



April 3, 2020

In this Friday message from your team at VADA, read the latest about the Coronavirus Aid, Relief, and Economic Security (CARES) Act—some may submit Paycheck Protection Program (PPP) loans *today*. Also, learn about SESCO's upcoming webinar and other materials concerning the Families First Coronavirus Response Act (FFCRA). Read NADA's recognition of a VADA member for their community service amidst this pandemic, and take a look at how Virginia's Executive Orders stack up against those throughout the country.

### CARES Act

- Today is the first day small and mid-sized businesses can submit applications for PPP loans made available by the CARES Act. For information about the program, see [SBA's PPP webpage](#).
- **The SBA updated the borrower application for PPP loans.** View the [updated borrower application](#).
- **Can your bank help you?** Only certain lenders have been approved by the U.S. Small Business Administration (SBA) to help facilitate PPP loans. We anticipate the list of approved banks will grow. Check out the current list of [SBA approved banks in Virginia](#) as of Thursday, April 2. You may also find eligible lenders in real time using [this tool](#) on the SBA website.
- Last night, the SBA issued an [Interim Final Rule](#) for the PPP. In light of this, and in waiting for even further guidance from federal regulatory authorities, several approved lenders have chosen to wait until Monday, April 6 to assist loan applicants. We hope to have that guidance very soon. Note too that some banks have had their websites crash due to significantly increased activity.
- Review [NADA's new FAQs document \(updated today\)](#), explaining the CARES Act relative to your business.
- **Does your business have 500 or more employees?** An increasing number of manufacturers have applied for Franchise Identifier Codes with the SBA, paving the way for franchisees to access PPP loans. [View the list of OEMs with Codes and the list of OEMs with applications pending](#) as of this morning.
- If your organization has 500 or more employees, **please read this [VADA message, addressing manufacturer amendments to your DSSA](#)**. You may have received communications from your manufacturer with a request that you sign an amendment to your DSSA. Such communications are likely to allow dealers to take full advantage of the opportunities under the CARES Act. Any amendment or addendum to a DSSA will still be subject to Virginia law and construed in an administrative or judicial proceeding under the Virginia Code. In short, Virginia law takes priority!
- Lastly, [The Small Business Owner's Guide to the CARES Act](#) from the U.S. Senate Committee on Small Business and Entrepreneurship is another resource to help you understand the new law. We thank Virginia Congressman Rob Wittman for providing us this material.

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### FFCRA

- **SESCO to conduct FFCRA Client Update Wednesday, April 8 at 11 AM EDT.**
  - SESCO has been a valuable partner in helping us provide guidance and materials for your consideration. For instance, SESCO today provides this [Staff Recommendation](#) after the U.S. Department of Labor (DOL) released FFCRA documentation and recordkeeping regulations.

Continuing its good work, SESCO will present a YouTube live stream update on the DOL's latest rulemaking on the FFCRA. The company will discuss "employers' obligations for paid leave under FFCRA and share best practices for managing employees during the COVID-19 pandemic."

We encourage VADA members to watch SESCO's presentation. [Click here](#) for the live stream on Wednesday and [here](#) for our mention of the new DOL Temporary Rule in yesterday's memo.

- **Be sure to “post” the FFCRA [Employee Rights Poster](#).** The FFCRA is in effect. As a reminder, it is important you “post” the Employee Rights Poster made available by the U.S. Department of Labor (DOL). You may supply this notice via email or postage to your website. The poster provides important information for your employees about the employee paid sick leave and expanded family medical leave provisions of the FFCRA. For more information, please consider:
  - [DOL FFCRA Questions and Answers](#) and other material on the [DOL website](#).
  - [VADA Adaptation of DOL Q&As](#), consisting only of those Q&As most pertinent to you
  - [Frequently Asked Questions](#) and [other helpful insight](#) from SESCO
  - [NADA Frequently Asked Questions](#)

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### **NADA article features Umansky Auto Group.**

Yesterday, NADA posted a [blog article](#) about how dealers nationwide are helping their communities amidst this global pandemic. As NADA Digital Director Abram Olmstead writes, “Even as they are operating in a challenging environment where customers and employees are staying home and the rules of operation change every day, auto dealers across the country are pitching in and doing their best to help their communities weather the pandemic.”

Notably, the article features how Umansky Auto Group is assisting Virginia restaurants during this time. In response to the pandemic's effects on Charlottesville restaurants, “the Umansky Auto Group is donating \$250 for each car sold to a customer's favorite restaurant.” See the [NADA article](#) and coverage from [Charlottesville's CBS 19 News](#) for more on the story.

We applaud the team at Umansky! Helping communities through good times and bad is what Virginia's franchised auto dealers are about. If you have good news to share, please email VADA's Tommy Lukish at [tlukish@vada.com](mailto:tlukish@vada.com) and our communications partners, Kelley Communications, at [jeff@kellyus.com](mailto:jeff@kellyus.com). We'll take your stores and, without identifying stores or people, share your anecdotes with the rest of our members and friends.

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### **How do Virginia's Executive Orders compare to those around the country?**

Each day, NADA sends to automotive trade association executives a list of Executive Orders in place around the country. You know about Executive Orders [53](#) and [55](#), as well as VADA's [related analysis](#). Fortunately, with important stipulations, the Commonwealth's franchised auto dealerships remain open for business. [Click here](#) to see how the Virginia directives stack up with those in other states across the nation. (*Document last updated April 2, 2020.*)

To extent possible, I hope you find some time to relax this weekend. Even a momentary and reflective walk outside can be helpful for the mind and body, as we all work through this global crisis.

I congratulate each of you on your leadership. This is certainly a moment in which Virginia's franchised auto dealers can shine for the betterment of all.

Remember, we are here to help you. If there is anything you need, please let us know. More than ever, it is a pleasure to serve the new car and truck dealers of Virginia.

Sincerely,



Donald L. Hall  
President and CEO