

# Dealer Advisory

May 13, 2020



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**Today's advisory simply provides a quick overview of some updated information that has been released over the past few days.**

### ***Coming tomorrow...***

At the request of dealers, DADA and MADA are working on a "reopening" advisory for tomorrow. This will provide links and resources to help guide dealers as they are developing their individual plans to reopen showrooms (when the governor allows). We will also plan to share a template that dealers may use to develop their own preparedness and response plan, which the governor has required for businesses, operations, and government agencies that remain open for in-person work.

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## **Reminder: Conference Call with Senate Majority Leader Mike Shirkey**

*Thursday, May 14 at 11:00 am*

DADA and MADA dealers are invited to participate in a third conference call with our state's legislative leadership. Senate Majority Leader Mike Shirkey (R-16, Clarklake) will join us this Thursday for a conference call to discuss Michigan's COVID-19 response and can also explain the current court case filed against the governor.

Please email Debbie Stapleton-Korn ([dkorn@michiganada.org](mailto:dkorn@michiganada.org)) to request the call-in information.

## **News from NADA**

### **DOL Provides Guidance on Unemployment Compensation Program**



**May 12 --** The Department of Labor provided additional guidance on the [Federal Pandemic Unemployment Compensation Program](#) (FPUC). The program provides an additional \$600/week to unemployment insurance recipients. The guidance gives administrative help to states and provides answers about the FPUC.

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### **More Information on the SBA "Safe Harbor"**

- **Question #46: How will SBA review borrowers' required good-faith certification concerning the necessity of their loan request?**

**May 13 --** The newest update to the [PPP loans FAQ document](#) (see #46) removes the 5/14 deadline for the so-called repayment "safe harbor" and instead sets a real categorical safe harbor for borrowers with loans under \$2 million (vast majority of dealership borrowers) -- without respect to what type of business concern entity the borrower is.

Borrowers with loans above \$2 million are subject to audit, and may have to repay the loan and forgo forgiveness if and when certain determinations are made by SBA and the borrower is notified of such.

*NADA will be further reviewing this new guidance, which was just released today, and will provide updated information to dealers shortly.*

## OSHA's 10-Steps Poster Now in 13 Languages

Dealers can help keep employees safe by downloading and displaying the Occupational Safety and Health Administration's poster [Ten Steps All Workplaces Can Take to Reduce Risk of Exposure to Coronavirus](#), now available in [13 languages](#).

## Updates from Fisher Phillips

Fisher Phillips has added and updated information and resources for employers. Please see the following updates.

### [5 Things to Consider When Maintaining Telework During COVID-19 And Beyond](#)

If your company has rushed to implement a temporary remote work practice to accommodate the sudden need for social distancing, or if you have seen the benefits of telework and now choose to maintain what was initially intended as a temporary remote work plan, this article will provide you guidance on the long-term maintenance of remote work plans.

### [Post-Pandemic Back-To-Business FAQs For Employers](#) -- Newer questions include:

- For a workers' compensation claim, who has the burden of proving whether the employee was exposed to COVID-19 in the workplace or not?
- After shelter-in-place orders are lifted, how should we decide when to reopen?
- Can we ban employees with an underlying condition from coming to work due to their enhanced vulnerability to COVID-19? PLUS other "fitness for duty" issues to consider

### [Social Distancing Screening Questionnaire](#)

### [What you Should Know about the Coronavirus and your Employment](#)

## Other Professional Resources for Employers

### UHY LLP Article -- [Audit Proof Your PPP Loan Monies](#)

How can businesses audit proof their PPP monies and maximize the loan forgiveness? We believe you can take a few very prudent steps, which don't unnecessarily add to your administrative burden, to ensure that you aren't stuck at the end with repaying a loan that you thought would be forgivable.

### Fenner, Melstrom & Dooling, PLC Article -- [Business Charitable Contribution Rules Have Changed Under The CARES Act](#)

In light of the novel coronavirus (COVID-19) pandemic, many businesses are interested in donating to charity. In order to incentivize charitable giving, the Coronavirus Aid, Relief and Economic Security (CARES) Act made some liberalizations to the rules governing charitable deductions.

### Plante Moran -- Upcoming Webinars:

#### [Paycheck Protection Program: Strategies for forgiveness](#)

The Paycheck Protection Program (PPP) is giving loans to small businesses and organizations, but without much guidance. Join our webinar to gain clarity on the rules for loan forgiveness. (Friday, May 15, 2020; 11 a.m. - 12 p.m.)

#### [CARES Act update: Maximizing the employee retention credit](#)

The employee retention credit, created as part of the CARES Act in response to the COVID-19 pandemic, has raised many questions. During this webinar, our experts will address the most significant aspects of the credit. (Wednesday, May 20, 2020; 2-3 p.m.)

#### [IT & cybersecurity after COVID-19: Planning for the "Great Restart"](#)

Join us for a short webinar focused on ramping up your cybersecurity and IT operations after a

slowdown or full shutdown. (Thursday, May 21, 2020; 10-10:45 a.m.)

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Please feel free to contact DADA at (248) 643-0250 or MADA at (800) 292-1923 if you have any questions.

*This advisory has been prepared in conjunction with  
Colombo & Colombo, P.C., and Abbott Nicholson, P.C.*

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**Michigan Automobile Dealers Association**

1500 Kendale Boulevard, P.O. Box 2525  
East Lansing, MI 48826-2525  
[www.michiganada.org](http://www.michiganada.org)  
Phone (517) 351-7800  
Fax (517) 351-3120

**Detroit Auto Dealers Association**

1900 West Big Beaver  
Troy, MI 48084-3537  
[www.dada.org](http://www.dada.org)  
Phone (248) 643-0250  
Fax (248) 643-8788