



# CONNECTICUT AUTOMOTIVE RETAILERS ASSOCIATION

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### HAPPY NEW YEAR!

*The CAR Association Directors and Staff extend their warmest wishes for a health-filled and prosperous 2010 to you, your family and employees. It has been a privilege and a pleasure to work for you during the past year and we look forward to working together in the years to come.*

*Thank you for your membership, goodwill and commitment to the CAR Association. May the good cheer of the holiday season be yours throughout the new year!*

## ENCLOSURES:

1. 2010 Vacation Calendar

## ROUTE:

GENERAL MANAGER _____	SALES MANAGER _____
BUSINESS MANAGER _____	NEW CAR MANAGER _____
SERVICE MANAGER _____	USED CAR MANAGER _____
F & I MANAGER _____	PARTS MANAGER _____
TITLE CLERK _____	OTHER _____

**1.  
EFFECTIVE  
JANUARY 1, 2010**

**2010 Minimum Wage**

Connecticut's Minimum Wage increases to \$8.25 per hour on January 1, 2010.

**2009 Social Security and Medicare Taxes**

The Social Security wage base remains \$106,800 for 2010. There is no wage base for Medicare tax. The tax rate remains at 6.2% for Social Security and 1.45% for Medicare tax.

**2009 Unemployment Taxes**

The Federal Unemployment Tax (FUTA) taxable wage base remains at \$7,000 for 2010.

The Connecticut Unemployment Tax taxable wage base remains at \$15,000 for 2010.

**2009 Mileage Rates**

The 2010 standard mileage rates for the use of a car (including vans, pickups or panel trucks) is reduced to 50 cents per mile for all business miles driven.

**2.  
DMV ISSUES -  
OBTAINING  
DUPLICATE TITLES**

Over the past several months the CAR Association has been inundated with calls from dealers regarding their inability to obtain duplicate titles over the counter at several branches. The Norwalk Branch no longer allows you to use the express line for these transactions but there has been no policy change and dealers are still allowed to obtain duplicate titles at the branches.

Please adhere to the following procedures as contained in the *Dealer Processing Manual*.

All licensed dealers are authorized to obtain a duplicate title over the counter at local branch office. Listed below are the correct procedures to follow:

1. Only an automated (must indicate a title number of 20 million or above) title system record duplicate title can be issued over the counter to a Connecticut licensed dealer.
2. Only the owner, lienholder, or Connecticut licensed dealer identified in Section Two of the application will be permitted to pick up the duplicate title.
3. The Connecticut Dealer must present the following when applying for a duplicate title over the counter:

**DUPLICATE TITLES  
CONTINUED . . .**

- a. Application for Duplicate Title (H6-B)
- b. An invoice indicating that the dealership either took the vehicle in trade or purchased it from the title owner
- c. Dealer Supplemental ID Card
- d. Lien release (if applicable, if there is a lien on the vehicle a release of lien must accompany the application for the duplicate)

**NOTE:** The Application for Duplicate Title (H6-B) must be completed in detail. This includes the odometer disclosure section of the H6-B form as well as all applicable signatures, notarized and printed names. The reason the duplicate title is being applied for must also be indicated (lost, stolen, destroyed, and mutilated).

- 4. Duplicate titles that are branded SALVAGED or FLOOD will only be given to the titled owner.

*We thank DMV for working with us to fix this and other issues. Should you have any problems obtaining a duplicate title or if you have any questions concerning dealer processing, registration, or title procedures please contact the Dealer Processing Unit at 860-263-5155.*

**3.  
DMV DEALER UNIT  
HAS NEW HOURS**

The Dealer Processing Unit is no longer available Thursday evenings or Saturday mornings. Their new hours are Monday through Friday from 8:00 AM until 4:30 PM.

The Dealer Unit Telephone number is (860) 263-5155

**4.  
EEOC'S "EEO IS LAW"  
POSTER REVISED TO  
INCLUDE GINA  
INFORMATION**

As of November 21, 2009, covered employers are required to post information based on genetic information in the Genetic Information Nondiscrimination Act of 2008 (GINA). GINA prohibits employers from discriminating against applicants and employees based on genetic information. The law also restricts employers' acquisition and disclosure of genetic information. The employment provision of GINA apply to private, state and local government employers with 15 or more employees, employment agencies, labor unions and joint labor-management training programs. They also cover Congress and federal executive branch agencies.

The Equal Employment Opportunity Commission (EEOC) approved a proposed final rule implementing the employment nondiscrimination provisions and has revised its "Equal Employment Opportunity is the Law" poster. The revised poster also includes updates from the Department of Labor. Employers may comply with posting requirements as follows:

**EEOC CONTINUED . . .**

Print the EEOC's "EEO is the Law" poster supplement and post it alongside your CAR 8-in-1 Employment Poster. Download the supplement free of charge at [www1.eeoc.gov/employers/poster.cfm](http://www1.eeoc.gov/employers/poster.cfm)

Please note that if you receive solicitations from companies offering to sell you the revised EEO poster or a combination poster, it is not necessary to purchase the poster. EEOC makes all required postings available via its website free of charge.

**5.  
DEALER OUT \$455,000  
TO SETTLE  
HARASSMENT SUIT**

A dealer in Utah will pay \$455,000 to settle an EEOC suit claiming the dealership permitted the sexual harassment of five former employees and unlawfully fired one woman who complained.

Each of the women who complained will receive between \$76,125 and \$135,275, as well as a formal written apology from the dealership. EEOC claimed the women were subjected to unwelcome sexual conduct and language by male managers and sales personnel, including sexually explicit language. When one employee complained about the harassment, the dealer responded by firing her, EEOC alleged. She will receive the largest settlement.

EEOC said that though none of the alleged harassers are currently employed by the dealer, the dealership is liable under Title VII for years of condoning the alleged unlawful conduct. The dealership has been ordered to provide mandatory annual equal opportunity training in English and Spanish to its employees, and post notices in the workplace informing employees about the settlement and their rights.

The dealership is also required to revise its policy prohibiting harassment and retaliation, make the revised policy available in English and Spanish, and distribute it in writing to all employees.

Workplace harassment can cost your dealership far more than time and money, as this dealer found out. Include an effective harassment policy in your employee handbook, and make sure all employees understand it. Post the required notices (included in your CAR 8-in-1 Labor Poster) and investigate all complaints.

**6.  
YOUR QUESTIONS  
ANSWERED**

**Q: The upcoming New Year's Day holiday falls on a Friday this year, which is a paid holiday for our company. Since our regular weekly payday is Friday, can we simply issue paychecks on Thursday but date them Jan. 1, 2010?**

**A:** Connecticut's wage payment laws require employers to pay each employee weekly on a designated "regular payday," unless the Labor Department has granted approval to pay employees less frequently. Wages must be provided in the form of cash, negotiable check, or—upon an employee's written request—by direct deposit to the employee's bank account.

Where the regular payday falls on a non-work day, the law specifies that the employee is to be paid on the preceding workday, effectively shifting the payday to one day earlier for that workweek. Consequently, it would not be permissible to give employees paychecks on Thursday, Dec. 31, 2009, dated Jan. 1, 2010, since the law's intent is for employees to have access to their wages on their payday which, in this case, has shifted to Thursday.

As a practical matter, by the time a complaint for a delayed wage payment might be raised, the employee would already have received his or her wages. Nonetheless, the Labor Department does have statutory authority to impose penalties for failure to pay wages as required by state law. Enforcement and imposition of penalties is carried out through the attorney general's office. Penalties, which are linked to the amount of wages involved, can range from \$200 to \$5,000 and can also include imprisonment from 90 days to five years. Such extreme measures, however, are reserved for the most recalcitrant employers, particularly those who blatantly refuse to comply with the law and refuse to cooperate when advised of their noncompliance. Prompt, effective corrective action is worth a great deal.

One other area of difficulty related to the holiday schedule involves employee benefits, and this is often where accounting practices conflict with wage payment practices. Paying employees on 12/31/09 instead of 1/1/10 under certain accounting procedures, may result in an expense in one year rather than another, requiring reporting of certain employee benefit expenses in excess of budgeted amounts. If that is the case, it would be permissible to separate the wage payment, required to be made in this instance on Dec. 31, 2009, from the benefit payment or contribution to be made in 2010.

**7.  
SAVE THE DATE**

On January 21, 2010 The CAR Association will host a "Connecticut Advertising Rules & Regulations" Seminar at the Waterbury Courtyard from 9:00 AM to 12:00 Noon. The seminar will be presented by the Connecticut Department of Consumer Protection. Look for registration materials in your mail next week and get all your advertising questions ready!!