



October 2020 Bulletin

ASSOCIATION CONTEST

CONGRATULATIONS TO THE SEPTEMBER 2020 CONTEST WINNER C&S FOREIGN CAR SERVICE OF MAMARONECK, NY. Please read through this bulletin for your chance to win!!! Call the office with the correct answer to the trivia question and you will be entered in the monthly drawing for a chance to receive a free month's dues; a value of \$45.00.

ATTORNEY'S CORNER

Even in this time of COVID, employers still have obligations to meet. Some are listed below:

WORKERS COMPENSATION

A Member recently asked, I only have part-time employees. Do I need to have them on my Workers Compensation Policy? The long and short answer is, **Yes**.

Sad story it could happen to you: A business did not have all employees including part-time employees on Workers Compensation and did not do so for many years. An employee was hurt. Business owner thought he had dodged the bullet for not paying for Workers Compensation for many years, who was going to find out? The State of New York did, the fine was much more than it would have cost the business to have coverage those many years.

Don't let this happen to you. Your Workers Compensation premium is based upon several factors including total payroll. **CONTACT THE ASSOCIATION TO DISCUSS YOUR WORKERS COMPENSATION NEEDS.**

HEALTH INSURANCE

Some of you are using various payroll services that offer health insurance without any administrative fee. Bet you believe in the tooth fairy as well! You will pay a higher fee for the payroll provided service than you would with the Association's Health Plan choices.

CONTACT THE ASSOCIATION TO DISCUSS YOUR HEALTH INSURANCE NEEDS.

GENERAL LIABILITY AND GARAGE KEEPERS LEGAL LIABILITY

Now is not the time to attempt to reduce expense by dropping vital coverages. Some changes to your insurance program may be necessary, such as getting rid of unnecessary coverage. Talk to the Association's insurance professional.

CONTACT THE ASSOCIATION TO DISCUSS YOUR INSURANCE NEEDS.

ENVIRONMENTAL

Repair shops can charge an environmental fee for work done that results in fluid replacement (motor oil, transmission, and other lubricants). You can charge a fee of no more than \$3.00 for disposal as long as it is a separate line item on your invoice for each disposal. For example, change motor oil - \$3.00 and at the same time transmission fluid another \$3.00 allowed.

SEXUAL HARASSMENT

New York State has the toughest anti-sexual harassment agenda in the nation. New York laws impact every workplace in the state, including service stations, repair shops and C-stores. These laws should be not be overlooked. Employers who disregard them will not only leave themselves subject to regulatory investigation, but also vulnerable and ill-equipped to defend a sexual harassment claim or lawsuit.

All employers regardless of size must adopt a sexual harassment prevention policy for their workplace and provide annual anti-harassment training for their employees. If you have not taken steps to comply with the law, now is the time to take action. By establishing anti-harassment policies and providing training to employees, employers will be better positioned to defend claims of sexual harassment by demonstrating that they complied with the regulations and took reasonable preventative measures.

Remember, employers must take steps to prevent sexual harassment before it occurs by letting their managers and employees know that harassment will not be tolerated. You are also required to take immediate corrective action to prevent the sexual harassment of non-employees in the workplace, including independent contractors, vendors, subcontractors, and others who provide services to the employer.

CONTACT THE ASSOCIATION FOR A PROGRAM KIT AND RENEWAL.

LEGAL PLAN

If you have any questions and/or issues and as long as your dues are paid up to date, call the Association for a formal Docket Number and you will have your answer from me usually within 24 hours. Any member who wishes the complete Legal Plan, ask and the plan will be emailed to you.

Vincent P. Nesci, Esq. Association General Counsel

Don't forget to visit our website
WWW.SSDGNY.ORG

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GUIDANCE ISSUED TO IMPLEMENT PRESIDENTIAL MEMORANDUM DEFERRING CERTAIN EMPLOYEE SOCIAL SECURITY TAX WITHHOLDING

The Department of Treasury and Internal Revenue Service recently issued guidance implementing the Presidential Memorandum issued on Aug. 8, 2020, allowing employers to defer withholding and payment of the employee's portion of the Social Security tax if the employee's wages are below a certain amount. Notice 2020-65, posted on IRS.gov, makes relief available for employers and generally applies to wages paid starting Sept. 1, 2020, through Dec. 31, 2020.

The employee Social Security tax deferral may apply to payments of taxable wages to an employee that are less than \$4,000 during a bi-weekly pay period, with each pay period considered separately.

No deferral is available for any payment to an employee of taxable wages of \$4,000 or above for a bi-weekly pay period. The notice postpones the time for employers to withhold and pay employee Social Security taxes.

Additional tax relief related to the COVID-19 pandemic can be found on IRS.gov.

Tech Tip

"When treating electrical problems test **ALL** fuses, even the ones not related to your problem.

Wiring diagrams lie!!!

Please use a test light when testing fuses!!!

Thanks SPT of Mamaroneck for sharing your Tech Tip with your fellow members!

If anybody else would like to share your thoughts, please call the office or email us with your incite.

DAIMLER AG TO SETTLE ON EMISSION CHEATING ALLEGATIONS

Sept. 16, 2020—Automaker Daimler AG and its subsidiary, Mercedes-Benz USA, have agreed to pay the U.S. government and California state regulators \$1.5 billion to resolve emissions cheating allegations, reports the Associated Press.

According to the report, Daimler is accused of violating environmental laws by using "defeat device software" to avoid emissions testing and to have sold about 250,000 cars and vans in the U.S. with diesel engines that did not comply with state and federal laws.

The settlement, which includes civil penalties, will require Daimler to fix the vehicles as well as pay \$700 million to settle the U.S.

Daimler has denied all allegations in the emission cheating scandal as well as any liability, according to a statement from the company consumer lawsuits.

As seen on ratchetandwrench sept. 2020



NY PAID FAMILY LEAVE BENEFIT UPDATES FOR 2021

Effective January 1, 2021, eligible employees will be able to take up to 12 weeks of Paid Family Leave at 67% of their average weekly wage. The NYPFL benefit is capped at 67% of the Statewide Average Weekly Wage of \$1,450.17 (\$75,408.84 annual average wage). The maximum weekly benefit amount for 2021 increases to \$971.61.

The 2021 payroll contribution is 0.511% of an employee's gross wages each pay period. Payroll contributions are capped at an annual maximum employee contribution of \$385.34.

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DEC ANNOUNCES ENFORCEMENT OF NEW YORK'S PLASTIC BAG BAN TO START OCT. 19, 2020

DEC Commissioner Basil Seggos announced that DEC will begin enforcement of the State's ban on single-use plastic carryout bags on Oct. 19, 2020. The plastic bag ban, which went into effect on March 1, was not enforced per an agreement between the parties in a lawsuit brought by Poly-Pak Industries, Inc., et al, in New York State Supreme Court.



Pursuant to an Order of the New York State Supreme Court, Albany County, DEC agreed to provide the parties and the Court at least 30 days' notice prior to commencing enforcement. DEC is currently conducting extensive outreach to stakeholders, including grocery stores, retailers, and others, to provide notice of the start of enforcement and answer questions.

DEC continues to encourage New Yorkers to use reusable bags wherever and whenever they shop with the #BYOBAGNY campaign, launched earlier this year.

Additional information about exemptions to the plastic bag ban, frequently asked questions, and posters, flyers, and tip strips to download, as well as tips for keeping reusable bags clean are available on DEC's website.

New Yorkers use an estimated 23 billion plastic bags annually—each for about 12 minutes—and approximately 85 percent of this staggering total ends up in landfills, recycling machines, waterways, and streets. In March 2017, Governor Cuomo created the New York State Plastic Bag Task Force, chaired by DEC Commissioner Seggos. The task force met several times to develop a uniform, comprehensive, and equitable solution to the challenge of plastic bag waste. The final report analyzed the impacts of single-use plastic bags and provided options for legislation that could help develop a statewide solution. In addition, following passage of the New York State Plastic Bag Waste Reduction Act, DEC held a series of meetings with industry stakeholders across the state to invite input from the public and guide the agency's development of rules and regulations to implement the law.

For more information about the plastic bag ban, reusable bags, or to file a complaint about entities using single-use plastic carryout bags, visit DEC's website, email plasticbags@dec.ny.gov, or call (518) 402-8706.

The lawsuit brought by Poly-Pak Industries, Inc., Green Earth Food Corp., Francisco Marte, Mike Hassen, and the Bodega and Small Business Association in New York State Supreme Court. DEC was represented by the New York State Attorney General's Office in the lawsuit. The Court issued its decision in the case on Aug. 20, 2020.

ENVIRONMENTAL FEES AND SHOP SUPPLY CHARGES

A dealer may impose a reasonable charge for the disposal of waste materials, except for motor oil, batteries, and tires.

Charges for the disposal of all other wastes (anti-freeze, brake fluid, solvents, etc.) must be clearly identified and itemized in all estimates and repair orders. Dealers may not use pre-printed fees or percentage-based fees.

Tires

New York State requires the sellers of new tires to collect a \$2.50 Waste Tire Fee for every new tire sold. This fee, too, must be itemized on all estimates and repair orders. Dealers may not charge an additional disposal fee to cover their own disposal costs. However, you may incorporate disposal costs into the price of the new tire.

Hazardous Wastes

Do not label disposal fees as hazardous waste fees. Since much of the waste generate is not hazardous, labeling it hazardous will require a shop to treat it differently.

Shop Supplies

A shop can charge for shop supplies (nuts, bolts, solvents, cleaners, etc.) if they are itemized as the cost of the supplies, charged separately on all estimates and repair orders, and disclosed in advertisements.

DMV does not approve of pre-printed fees or percentage-based fees.



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USING INSTAGRAM TO EXPAND YOUR REACH & BOOST YOUR SALES

Facebook, LinkedIn, YouTube, Twitter, and Instagram all started out as quick and easy ways to connect with friends and share content, they have gradually evolved into platforms that offer a dynamic way to build your business.

The onset of the COVID-19 pandemic has only increased their importance as internet usage took a geometric jump after more than 155-million Americans went into lockdown and began practicing social distancing this past spring- a shift that has dramatically altered the way people shop for tires, repairs, and parts and just about everything else. Even though the economy is opening up, most of your potential customers turn to the web as the first step of any buying journey in the “new normal.”

Almost every business has a website and a Facebook page, but most overlook the growing power of Instagram. Instagram, with more than one billion visitors each month, the visual centric platform that began as a photo posting app has grown into the fastest growing social media platform today with a 5% growth per quarter—significantly ahead of Facebook at 3.14% for the same time frame. Compared to Facebook, Instagram is largely a network of younger users.

According to recent studies, more than half of the global Instagram user population is younger than 34 years old and the 18–24-year-old age group is the largest slice of that demographic. Overall, there’s a mostly even split between the genders with 51% female and 49% male users.

This younger population is what makes it such a potent tool for dealers. With its easy to use visual interface, it’s a great way to build your brand because Instagram puts a “face” on your business that encourages trust and engagement among potential customers. Having an Instagram account signals that your business is reputable, real, and transparent to this audience. Plus, in the age of COVID, having another way that people can get to know your business is highly valuable.

Many of these younger buyers don’t have a lot of experience in maintaining their vehicles, but all of them begin to shop for everything in their lives by browsing the internet. Most importantly, the platform is often used as the first step in the discovery portion of the sales funnel as a staggering 83% of Instagram users report that they use the app to discover new products and services on the platform.

But using Instagram for searching for products and services is just the start. Over one third of Instagram users have used the app to purchase a product online, making them 70% more likely to do so than non-Instagram users. In addition to this, 75% of Instagram users take action, such as visiting a website, after looking at an Instagram advertising post.

Bottom line: If you are not using Instagram to promote your business, enhance your brand, engage a new generation of customers, and sell products and services directly, you’re leaving money on the table!



Volkswagen is experiencing issues with its credit card payment provider for erWin Service Information and ODIS Diagnostic subscriptions. The purchasing process for erWin and ODIS Subscriptions will change on Monday September 21st and could last thru the end of the year.

To make a purchase, go through the normal process on erWin, but during checkout you will be directed to a 3rd party website to complete your payment. Once complete, VWGoA will contact you within 1 business day with your next steps.

Please expect a 1 business day delay in processing from the time you place your order. If the purchase is made after normal business hours (7AM-4PM ET and weekends), the subscription may not be available until the next business day. If you have questions, please email techinfo@vw.com

Notes: Any user who already has an ODIS and erWin subscription will NOT be affected by this change and key/ key cut code orders are not part of erWin and are unaffected.

REFERRALS

If you know of a station that needs our services and is interested in becoming a member, refer them to us and upon signing you will receive a \$50.00 Amazon gift card. If you know of someone interested, please contact our Sales Representative Bill Griese at 914-227-0144.

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SCHOLARSHIP RAFFLE TO BENEFIT THE JOSEPH ENGELDRUM MEMORIAL SCHOLARSHIP

As many of you may already know this year our dinner will be canceled due to the pandemic that surrounds us. However, we have been selling raffle tickets to aid prizes and the \$1,000.00 scholarship winner. The donation for a raffle ticket this year is \$25.00, and the prizes are as follows: First Prize \$2,500.00; Second Prize \$1,000.00 and Third Prize \$500.00.

This drawing will be held at the Board of Directors meeting on November 3, 2020. The winners of all prizes will be notified then.

If you would like to participate in the drawing you can call the office to set up a payment and we will send you the raffle ticket or you can call your representative to come to your shop.

Don't forget to fill out the application for the Joseph Engeldrum Memorial Scholarship in this bulletin. Be sure to send in your application as soon as possible. To be entered in the drawing all applications must be received no later than October 31, 2020.

EMPLOYEE HANDBOOK

Does your company need an Employee Handbook? Call the association for a handbook questionnaire. Once the questionnaire is filled out and sent back you will receive your handbook(s) bound and customized to what your company policies are. The cost for the initial handbook is \$100.00 and \$15.00 for each additional book.

PAYMENT METHOD

Streamlining is important in running a business to help your days be as productive as possible. You can set up automated payments to be debited from your account via ACH payments at no extra charge. Your monthly dues, disability premium and insurance premiums will automatically be processed on the same day each month. Call the association to schedule automatic payments and to lessen the burden of writing another check.

SEXUAL HARASSMENT POLICY AND PROCEDURE

Under the law, every employer in New York State is required to establish a sexual harassment prevention policy and provide sexual harassment prevention training to employees. We will supply you with your company policy and training model for you to present to your employees, give you copies of the policy and the training and case studies along with acknowledgements of receipts for all of these items for each and every employee.

This must be done every year. Last year many of you fulfilled that requirement with the 2018 Edition of Sexual Harassment Training Procedures. The 2019 Edition has been released for your renewals. *The fee for renewals* is \$50.00 1-5 employees \$75.00 for 6-15 employees and \$150.00 for over 15 employees.

If you haven't fulfilled the requirement yet please do so soon. The fee for the original policy with packets is \$75.00 for 1-5 employees, \$125.00 for 6-15 employees and \$200.00 for over 15 employees. You will have all the necessary documentation to be in compliance with the DOL and the DHR.

CLASSIFIEDS

For Sale: Powersports Dealership for sale, Motorcycles, ATVS, UTVS, Snowmobiles, Generators/power washers. Parts dept. Service dept. 8500 sq. ft. building on 8 acres. Rent or buy. Kawasaki and Arctic Cat, Kymco, Generac generators. We are located on the Newburgh/Marlboro NY, RT 9w. High traffic road. Check our website bigboyztoysny.com
Call Tony 845-781-3082 cell.

TRIVIA QUESTION

What is the maximum weekly NYPFL benefit amount for 2021? Call the office with the correct answer for a chance to win a free month's dues.

I hope you enjoyed reading this month's bulletin. If you have any questions, feel free to call the association. We are here to help you and your industry.

Regards,

Carla Obalde

Operations Manager

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JOSEPH ENGELDRUM MEMORIAL SCHOLARSHIP



SERVICE STATION DEALERS & AUTOMOTIVE
SERVICES OF GREATER NY, INC

JOSEPH ENGELDRUM MEMORIAL SCHOLARSHIP

YOUR ASSOCIATION WILL AWARD ONE LUCKY WINNER A \$1,000.00 SCHOLARSHIP FOR 2020. The rules and regulations are as follows:

1. Any member in good standing or their employee's sons or daughters who graduate from high school in 2020 or are currently enrolled in college or trade school are eligible, providing they begin classes within 13 months of the award date.
2. To be eligible, the member or his employee must submit the name, address and telephone number of the child and the college or trade school they will be attending within the allotted time. Submission is limited to one entry per person.
3. The deadline for entering is OCTOBER 31, 2020. All entries must be post-marked by that date. The winner will be selected by a random drawing during our monthly Board Meeting in early November 2020.
4. The check will be made out to both the student and to the school of the student's choice.
5. The scholarship is not limited to potential college students but may be won by anyone wanting to further their education, whether it be college, trade school, etc.

JOSEPH ENGELDRUM MEMORIAL SCHOLARSHIP APPLICATION

MEMBER'S STATION NAME: _____

BUS. PHONE: _____ EMPLOYEE'S NAME: _____

APPLICANT'S NAME _____

NOW ATTENDING SCHOOL AT _____

APPLICANT'S HOME ADDRESS _____

HOME PHONE _____ YEAR GRADUATED HIGH SCHOOL _____

COLLEGE CHOICE, ETC. (IF KNOWN) _____

***** ALL APPLICATIONS MUST BE COMPLETED IN FULL *****

DEADLINE: OCTOBER 31, 2020

**RETURN TO: Service Station Dealers & Automotive Services of Greater New York, Inc.
421 Waverly Avenue
Mamaroneck, NY 10543**