



## SADA Elects New Officers

by Barbara Rothschild

The S.A.D.A. Board of Directors met last week to review financial reports and elect officers for the coming year. We had another wonderful year with a financial surplus.

### *Officers elected were:*

**President – Gino Barbuto**

**Vice-President – Stephen Byer**

**Secretary - Michael Spinelli**

**Treasurer – Rich Burritt**

(Rich was also congratulated on the birth of his son)

Mike McNerney returned to the board and we welcome him back.

Some great ideas were discussed for the 2017 auto show. It was also announced that the 2018 show will be in November of 2017 as the Men's Bowling Congress

will be coming to town for a six month stay and taking over the Oncenter. Some of the board members felt this would be a good change since we seem to get hammered with bad weather in February.

While we look forward to working with Gino, we need to recognize the contributions of outgoing President JIM BARR.

S.A.D.A. greatly appreciates the efforts of Jim Barr who served as President for three years. Not only has Jim been our President, but he also co-chaired the Charity Preview with Gino Barbuto; those were our three most successful years. Jim has been a great sounding board for

ideas to better the organization and always found time to devote to issues that were important. A third generation auto dealer, he brought enthusiasm and insight to our association.

Jim is blessed to have a wonderful wife, Dana and three children... Maddy who is graduating high school and attending Marist College in September; Peter and Catherine, both are at Fayetteville Manlius High School.

We look forward to recognizing Jim's efforts on our behalf at the annual meeting this Fall. Thank you Jim for all you have done for the S.A.D.A. during your three-year tenure. You are the best!

## GOLF TOURNAMENT

The golf tournament was held at the Cavalry Club and attracted 79 golfers. Everyone had a great day!

A pre golf luncheon was once again hosted by Thru-Way Autoglass and Lawley Automotive Dealer Services. This luncheon enables the golfers to “chow down” before taking on the course and we are most appreciative of Tim Taylor and Todd Best’s generosity.

While on the course, Time Warner Cable Sales provides beverages and we are grateful to Jim Tollar for their ongoing support.

Thank you to ADESA for the “make your own sundae bar” and your continued support.

The golf tournament prizes are donated by Five Star Bank and the S.A.D.A.

Thank you Cliff Merklung for always helping with the prizes.



The top three winners were:

### **1<sup>st</sup> place**

Dave Hall, Jim Files, Dave Ryder and Dan Testo of Drivers Village

### **2<sup>nd</sup> place**

Brian House, Marci House, Dave Hirst and Josh Uttamsingh of Reymore Chevrolet

### **3<sup>rd</sup> place**

Todd Shapiro, Jeff Besio, Craig Bouliever and Scott Johnson of Leon Shapiro Motors

We appreciate the ongoing support of the participants that help make this day a fun one for our members.



## SADA AWARDED ANOTHER GRANT

Last week, we were advised that SADA has been awarded another Hazardous Abatement Board Grant for OSHA training in dealerships. The new grant year will start August 1<sup>st</sup>. Pam Whitmore will be sending full particulars to the members once we have a signed contract which will determine how many actual hours of training we will have. In this grant year ending July 31<sup>st</sup> we maxed out on training dollars.

If you did not take advantage of the grant we urge you to sign up early and not miss out on the important service that we provide at no cost to our members. In many cases, insurance companies are requiring dealerships to do training and we know that we have helped reduce OSHA claims.

## Useful Information

### TAS/ACA Information

The IRS Taxpayer Advocate Service (TAS) <https://www.irs.gov/advocate> has developed a new employer shared responsibility provision tool designed to help employers better understand how the Affordable Care Act - Employer Shared Responsibility Provision (ESRP) works and learn how the provision may apply to them.

Employers can use the [TAS - ESRP Estimator](#) to determine:

- ✓ the number of their full-time employees, including full-time equivalent employees (FTEs),
- ✓ whether they might be an applicable large employer, and
- ✓ an estimate of the maximum amount of their potential liability for the employer shared responsibility payment.

The [TAS announcement](#) about this tool can be found at the following TAS link: <http://taxpayeradvocate.irs.gov/news/new-employer-shared-responsibility-provision-estimator-tool-is-now-available?category=Tax%20News>

Additional information about this and other TAS estimators, including links to their full set of ACA estimator tools can be found on the [Affordable Care Act Estimator Tools](#) web page at <https://www.irs.gov/affordable-care-act/affordable-care-act-estimator-tools>. Because these tools provide only an estimate, taxpayers should not rely upon them as an accurate calculation. Taxpayers should use these estimators only as a guide to assist in making decisions regarding their tax situation. We have also included mentions of the tool and these links at the appropriate locations on our [IRS.gov/aca](http://IRS.gov/aca) web pages.



### Human Resources Helpline Program

Syracuse Auto Dealers Association (SADA) has contracted with HR One Consulting and is pleased to announce SADA's enrollment in the HR One [Human Resource Helpline Program](#).

*As a current member of SADA what does this mean for you?*

This service will allow all current SADA members unlimited telephone and email access for prompt and accurate answers to your employee management questions or concerns.

There are three ways for you to contact HR One:

- Via telephone: 800-457-8829
- Via email: [hrhelp@peopletopayroll.com](mailto:hrhelp@peopletopayroll.com)
- Via HR One's website: [www.peopletopayroll.com](http://www.peopletopayroll.com) with a secure user id and password:
  - User Id: `syracuseautodealers`
  - PW: `032963`

By using the online service, you will have immediate online access to important HR related resources, up-to-date state and federal employment posters, personnel forms and past HR eNews articles. You will also be signed up to receive HR One's HR eNews.

Feel free to use this **FREE** HR resource as many times as you would like.

SADA is committed to providing our valued members through services and programs. We hope you find this service beneficial and would welcome your feedback for future initiatives.

## **New York State passes 12 week Paid Family Leave Act**

On April 4, 2016, New York Governor Andrew Cuomo signed legislation adopting a 12-week paid family leave policy for New York **employees (the “Paid Leave Law”).** (The text of the Paid Leave Law can be found in Part SS of recently passed New York State Budget at the following link: [Budget](#)). Once fully implemented, the Paid Leave Law will provide New York employees with up to 12 weeks of paid family leave for the purpose of (1) caring for a new child, (2) caring for a family member with a serious health condition, or (3) relieving family pressures when a family member, including a spouse, domestic partner, child or parent, is called to active military service. Paid leave to care for a new child will be available to both men and women and will include leave to care for an adoptive or foster child. An employee may take paid leave to care for a new child any time within the first 12 months after **the child’s birth or 12 months after** the placement for adoption or foster care of a child with the employee. Paid leave to care for a family member with a serious health condition, includes leave to care for a child, parent, grandchild, grandparent, spouse or domestic partner. The legislation allows employers to establish rules limiting employees from receiving paid leave benefits for the care of the same family member at the same time as another employee.

Employers should note that the new paid family leave policy will be implemented gradually. Starting on

January 1, 2018, employees will be eligible for eight weeks of paid leave, earning 50% of their weekly pay (capped at 50% of the statewide average weekly pay). The number of weeks of leave and amount of pay increases yearly until, by 2021, employees will be eligible for the full 12 weeks of paid leave, earning 67% of their weekly pay (capped at 67% of the statewide average weekly pay).

In order to be eligible to receive paid leave benefits, employees are required to have worked for their employer for at least six months. Paid leave benefits will be available on the first full day that leave is required for eligible employees (unlike New York State disability benefits where there is a waiting period before employees start receiving benefits).

Significantly, the paid family leave will be funded by a weekly payroll tax of about \$1 per employee, deducted from **employees’** paychecks. Based on this insurance model, employers will not have to face the direct financial burden of funding the paid leave benefits provided under the new law. Nonetheless, employers should begin to prepare for other administrative costs associated with the new law, including costs for implementing changes to internal policies and costs related to employee absences during their paid family leaves.

Since the Paid Leave Law was just signed into legislation and the first phase of implementation is not scheduled to begin until 2018, there has not yet been any significant

guidance issued on the new law. We will continue to monitor for additional analysis or guidance issued by the State, if any, and will provide employers with updates on implementation as more information develops.

## Plenty of options with new Overtime Rule

IN RESPONSE TO THE NEW OVERTIME RULE, EMPLOYERS CAN:

- A) Pay time-and-a-half for overtime work.
- B) Raise workers' salaries above the new threshold.
- C) Limit workers' hours to 40 per week.
- D) Some combination of the above.

The Labor Department's overtime rule simplifies and modernizes the nation's overtime regulation – to ensure that extra work means extra pay. There is a misperception out there that there is only one way for employers to comply with our new [our new overtime rule](#) when they have white-collar employees who earn less than \$47,476 per year: change them from salaried to hourly employees. That is just not true.

First, employers have a wide range of options for responding to the changes to the salary level. Employers can choose the one that works best for them. Options include:

- **Raise salary and keep the employee exempt from overtime:** Employers may choose to raise the salaries of employees to at or above the salary level to maintain their exempt status, if those employees meet the duties test (that is, the duties are truly those of an executive, administrative or professional employee). This option works for employees who have

salaries close to the new salary level and regularly work overtime.

- **Pay overtime in addition to the employee's current salary when necessary:** Employers also can continue to pay their newly overtime-eligible employees the same salary, and pay them overtime whenever they work more than 40 hours in a week. This approach works for employees who work 40 hours or fewer in a typical workweek, but have occasional spikes that require overtime for which employers can plan and budget the extra pay during those periods. Remember that there is no requirement to convert employees from salaried to hourly in order to [calculate their overtime](#) pay!
- **Evaluate and realign hours and staff workload:** Employers can ensure that workload distribution, time and staffing levels are all managed appropriately for their white-collar workers who earn below the salary threshold. For example, employers may hire additional workers.

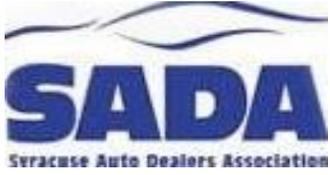
Second, based on feedback we heard from the employer community, the overtime rule broadens the definition of salary basis to allow [nondiscretionary bonuses](#) and incentive payments (including commissions) to satisfy

up to 10 percent of the standard salary test requirement.

[Third, as we've said before:](#) Nothing in the Fair Labor Standards Act – or in the overtime rule – requires the choice between flexible work arrangements or opportunities for career advancement and complying with basic labor standards. There is no requirement that a worker must have a predetermined schedule, and nothing prohibits working whenever, wherever or however the worker and the employer agree.

Finally, although [the FLSA requires that employers keep certain records](#) to ensure that workers get paid the wages they earn and are owed, it's up to the employer to choose the method that works best for them and the needs of their workforce. There's no requirement that employees "punch in" and "punch out." Employers have flexibility in designing systems to make sure appropriate records are kept to track the number of hours worked each day.

The overtime rule renews an important promise of the Fair Labor Standards Act for millions of white-collar workers: A long day's work should lead to a fair day's pay.



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