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Automotive Aftermarket
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NEW YORK STATE AUTOMOTIVE AFTERMARKET ASSOCIATION

NEWSLETTER

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September 2018

New York State's Sweeping Sexual Harassment Training Mandate

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On April 12, 2018 New York Governor Andrew Cuomo signed the state budget, which mandates employers provide employees with annual sexual harassment training. Employers must provide the training and a written anti-harassment policy to employees starting October 9, 2018.

Contents of the Sexual Harassment Policy:

The new law requires employers to adopt a sexual harassment policy which:

- Prohibits sexual harassment and provides examples of prohibited conduct
- Includes information concerning Federal and State sexual harassment laws and mentions there may be applicable local laws
- Includes a standard complaint form
- Includes a procedure for the timely and confidential investigation of complaints including due process for all parties
- Informs employees of their rights of redress and available forums for adjudicating claims administratively and judicially
- Clearly states sexual harassment is a form of employee misconduct and that sanctions will be enforced against individuals engaging in sexual harassment and against supervisory management who knowingly allow such behavior to continue
- Clearly states retaliation against individuals who complain of sexual harassment or who testify or assist in any proceedings is unlawful

The policy must be provided to employees in writing. Employers would be wise to include this policy in their orientation package. New York employers should informally and formally routinely remind employees of this policy.

Topics Training Must Cover:

Employers must also provide interactive training that includes:

- An explanation of sexual harassment
- Examples of sexual harassment
- Information concerning the Federal and State laws concerning sexual harassment and remedies available to victims
- Information concerning employees' rights of redress and forums for complaints

Notably, the new law does not define what it means for the training to be interactive.

www.nysaaa.com

The New York State Division of Human Rights is required by the law to produce a model sexual harassment prevention guidance and sexual harassment prevention policy that is publicly available. Employers must adopt this policy or adopt an equivalent one. Likewise, the Division of Human Rights is required to create a model training program, which employers may use or adopt their own. *The state agencies have yet to create these materials and no specific date of their availability has been provided.*

Although there is no record keeping requirement under the law, employers would be wise to track their employees' attendance at the training. This type of evidence is helpful in the event an employer finds itself defending against allegations of sexual harassment.

Employers in New York should also note the new law expands protection to non-employees. In other words, employers have the obligation to protect vendors, contractors, etc. from sexual harassment. In the past, this was the obligation of the vendor's employer; now it is your obligation! This is a far reaching expansion of the law and exposes employers to a new class of additional liability.

The New York State law also prohibits non-disclosure clauses in any settlement or other agreement regarding sexual harassment, unless the condition of confidentiality is the complainants' preference. How "complainant's preference" is established is an interesting and unanswered question.

This prohibition on non-disclosure agreements means employers will no longer be able to settle these types of cases in secret. The bill further requires the complainant be given 21 days to consider the non-disclosure clause and 7 days to revoke it.

NYC Passes Mandatory Sexual Harassment Training:

The New York City Council recently passed the Stop Sexual Harassment Act which Mayor Bill de Blasio signed into law on May 9, 2018. The act requires all employers with 15 or more employees, including interns, to train employees on sexual harassment. The NYC law requires that employers conduct annual anti-sexual harassment training for all employees, including supervisors and managers.

Notably, although the training requirement applies to employers with fifteen or more employees, the act expands protection against sexual harassment to all employees and interns in New York City regardless of the size of the employer. This expansion is significant because the New York City Human Rights Law, ("NYCHRL") which covers employment discrimination generally, only applies to employers with four or more employees.

This expanded coverage also means all employers in New York City will be required to post NYCCHR's anti-harassment poster in a conspicuous place and provide the corresponding information to employees at the time of hire. This requirement begins September 6, 2018.

Contents of the Sexual Harassment Training:

Under the Stop Sexual Harassment Act, the training must:

- Provide an explanation of sexual harassment as a form of unlawful discrimination under NYC law
- State sexual harassment is unlawful discrimination under Federal and New York State law
- A description of what sexual harassment is
- The internal complaint process
- State the complaint process available through the NYC Commission on Human Rights, the New York State Division of Human Rights and the Equal Employment Opportunity Commission, including contact information
- Explain the prohibition against retaliation
- Information concerning bystander intervention (i.e. such as suggestions on how to confront a harasser)
- The specific responsibilities of supervisory and managerial employees in the prevention of sexual harassment and retaliation and measures such employees should take to appropriately address sexual harassment complaints.

This training requirement begins April 1, 2019. The training must be provided annually and within 90 days of an employees' initial hire. Under this law, employers are required to keep training acknowledgement forms for three years. Starting immediately, the act also expands the statute of limitations for sexual harassment claims to three years instead of the standard one year under the NYCHRL.

The New York City Commission on Human Rights is tasked with creating an online module that will be publicly available at no charge to satisfy this training requirement. The Commission will provide completion certificates each time the training is taken. *At this time, the online program is not yet available and no date has been provided for its availability.*

Employer Takeaways:

For employers in New York State and New York City, it is time to review your anti-harassment policies and see if they comply with the new laws. Additionally, employers need to ensure they have a plan to train their employees. Eventually, the Division of Human Rights and New York City Commission on Human Rights will provide model policies and training online.

However, it will likely take the agencies at least months to get this system in place. Therefore, acting proactively will help employers get into compliance before they run out of time.

This legislation is a clear outgrowth of the #MeToo movement that swept the United States following the Harvey Weinstein scandal.

Source: By Robert G. Brody and Katherine M. Bogard; of Brody and Associates

2019 Automotive Aftermarket Calendar Program



As fall approaches, it is still not too late to order your 2019 calendars. Many of our members were able to take advantage of the discounted pricing during our early bird special, ensuring that their calendar selections had an abundance of stock. By ordering today you can avoid getting shut out of your preferred style.

The Association staff is ready with your approval, to handle all aspects of the ordering process, by filling out the order form, and proofing the ad copy, to ensure their accuracy and timely delivery.

Calendars are in use all year long and are used when decisions are made: on the job, in the office, on the road or at home. Over 65 % of all calendar recipients write appointments and reminders on their calendar.

This daily involvement is an economical way to advertise your businesses' name all day, every day of the year. To ensure holiday delivery, all orders must be placed by November 1, 2018.

ICE on the Move against I-9 Worksite Violations

Immigration and Customs Enforcement (ICE) has been in the news lately as they look for I-9 Verification Forms and any immigration violations employers may be concealing.

Already this past year, one company was fined a whopping \$95 million dollars for abusing the I-9 process, deliberately concealing true identities in order to hire undocumented workers. The Acting Director of ICE, Thomas Homan, vowed earlier this year to double, triple or even quadruple I-9 worksite investigations. He's kept his word.

From October 1, 2017 through May 4, 2018 ICE and its worksite wing, Homeland Security Investigations (HSI), opened 3,510 on-site investigations, initiated 2,282 audits and made 594 criminal and 610 administrative worksite-related arrests. All those stats are up significantly year over year compared to Fiscal Year 2017.

The Employment Eligibility Verification Form I-9 is required by law to be kept for each employee. Problems arise legal-wise when new hires present phony documents or when employers are eager to hire undocumented workers (to save wages) and fudge the document.

That's how Asplundh Tree Experts got socked with that \$95 million dollar fine. Even after being warned that they were fudging their I-9's, the company continued to conceal identities until it was too late.

ICE Targets 5,200 Businesses for I-9 Audits: Posted on July 25, 2018

Since January, United States Citizenship and Immigration Services (USCIS) – along with its Immigration and Customs Enforcement (ICE) and Homeland Security Investigations (HSI) units – have sent out notices of pending I-9 audits to some 5,200 businesses across the nation.

A notice of Inspection (NOI) informs business owners that ICE is going to audit their hiring records to determine whether they are complying with existing law. From July 16 to 20, during the second phase of the operation, agents served 2,738 NOIs and made 32 arrests. In the first phase of the operation, from January 29 to March 30, they served 2,540 NOIs and made 61 arrests.

“This is not a victimless crime,” said Derek N. Benner, acting Executive Associate Director for HSI. “Unauthorized workers often use stolen identities of legal U.S. workers, which can significantly impact the identity theft victim’s credit, medical records and other aspects of their everyday life.”

While the agency routinely conducts worksite investigations to uphold federal law, HSI is currently carrying out its commitment to increase the number of I-9 audits in an effort to create a culture of compliance among employers, according to Benner.

HSI’s worksite enforcement strategy focuses on the criminal prosecution of employers who knowingly break the law and the use of the I-9 audits and civil fines to encourage compliance with the law. HSI’s worksite enforcement investigators help combat worker exploitation, illegal wages, the use of child labor and other illegal practices.

HSI’s worksite enforcement investigations often involve additional criminal activity, such as alien smuggling, human trafficking, money laundering, document fraud, and/or substandard wage and working conditions.

Under federal law, employers are required to verify the identity and employment eligibility of all individuals they hire and to document that information using the Employment Eligibility Verification Form I-9.

ICE uses the I-9 inspection program to promote compliance with the law, part of a comprehensive strategy to address and deter illegal employment. Inspections are one of the most powerful tools the federal government uses to ensure that businesses are complying with U.S. employment laws.

After receiving the NOIs, employers are required to produce their company’s I-9’s within three business days, after which ICE will conduct an inspection for compliance. If employers are not in compliance with the law, an I-9 inspection of their business will likely result in civil fines and could lay the groundwork for criminal prosecution if they are knowingly violating the law.

All workers encountered during these investigations who are unauthorized to remain in the United States are subject to administrative arrest and removal from the country.

Source: Personnel Concepts Blog

Supreme Court Rules that Internet Businesses must collect all State Sales Taxes

The Supreme Court in June ended a dispute as old as the internet, ruling that all online sales are subject to the same state and local sales taxes that are collected on purchases at brick-and-mortar retailers. The decision will inject billions of dollars into state coffers, but also increase prices for many online shoppers.

By a 5-4 vote, the justices overturned past rulings that had shielded internet sellers from collecting taxes from customers in states where they had no stores, warehouses or other physical presence. Instead the justices – addressing an issue that Congress has for years failed to resolve – brought internet commerce into line with taxing rules that apply to mall shops, big box stores and other traditional retailers.

Justice Anthony M. Kennedy, speaking for the court, said it was not fair to allow remote sellers to escape the duty to collect and remit sales taxes. “It’s unfair and unjust to those competitors, both local

and out of state, who must remit the tax; to the consumers who must pay the tax; and to the states that seek fair enforcement of the sales tax – a tax many states for many years have considered an indispensable source for raising revenue,” he wrote in *South Dakota vs. Wayfair*.

The court was split along usual lines, Justices Clarence Thomas, Ruth Bader Ginsburg, Samuel A. Alito Jr. and Neil M. Gorsuch, as well as Anthony M. Kennedy formed the majority.

In dissent, Chief Justice John G. Roberts Jr. said the court should have waited for Congress to decide the issue. He said Congress has the power to regulate interstate commerce and changing the tax rules state-by-state has “the potential to disrupt the development of such a critical segment of the economy.”

Justices Stephen G. Breyer, Sonia Sotomayor and Elena Kagan agreed.

The National Conference of State Legislatures called the ruling “a victory for Main Street America. Brick-and-mortar stores will no longer be penalized for collecting the tax revenues that fund our schools, infrastructure and the vital public services that state and local governments provide,” said South Dakota State Senator Deb Peters, the group’s president.

Matthew Shay, president of the National Retail Federation said, “Retailers have been waiting for this day for more than two decades.... This ruling clears the way for a fair and level playing field where all retailers compete under the same sales tax rules whether they sell merchandise online, in-store or both.”

The ruling may pose a headache for small-scale web merchants who will have to keep track of and remit sales taxes for thousands of jurisdictions.

Jonathan Johnson, an executive for Overstock.com, which joined the suit against the South Dakota tax law, said Congress should pass legislation “to lessen the potential impact of the ruling on internet innovation.”

The court’s opinion left unanswered several questions, including whether very small businesses which make only a few sales online, can be forced to remit taxes for all the states it sells to.

Tax experts say better software has made it easy to quickly calculate the exact rates for each locale and many states have devised a “streamlined” filing system, in which a single state office collects and dispenses taxes for its counties and cities.

Kennedy cited a Commerce Department estimate that online retail sales were \$453 billion dollars in 2017. He said the outdated “physical presence” rule was costing states and localities between \$8 billion and \$33 billion a year in lost revenue. Earlier this year, California tax officials estimated that the state could have taken in an extra \$2 billion a year if they could collect sales tax on all internet sales in their state.

It is the second court decision in two months that could result in higher revenue for states. Last month, the justices struck down the federal ban on sports betting. Many states are now expected to license betting on sports and recoup tax revenue from it. But doing so will require new state laws.

“Each state is different and some will need to pass new laws” said Max Behlke a budget and tax policy expert in Washington for the group representing state legislatures. “I don’t think most states will be able to do this in 60 days.” A reference to the upcoming summer break.

Legal experts said many state tax laws were written with the assumption that only businesses with a physical presence were subject to collecting and remitting sales taxes.

Source: www.latimes.com



The Four Ingredients Needed for Sales and Business Success

It happened again two weeks ago. I met with someone struggling to get their business going. One of the first questions I asked and always ask: “What are you doing to bring in revenue (sell something)?”

“I have a display at the local Walmart and I belong to five Chambers of Commerce.”

“And how long have you been doing that?”

“Five years.”

“And how much business have you gotten from each one?”

“Pretty much zero from all.”



I'm not kidding. I also wish I could say this experience is the exception to the rule. Actually, it is more the rule than the exception when I talk to a struggling salesperson or solopreneur. What's the definition of insanity? Right. For five years.

Look, it really only takes four things to be successful in sales and business. If you have all four, success is virtually guaranteed. If you are missing even one, eventual failure is guaranteed.

4 Items for Sales and Business Success

Item #1: Good people skills

If you're good with people, in other words, people like you because they feel good around you and believe you care about them, you're off to a good start. If people like you, they'll buy from you. The best salespeople and business people always have great people skills. They can connect and carry on a conversation with anyone at any level or any age. They have a charisma about them and their conversations flow smoothly and easily.

They are able to make people feel important by talking about what's important to them, being a good listener and focusing completely on the other person as if they are the only person in the world. Even in a crowd, they can make you feel as if the two of you are the only ones there. That relationship, that connection, is usually the most important aspect when selling most items.

Item #2: A great attitude

A great attitude includes: passion, confidence, conviction, commitment and perseverance. It also includes being positive. The former attributes ensure you have the mental wherewithal to go out into the world with enthusiasm and remain that way while suffering the slings and arrows necessary to succeed in business and sales. The later attribute, being positive, ensures that you present well to people.

Your objective is to be a pleasure to interact with, to be the most pleasant person that people encounter during the day and to be a joy to do business with. You want people to enjoy the experience of working with you. This means going above and beyond, doing more than people expect and always doing everything in your power to make sure the client feels important. You want to have a can-do, happy-to-help-you attitude.

Item #3: The right activities

Activity starts by having a plan which includes how much business you need, how many people you need to talk to and where to find these people. In addition, you need the self-discipline to stick to the plan and ensure that you spend your time and money on the right activities and resources.

The most important activities you spend time on during the day are the ones that bring money into the business. It isn't working on your logo, driving to the post office or entering information into the computer. During business hours 90 + % of your time should be spent on activities that generate cash flow.

The fastest way to build business is by calling on people in-person or on the phone. Business is a contact sport and is all about relationships. In order to build relationships and connect with people, you need to be talking to them live, not sending spam e-mails, LinkedIn messages or connecting on Facebook.

Also, your activities should be focused on meeting new people (strangers). Going to the same networking events and seeing the same people over and over again is a mistake. Incidentally, discomfort and fear of calling on people, both strangers and people you know, is what stops most people and causes them to fail in sales and business.

If you're going to be successful, you need to get over that. Bottom line: focus on meeting strangers and making lots of contacts. Business is a numbers game, if you talk to enough people during the day you will eventually run into someone who needs what you have or knows someone who needs what you have. So go out there and take massive action.

Item #4: A good product and support

This one goes without saying. If you have good people skills, a great attitude and are focused on the right activities, you'll make your share of one-time sales. But if you have a bad product or are lacking support, the word will get out and any success will be short-lived.

Source: John Chapin #1 Sales Rep in 3 Industries, Author of gold-medal winning Sales Encyclopedia - the most comprehensive "how-to" guide on selling.



Follow the tried – and – true path to Sales Success – Avoid Sales Gimmicks

Over the past week, I've been inundated with e-mails for webinars, classes and courses telling me that sales and business building is easy. They claim that you don't have to work hard, just listen to the webinar and you'll get the magic bullet to working a fraction of the hours you're currently working, while closing 90 % of the people you talk to.

Oh and don't worry about the fear and discomfort that usually stop you, with their secret formula those will magically disappear. It will be all sunshine and rainbows. Unfortunately people still fall for schemes like these.

Why? In the sales world what stops people is the pain and discomfort associated with contacting strangers about your product or service. As a result, the creative brain latches on to anything that will help you avoid this pain. We also want what we want now, instant gratification, so if I can get there now, why put in the years of work necessary for true sales and business success?

There's one true path to success in sales and business and pretty much anything else for that matter and it starts with paying your dues. It's putting in the time, effort and energy necessary to learn your trade and then it's going out and getting beat up....a lot. As Malcom Gladwell put it "It takes 10,000 hours of deliberate practice to become world-class in any field."

The reality is: if you don't have enough prospects in your pipeline, you're going to have to figure out how to get some and the simplest way is going to be the hard work of either picking up the phone or knocking on doors and introducing yourself to strangers.

Referrals are great, marketing is fantastic, centers of influence are awesome and yet, the reality is, very few salespeople or businesses, especially starting out, can rely on those sources to bring in the number of prospects necessary for sales and business success. That said, if you still think there's a way to cheat the system, here are some thoughts to consider....

Thought # 1: Tom Brady still puts in 84 hours a week, seven months of the year:

Yes, one of the oldest players in professional football, with five Super Bowl rings, still puts in 84 hours a week during the pre-season, regular season and post season. LeBron James once said that if you show up only an hour early for practice, you simply aren't serious. Michael Phelps was doing two to three times the average swimmers workout putting in 8 hours a day in the pool.

"Rudy" Ruettiger said, "People aren't afraid of hard work, they're afraid of the hard work not paying off." You will be successful if you do the work on yourself and on your business. The hard work will pay off, but probably not tomorrow, next week, next month, maybe not even next year, or in five years, but if you hang in long enough, you'll win. The only way you fail is if you quit before you succeed.

Thought # 2: The best take few days off:

I once heard Jack Nicklaus tell a story related to this. When he was 18, he was playing a round of golf in the pouring rain. He was the only one on the course. When he came off the eighteenth green, he noticed someone hitting balls on the practice range. He walked into the clubhouse and asked the man behind the counter who the guy on the practice range was.... Arnold Palmer. And the rest, as they say, is history.

While you need to rest and take breaks, the best of the best don't take a lot of time off. That's probably because they love what they do, or at least the results, so to them it isn't really work. Think about something you absolutely love to do. A sport, a hobby or watching the latest movies. Whatever it is, you probably put tons of time into it and time flies when you're doing it.

It's not work, it's fun. And you'd probably do it every day if you could. If you don't love what you do, what can you fall in love with about it? The future it provides for you and your loved ones? The professional and personal development? Giving you the means to live up to your obligations?

Thought # 3: The 10X Rule:

In his best-selling book the 10X Rule, Grant Cardone says that most endeavors in life take about 10 times as much time, effort and energy than you initially think they will take. If you think it will take 100 calls to achieve your goal, it will probably take more like 1,000. With that in mind, if you think it will take 100, prepare to make 1,000. If 1,000 prepare for 10,000.



If it ends up taking less than that, great, but either way, you want to go above and beyond and put in more effort, not just the minimum. The more you do, the more you can do. It's how the rich get richer and the best get better. You prepare to run a 26.2 mile marathon by running thousands of miles. If you expect to lift 50 pounds, prepare for 100, or 150, or more.

Thought # 4: The way to Heaven is through Hell:

While that may sound harsh on the surface, the hell you go through, the pain and discomfort of mental and physical transformation and the person you ultimately become, will be well worth it. The person that survived the gauntlet of growth will carry you the rest of your life. That person will be able to handle any challenge, overcome any obstacle and endure any hardship.

It's not the goal, it's the person you must become to achieve it. It is true that what doesn't kill us makes us stronger and it also makes you wiser, better, more resilient and determined. Why are 80 % of lottery winners financially worse off two years after they win the lottery? Because they got the prize without any work. They didn't become more of a person to get the money. They didn't change or grow.

As Les Brown said, "Once you begin to discover who you are, then you realize how you have been given authority over your life. But you can only do that through the struggle of life... Most people go through life avoiding pain. When you're working on a dream, at some point in time a transition takes place, you start challenging yourself to dig a little deeper."

"Something in you that you never activated, is lying dormant in there. Don't try taking short cuts, do what you know is right."

If you want to be mediocre, you can skate by half-assing it and you might be "okay." On the other hand, if you want significance and you want to make a contribution to the people in your life and the world, stop looking for the shortcut, the free lunch and work for it. Take the proven path.

Working smart is one thing, working to cheat the system, to avoid the hard work necessary for personal and business growth and success is quite another.

Source: John Chapin a motivational sales speaker and trainer; www.completeselling.com

It's not just Amazon's Fault - The Decline in Retail Sales



Retail stocks have been annihilated recently, despite the economy eking out growth. The fundamentals of the retail business look horrible. Sales are stagnating and profitability is getting worse with every passing quarter.

Jeff Bezos and Amazon get most of the blame, but this blame is misplaced. Today, online sales represent only 8.5 % of total retail sales. Amazon at \$80 billion dollars in sales, accounts only for 1.5 % of total U.S. sales, which at the end of 2016 was around \$5.5 trillion dollars.

Though it is human nature to look for the simplest explanation, in truth, the confluence of a half-dozen unrelated developments are responsible for weak retail sales. Our consumption needs and preferences have changed significantly.

Our phone bill per household has more than doubled over the last decade. Verizon's wireless revenue in 2006 was \$38 billion dollars. Fast-forward 10 years and it is \$89 billion dollars. With Verizon's market share at 30 %, total spending on wireless services is close to \$150 billion.

Between mobile phones and phone services, that amounts to \$340 billion dollars that will not be spent on t-shirts and shoes.

The combination of health-care inflation and the proliferation of high-deductible plans has increased consumer direct health-care costs and further chipped away at our discretionary spending. Then there are soft, hard-to-quantify factors.

Millennials and millennial-want-to-be generations don't really care about clothes as much as we may have 10 years ago. After all, our high-tech billionaires wear hoodies and flip-flops to work. Lack of fashion sense did not hinder their success, so why should the rest of us care about a dress code?

In the 90's casual Friday's were a big deal - yippee, we could wear jeans to work! Fast-forward 20 years and every day is casual. Suits? They are worn to job interviews or to impress their old-fashioned clients. Consumer habits have slowly changed and we now put less value on clothes and more value on having the latest iThing.

All of this brings us to a hard and sad reality. The U.S. is over-retailed. We simply have too many stores. Americans have four or five times more square footage per capita than other developed countries. This bloated square footage was created for a different consumer, who in the 90's and 00's was borrowing money against their house and spending it at their local shopping mall.

Today's post-Great Recession consumer is deleveraging, paying off her debt, spending money on new necessities like mobile phones and paying more for old ones such as health care. Yes, Amazon and online sales do matter. Ten years ago only 2.5 % of retail sales took place online and today that number is 8.5 %, nearly a \$300 billion change.

The bottom line is: Consumers' habits have changed, the U.S. is over-retailed and consumer spending is being diverted to different parts of the economy.

Warren Buffet has said that you want to own a business that can be run by an idiot, because one day it will be. A successful retail business in today's world cannot be run by an idiot. It requires Bezos-like qualities: being totally consumer-focused, taking risks and thinking long term.

Source: Vitaliy Katsenelson at contrianedge.com

Paid Family Leave Update: 2019 Rate and Maximum Contribution

On August 31st, New York's Department of Financial Services (DFS) published the New York Paid Family Leave (PFL) rate for the 2019 calendar year.

To predict the Family Leave Benefits claims for 2019, DFS considered all relevant factors, including but not limited to:

- Six months of paid claims experience data with runout through June 30, 2018
- Average claim frequency
- Average claim duration
- Average weekly benefit
- Average payroll of population making payroll contributions
- Anticipated shift of claims from disability benefits to Paid Family Leave benefits
- Coverage for children born in a 12 month period prior to the submission of a claim, including children born in 2018
- Calculation of aggregate claims costs for newborn, adoptive and foster care bonding, family care and military leave
- Allocation for administrative expenses, profit and loss ratio

Accordingly, the premium rate for Family Leave Benefits for coverage beginning January 1, 2019 shall reflect the increase in benefits in 2019, determined as 0.153 % of an employee's gross wages each pay period up to and not to exceed an annual maximum employee contribution of \$107.97.

If an employee's contributions reach the annual maximum employee contribution of \$107.97 before the end of the calendar year, the employee shall not be liable for any additional contributions for that year. Employers shall collect employee contributions consistent with the new rate.

In the first year of New York Paid Family Leave (2018), eligible employees receive 50 % of their average weekly wage up to 50% of the statewide average for up to 8 weeks of leave.

In the second year of the program (2019), the maximum benefit will be 55 % of the employee's average weekly wage, up to 55 % of the statewide weekly wage for up to 10 weeks of leave.

New York States' Average Weekly Wage of \$70,569.72 per year, translates to a statewide average of \$1357.11 per week.

- Employers that provide DBL, must also provide PFL
- All employees covered under a DBL policy, will also be covered under PFL
- Employees need to give 30 days' written notice for a foreseeable leave
- Withholding employee payroll deductions for PFL is optional

NY Bill Mandates 3 months paid bereavement leave, even when Grandparents Die

New York lawmakers have approved bill "S8380A", that would give employees in the Empire State three months paid bereavement leave to mourn the loss of a loved one- in turn spurring concerns among business owners that the policy could create a staffing crisis.

The expansive bill would cover the death of a spouse, domestic partner, child, parent, in-law grandparent or grandchild. It was passed by the state Senate and Assembly at the end of the legislative session in June and it now awaits the signature of Democratic Governor Andrew Cuomo.

The state's current Paid Family Leave law gives employees paid time off to bond with a new child or care for a sick relative. But the new legislation significantly expands leave policies, allowing grieving employees to collect 50 to 67 percent of the average weekly wage for up to 12 weeks.

"I've experienced the pain of losing a child. The grief can be unpredictable and overwhelming," Richard Funke, a Republican state Senator representing parts of Monroe and Ontario counties, said in a statement. "No employee should have to fear losing their job in order to take the time they need to mourn."

Funke and the bills co-sponsor, Assembly Majority Leader Joseph Morelle, a Democrat from Rochester, have both lost adult children.

Business owners and groups representing their interests, though, contend that the change would put an unnecessary strain on their companies.

"For a small business, I don't know how anybody could survive with anything like that, Tom Grech, president of the Queens Chamber of Commerce, told the New York Post." "At the end of the day, New York City and New York State are among the most expensive places to do business in the country. This just puts another burden on small businesses."

The Business Council of New York State also opposes the paid bereavement bill. "Who this really affects are the small employers who are being hit with another burden that's difficult to manage," group spokesman Zach Hutchins told the newspaper.

Governor Cuomo supported the Paid Family Leave policy that starting this year gives paid time off to new parents, people caring for a loved one with a serious health condition and those facing family pressures when a loved one is called to active military service abroad. A spokeswoman for Cuomo, Dani Lever, said they plan to review the bereavement leave bill.

If passed, the bill would become effective in the year 2020.

Source: www.foxnews.com/politics

Aptiv will deploy 30 self-driving BMW's In Las Vegas via Lyft

We took a spin in Aptiv's autonomous BMW at this year's Consumer Electronics Show (CES) and it was boring --- in a good way. Evidently, the Delphi spinoff is so confident in its technology, that it's ready to deploy it on a wider scale.

Aptiv announced in May that it will launch a fleet of 30 self-driving BMWs in Las Vegas. The vehicles will be available for use on the Lyft network. It's no different than selecting a normal ride via Lyft's app, although it is opt-in, so tech-adverse folks won't be forced to use one.

As with the CES demonstration, it appears the vehicles will be limited to select areas – as Aptiv calls them, "high-demand locations." If the vehicles are largely unchanged from CES, expect a fleet of BMW 5 Series vehicles with bright orange wheels.

Inside, the infotainment screen has been altered to show a bit of what the vehicle's sensors "see" on the road ahead. A tablet in the backseat allows riders to see how much of the route is left to travel. A safety driver will sit in the driver's seat in case human control is required.

While it will give normal folks the chance to experience autonomy in its fledging stages, Aptiv gets something out of it too. "The massive amounts of data they will gather on how these cars react to countless, unpredictable scenarios – all with operators ready to take over if needed – is invaluable and will help us to improve our systems across the board," said Glen De Vos, Aptiv's CTO, in a blog post.

Aptiv first gave out demonstration rides of this technology at CES. Over the course of 400-plus rides, the service picked up an average customer rating of 4.99 stars out of 5. Vegas residents and tourists alike will be able to hail one of Aptiv's cars starting on May 3.

The self-driving rides work exactly like standard Lyft rides: If a passenger is in range when a vehicle is available, they request and pay via the Lyft app.

"Lyft is the largest network currently deploying a commercial autonomous program to the public," said Raj Kapoor, Lyft's chief strategy officer. "We're committed to redefining our cities around people instead of cars and our partnership with Aptiv is helping make this a reality."

"Hitting 5,000 consumer rides is a major milestone, not just for Aptiv and Lyft, but for the entire mobility space," said Glen De Vos, CTO and president of Aptiv's Mobility and Services group.

"This is a first-of-its-kind commercial self-driving program and we are proud to be offering autonomous vehicles for public use. We continue to see exponential growth in passenger rides, with nearly perfect user ratings."

"Our partnership demonstrates the viability of our commercial self-driving product, creates better efficiency for transport network providers and offers consumers safer and more accessible transport."

Source: Intelligent Transport and Roadshow

Henry H. Hill Company of Olean, NY marks 100 years in Business

In 1918, Henry Hixon Hill opened his Henry H. Hill Company out of his house on Main Street in Olean. His main focus was on repairing magnetos used for the primary ignition system in the oil well industry.

During the 1920's and 30's, he repaired generators and starters and built cold-storage batteries. The company was incorporated in 1929. In the 1930's, Justus Derx took ownership of the company from Hill's widow, Helen Hill.

In later years, when aftermarket auto parts became available, Henry H. Hill Inc. became a distributor. Throughout the years, three generations of the Derx family have been key members of this business.

In 1972, Justus passed away and his two sons, Donald and John took ownership and they also moved to their current location at 1208 West State Street in Olean.

In 1977, Donald's son Tom joined him and they added a hydraulic and industrial hose shop.

In the 1980's, Donald took primary ownership of the company and he and his son Tom put in a complete machine shop, where they continue to do electrical repair.

In 2000, they purchased Olean Sales Company and now 100 years later, the company today is the largest Axalta paint distributor and hydraulic industrial hose shop in the Southern Tier.

For over four decades, Mr. Derx has also served as a Director, Vice-President and President of the New York State Automotive Aftermarket Association. On behalf of the members, directors, officers and staff of NYSAAA, we want to congratulate Donald, Tom and the Derx family on reaching this historic milestone.



It Pays to Belong to NYSAAA

The Benefits of Membership and programs offered from the New York State Automotive Aftermarket Association helps its members to be the most efficient and well informed automotive parts retailers and wholesalers in the industry.

BENEFITS OF MEMBERSHIP

- Business Forms – Invoices, Purchase Orders, Repair Orders, Return Goods Memos, Sales Tickets and Shop Orders
- Business Insurance – Auto, Business Owners Package, Umbrella
- Calendars and Desk Pads
- Computer Forms – Continuous Feed Invoices and Statements
- Credit Card Processing
- Cylinder Head, Engine and Parts Bags
- Envelopes – Legal & Statement Window
- Federal Wage and Labor Law Posters
- Government Relations – State & National Level
- Group Term Life Insurance
- Health Insurance and Medicare Supplement
- Napa 2-up Laser Invoices with 24 lb. paper and Blue Shading
- Napa Cash Receipts Thermal Rolls
- Napa Laser Statements with 24 lb. paper and perforation
- New York State Disability Insurance
- New York State Paid Family Leave
- OEM Toner Cartridges and Drums
- Payroll Services
- Quarterly Newsletters
- Refurbished Toner Cartridges
- Scholarship Program
- Sealing Tape & Stretch Wrap
- Staples Advantage Program
- State Wage and Labor Law Posters
- Stickers – Core, Defective, New, Special Order & Valuable Core
- Worker's Compensation Insurance

