



THE WANADA BULLETIN

NEWS AND INFORMATION FOR AND ABOUT FRANCHISED NEW CAR DEALERS IN THE WASHINGTON AREA

WANADA Bulletin # 09-22

May 11, 2022

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Maryland Passes Mandatory Paid Leave Law

On April 9, 2022, the Maryland General Assembly overrode Governor Larry Hogan's veto of the Time to Care Act of 2022 to establish a mandatory paid leave program. This program will provide for up to 12 weeks of paid leave for all employees in the State who meet minimum eligibility criteria. Such benefits will be provided either through a State-based program known as the Family and Medical Leave Insurance (FAMLI) Program or by private employers who elect to opt out of the FAMLI Program and instead pay such benefits either directly or through an insurance policy.

It will take several years to implement these new leave rules. Outlined below is the key information we know now about how this program will work.

Program Basics:

- Any employer employing one or more employees in Maryland will be impacted.
- Benefits must be made available to all "covered employees" in Maryland.
- A "covered employee" is any individual who worked at least 680 hours in the 12 months immediately before the date leave begins.
- Both employees and any employer with 15 or more employees must contribute towards the program's cost.
- Private employers may opt out of the FAMLI Program. However, if they do so, they must offer an alternative that meets the rights, protections, and benefits provided through the FAMLI Program. Any such private plan must be filed and approved by the Maryland Department of Labor.
- Employers will be required to provide notice to employees about these new rules. The State will provide model notices.
- Self-employed individuals may opt-in to the FAMLI Program for an initial term of three years. After that, they can decide each year if they wish to participate.

Benefits are available for up to 12 weeks per year for covered employees taking leave to:

- o Care for a newborn child or a child newly placed for adoption, foster care, or kinship care with the individual during the first year after the birth, adoption, or placement;
 - o Care for a family member with a serious health condition;
 - o Attend to a health condition that results in the individual being unable to perform functions of their job;
 - o Care for a next-of-kin service member; or
 - o Attend to a qualifying event arising out of a family member's deployment.
- The definition of "family member" for this purpose is quite broad, including, for example, legal guardians, grandparents, stepfamily members, and foster family members.
 - Leave may be taken on an intermittent basis.
 - The weekly benefit is based on a covered employee's average weekly salary and can range from \$50 to \$1,000.
 - Within this range, the required benefit is calculated using a benchmark equal to 65% of the State average weekly wage. The benefit is calculated as follows:

For employees making the State benchmark or less:	90% of average weekly wage
For employees making more than the State benchmark:	90% of average weekly wage up to the State benchmark PLUS 50% of remaining average weekly wages

- Coverage runs concurrently with FMLA job-protected leave, if applicable.
- The same benefit protection that applies during FMLA applies while an employee is on FAMLI Program leave.

Implementation is anticipated to follow the schedule outlined below:

June 1, 2022	Effective date for the Time to Care Act of 2022
December 1, 2022	Deadline for the Maryland Department of Labor (MDL) to make a recommendation of rates for participation in the FAMLI Program and the appropriate cost-sharing formula for employers and employees
June 1, 2023	Maryland Secretary of Labor must set total contributions and % of the rate to be paid by employers (with > 15 employees) and employees
October 1, 2023	Contributions to the FAMLI Program begin
January 1, 2025	Benefits from the FAMLI Program begin

WANADA will continue to follow any changes or notices about this law. If you have any questions, please let us know.

MADA & WANADA Hold Advertising Seminar

WANADA was pleased to co-host an advertising regulations seminar with the Maryland Automobile Dealers Association (MADA) on May 3. The event, which was held virtually via Zoom, was attended by over 300 dealership personnel. This topic has garnered much attention in recent weeks after the attorney general's office issued several subpoenas to businesses in a wide range of industries, including car dealerships. The speakers reviewed Maryland advertising regulations, FTC regulations, and a host of other topics such as social media best practices. The materials, including a full recording of the seminar, are available for WANADA members at the following links:

[Webinar – Full Recording](#)
[Webinar - Slides](#)
[Webinar – Q&A](#)
[Maryland Advertising Guidelines](#)
[Federal Advertising Checklist](#)

If you have any additional questions on these matters or have been issued a subpoena and are unsure how to respond, please contact John O'Donnell at jod@wanada.org or 202-669-8144.



MADA President Peter Kitzmiller addresses the seminar attendees via Zoom.

WANADA Launches New Tag & Title Program

WANADA has partnered with Maria's Tag & Title to offer our members a great solution for your titling needs. Whether you are short on title agents or need assistance with out-of-state transactions, Maria's is here to help. They can process title transactions for DC, Maryland, Virginia, Pennsylvania, Delaware, West Virginia, North Carolina and soon will add New York to the list. Dealers can outsource as much or as little as they like. After enrolling, WANADA members will pay \$75/transaction, which is a significant savings from other third-party vendors.

To enroll your dealership, email mariastagntitle@gmail.com and copy Joe Koch (jk@wanada.org) to enroll. You can also peruse their document library at <https://www.mariastagntitle.com/wanada/>. Contact Joe Koch at 202-821-5824 or jk@wanada.org if you have any additional questions.

In Memoriam: Bret Brown

It is with sadness that WANADA reports the passing of past dealer member Bret A. Brown of the former Ralph Brown Buick in Bethesda, Md. He died May 1 at his home in Bethesda, succumbing to terminal cancer. He was 73.

A native Washingtonian, Bret joined his Dad, Ralph, in the family business, Ralph Brown Buick, after he completed BA and MA degrees from The American University in DC. When his Dad stepped out of the business in 1979, Bret stepped up to run the store, which he did until the mid-1980s, during which time he paired Buick with a Peugeot franchise.

Bret left the car business, closing Ralph Brown Buick/Peugeot in 1985, and became a residential real estate agent, first with WC & AN Miller Realtors, and subsequently with McEneaney Associates in DC where he was affiliated at the time of his death. Bret was a longtime member of Congressional Country Club in Potomac, Md.

In addition to two sisters, he leaves his wife, Betty, and daughter, Sarah.

The family will be receiving friends and well-wishers from 10:00-11:00am, Saturday, May 21, 2022, at Church of the Little Flower, 5607 Massachusetts Avenue, Bethesda, Md., (301) 320-4538. Immediately following the visitation a funeral Mass of Christian Burial will be offered at 11:00 am in the church. Memorial contributions can be made to Catholic Charities DC, 924 G St., NW, Washington, DC 20001. Online giving is available at www.catholiccharitiesdc.org/donate.

To Bret's family and many friends, WANADA extends its sincere and heartfelt sympathy.

The 2022 WANADA Open Is Right Around the Corner!

The WANADA Open will be returning to Trump National Golf Club in Sterling, VA on **June 6, 2022** after an imminently successful outing in 2021. If you are a dealer member and are interested in playing, please email Kathy Teich at kt@wanada.org. Kindred line members interested in sponsorships can email Bob Storin at rs@wanada.org.



The WANADA Bulletin is Sponsored by the Following Kindred-Line Members:

