploma eliminates Eric and Feline; this will leave Michelle and Nick. Which Michelle pregnant but has experience which Nick has no experience and has epileptic. An epileptic is a disorder of the central nervous system characterized by loss of consciousness and convulsions. So with all that in consideration, I think Mel-Line should give the Job to Eric , I understand it says need a gig school diploma but he as experience and can work on the high school diploma while working for the company. References Chessman, Henry (2010).

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