WVADA
WEST VIRGINIA AUTOMOBILE DEALERS ASSOCIATION

March Newsletter

WVADA's LEGAL DEFENSE TO AID DEALERS DURING COVID-19

WVADA's Executive Committee met and approved a portion of the legal defense fund that sponsored a webinar hosted by Jackson Kelly and to allow franchised dealers with general employment law questions to seek legal guidance from Beth Lord and Johnnie Brown. For those that participated in the webinar this past Tuesday, please click here and answer a brief 5 question survey. If you were unable to attend the webinar please email agreene@wvcar.com and she will send you a copy of the slides.

Accordingly, if you are a franchised dealer whose payments to the legal defense fund are current (i.e. all payments have been submitted for calendar years 2018 and 2019), the Association is making available to you the ability to call one of our two preferred law firms for legal guidance. If your issues go beyond general questions and are specific to your dealership as determined by the Association, you will need to retain an attorney and be responsible for your own legal fees. The goal is for dealers to be able to obtain guidance of a general nature regarding the new laws enacted by Congress.

*Our preferred law firms are Jackson Kelly (contact **Beth Lord at O: 304-340-1390 or C: 304-539-8390**) and Pullin, Fowler, Flanagan, Brown, & Poe (contact **Johnnie Brown at O: 304-720-5175 or C: 304-546-3878**).*

The Ins and Outs of the CARE ACT Paycheck Protection Program

The complete overview of the PPP is here– in case you have missed it.

Lenders receive their own guidelines from Treasury, and the current Lender Information Sheet can be found here.

For small businesses who need money to pay their employees during the COVID-19 pandemic, the application period begins April 3, 2020. For independent contractors and self-employed individuals, the application period begins April 10, 2020. Here is the basic ***Borrower*** Information Sheet. And the Application for Borrowers is here.

-Jackson Kelly

Suggested Policies and Leave Forms

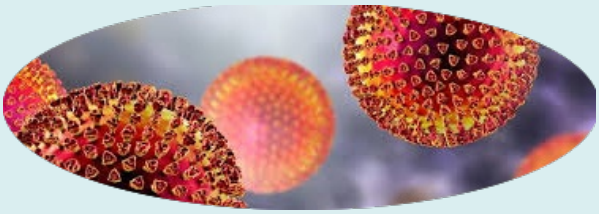
Below are polices and forms created to help provide guidance during this unprecedented time. We are committed to providing guidance and timely communication, please do not hesitate to contact Johnnie Brown with any questions about how to finalize or use the below forms or policies.

- Emergency Paid Sick Leave Policy
- Emergency Paid FMLA Expansion Policy
- Emergency Paid FMLA Leave Request Form
- Emergency Paid Sick Leave Form

-Johnnie Brown: Pullin Fowler, Flanagan, Brown and Poe

Guidance for Phase 2 and Phase 3 of COVID-19

- IRS Guidance for Claiming the New Employee Retention Credit under the CARES Act and Credits for Emergency Paid Sick Leave Under FFCRA
- Application – IRS Form 7200 for Obtaining Credits
- DOL – Employee Rights Poster



Upcoming NADA Webinars

NADA will be hosting two webinars next week as part of their COVID-19 Dealership Webinar Lifeline Series. Each webinar in the series provides important, timely information about coronavirus developments that impact dealership operations, as well as guidance on how dealers can manage their operations accordingly. Webinars are for dealers and

affiliated industry partners only and are not open to press or members of the media. Click on the below webinars to register.

- Build a 60 Day Profit Protection Plan (April 8)
- Managing Service Operations: Making it through the COVID-19 Pandemic (April 9)

Source: NADA

DMV Information for WV Dealers

The WV DMV is closed to the general public; however, they have agreed to keep regional offices open for dealerships. Also, for efficient service, the DMV has requested that dealers drop off CVR and VRS paperwork at the regional offices. They have been inundated with mail-in work. If this is not feasible, you can mail in the paperwork.

Please keep in mind that the DMV is working at approximately 1/3 staff and they are doing the best they can.

DMV will be extending the expiration date for 90 days on temp tags and registrations expiring in March and April 2020.

Also, temp tag stock shipments will be limited to Monday and Wednesday of each week. Temp tag orders will continue to be shipped via FedEx ground. This only applies to temp tag supply orders. Online and phone support will continue to operate normally.

WVADA's Preferred Partners and Their Response to COVID-19

Reynolds & Reynolds

NADA : Staying Informed and Prepared

NADA Publishes FAQs

Federated Insurance

on Recently Passed Coronavirus Paid Leave Bill

American Fidelity

ACV: Here to Help

ACV: COVID Update

Jackson Kelly: COVID-19 Legal Resource Center

Crystal Clean – Decontamination Services for COVID-19

Golden Touch

In the Community

Thank you I-77 Auto for your generous donation of hundreds of boxes of gloves to Jackson General Hospital!!

Special thank you to Mike Wanegar from Gold Touch Dealer Solutions for donating face masks to the WV Primary Care Association. We greatly appreciate your donation!

WVADA would like congratulate ***Randall Carter*** on his retirement effective April 1, 2020. Randall has been a valuable member of American Fidelity's Team. While we are sad to see him go, we wish him the best in his retirement. We hope he is blessed with many wonderful experiences and wish him the best in all his plans.

WVADA Convention – Attendee Input Requested

Currently, the WVADA Convention is scheduled for June 7-10 at The Greenbrier Resort. Due to the current circumstances, we are working with the Greenbrier for alternative dates.

As of now, the only possible dates available are *Sunday, July 26 – Wednesday, July 29 (check-out)*.

WVADA is requesting your feedback. Please email Haley Justice at hjustice@wvcar.com and let her know if these alternative dates work for your schedule.

U.S Chamber of Commerce Business Guide and Checklist

The U.S. Chamber of Commerce has prepared a business guide and checklist for the Coronavirus Aid, Relief, and Economic Security (CARES) Act. This article summarizes those that are eligible, what lenders will be looking for, how much you can borrow, and information about loan forgiveness.

WVADA Welcomes New Associate Members

MetroTech Automotive has been providing dealerships with their products and services for over 30 years. Their manufacturing plant is in Charlotte NC and a distribution center in Denver CO; they are able to deliver our products and services nationwide.

Services/Products:

- Reconditioning Products, Equipment and Supplies
- RV Care
- Detail Services
- F&I

For more than a quarter century Robinson & McElwee has provided clients with excellent legal counsel and representation. They are proud of their reputation as one of West Virginia's premier law firms. The firm's main office is in Charleston, WV, Robinson & McElwee also serves clients with offices in Clarksburg, WV, Wheeling, WV, and Alliance, OH.

Robinson & McElwee belongs to the following ALFA Practice Groups:

- Business Litigation
- Construction
- Hospitality
- Labor & Employment
- Product Liability
- Retail Real Estate
- Transportation
- Workers' Compensation

Create an Enduring Risk Management Culture

If you aren't committed to incorporating risk management into the culture of your business, a seemingly small change can make it all crumble, leaving you without a solid foundation to help you prioritize the safety of your workers. If you intend to make risk management a core value of your business, your risk management culture needs to be strong enough to withstand any obstacle.

Personnel Changes

A management change, while significant in many ways, shouldn't decrease your workplace-safety results. Consider this story from a real business:

The safety manager of a manufacturing operation retired, taking with him nearly all knowledge of the company's safety program. When the new safety manager joined months later, he found elements of the company's risk management program missing or lacking. Records, which were all kept on paper, were nowhere to be found. The new safety manager had the unenviable task of rebuilding the program, while making sure the business's day-to-day needs were fulfilled.

To combat the effects of personnel changes, a business must deliver a consistent and deliberate safety message to its employees. Documents, including processes and records, should be kept — and backed up — where any member of management can access them to ensure a smooth transition upon the departure of a safety manager.

New Circumstances

What happens when the rules change? Maybe regulators have added or modified workplace safety requirements. Or maybe your business begins using new equipment or offering new products or services to respond to market demands. A relaxed attitude toward safety won't help you keep your workforce informed. Members of a culture that focuses on risk management readily adopt and act on new safety measures — sometimes before management even requires them, because that's just the way things are done.

Embraced All the Way Up

When it comes to prioritizing safety, business leaders and risk management professionals agree: It has to start at the top. Business owners must believe in the importance of safety and model the behaviors that will help keep employees — and by extension, the business — safe. A positive example from leadership will likely be reflected throughout the next levels of management and frontline employees. The influence a well-respected manager has on employee behavior cannot be overstated.

If preventing workplace injuries or accidents isn't a primary and permanent focus, the possibility of letting things slip is very real — and the consequences could be severe.

This article is for general information and risk prevention only and should not be considered legal or other expert advice. The recommendations herein may help reduce, but are not guaranteed to eliminate, any or all risk of loss. The information herein may be subject to, and is not a substitute for, any laws or regulations that may apply. Qualified counsel should be sought with questions specific to your circumstances. © 2020 Federated Mutual Insurance Company.

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WVCAR

On April 1, 2020, WV Governor Jim Justice announced that ***West Virginia's Primary Election*** will be ***delayed until June 9th***, past the anticipated peak of the coronavirus outbreak.

WVCar is the West Virginia Automobile and Truck Dealers Political Action Committee, and your support is vitally important in order for us to have a voice at our state capitol in Charleston. WVCar is the best platform for our message to be heard by legislators and signify our value in

West Virginia communities.

The goal of WVCar PAC is to bring all voices through WVADA to Charleston to make certain our positions are protected and strengthened. Please take the time to contribute to ensure that our voice, as dealers, is heard!

Check out our new WVCar website and make your contribution directly through the site or by clicking HERE, to fill out the form and submit either a personal check or your credit card information to WVADA.

A special thank you goes out to all of our members who have already donated:

CHAMPIONS CLUB

Paul Astorg
Bill Cole
Hal Green
Nick Green
Joey Holland
Jonathan Lerose
Rodney Lerose
Chris Miller
Matt Miller
Bob Moses
Jason Moses
Steve Moses
Fred Parsons
Roberta Robinson-Olejasz
Suzanne Moses-Persinger
Keith Powell
Charlotte Pyle
Jim Robinson
Fred Timbrook

GOLD PROMOTERS

TR Hathaway

SILVER ADVOCATES

BRONZE SUPPORTERS

Tommy Cole
Ginger Fato
Tim Matheny
Dennis Sheets
Richard Stephens
Stephen Talbott
Wally Thornhill
Don Warner
Paul White

PATRONS

Sydney Thornhill Brown
Guy Chicchirichi
Mac McClinton
Dan Wharton

It's all under one name.

Pullin, Fowler, Flanagan, Brown and Poe.

Check under the Hood. Is there performance and reliability? What about your business? Just as you want your automobile to take you safely where you want to go, you need your law firm to guide your business through the variety of legal challenges, internally or externally, with performance and reliability.

Let Pullin, Fowler, Flanagan, Brown & Poe trial attorneys handle the diverse checklist of legal issues your business is confronted with. One law firm creates less confusion and a better understanding of your business – leading to continuity of knowledge for representation. ***It's all under one name.***

PULLIN, FOWLER, FLANAGAN, BROWN & POE, PLLC
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www.pffwv.com | Beckley 304-254-9300 | Charleston 304-344-0100 | Martinsburg 304-260-1203 | Morgantown 304-225-2200 | *Johnnie Brown, Responsible Attorney*

Visit WVADA's COVID-19 Resource Page