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Chief Car Washer's Message

Everything Begins with Gratitude

The Fall is a time we celebrate Thanksgiving in Canada, a time when we are all encouraged to take stock and give thanks for the many blessings in our lives and, for many, a good harvest. On November 11th, we also give thanks for and remember those who have served our country in the Armed Forces, and who currently serve to keep us safe in this beautiful country.



At the recent Canadian Automobile Dealers Association's (CADA) semi-annual Board Meeting in Winnipeg, outgoing Senior Past Chair, Steve Chipman (Birchwood Auto Group), was honoured for his dedicated service on the CADA Executive Committee and his strong community involvement in his home province of Manitoba. Steve began his remarks that evening by stating, "Everything begins with gratitude." He proceeded to thank everyone for their support and kindness over his time with CADA.

I witnessed similar remarks at the recent David Foster Foundation's 30th Anniversary Gala in Vancouver where our own Jim Pattison was honoured with a very special Humanitarian Award, presented to him by his pal, Oprah Winfrey. In his remarks, Jim, like Steve, thanked everyone else for the work they do.

In this issue's message, I wanted to share some major gratitude with our Dealer Members, our Associate Members, the Directors of our two Boards (the Association and Foundation), our dedicated staff for the incredible work they do everyday and the many new members who've joined our Association this year. Collectively, they are building the powerful engines of our economy, creating tens of thousands of family-supporting jobs, paying billions in taxes to support important government services, all the while contributing millions of dollars to worthy causes across BC, Canada, and for some, around the world.

Business has been good in our sector for many years and we'll see another record year of vehicle sales for 2017, but the future is far from certain. The only certainty these days is everything will continue to change, and change quickly. Technology continues to change our world every second of the day, and no where is that more visible than in the automotive sector. The disruptors are everywhere. Online vehicle sales, electric vehicles, autonomous vehicles driven

by changing technology, combined with shifting customer and employee demographics, make our business more challenging by the day.

At our NCDA BC Auto Industry Conference in Whistler, we invited speakers from around North America to speak to these changes and educate dealers on how they might take advantage of the opportunities that come from these changes and challenges.

I have a message for those members who didn't attend the Conference: please don't underestimate the quality of speakers and events our team assembles for your benefit.

I don't think I've had one Conference attendee say, "Blair, that Conference was no good!" Rather, I think everyone said, "Blair, this was one of the NCDA's best Conferences yet. The speakers were terrific and I took away very helpful information."

Our job, even when times are good, is to bring you information you will need down the road when the times may not be so good. We bring you information and expertise that you will need, even if you may not realize it at the time. So, the next time we invite you to one of our events, or send you an email with updates on our activities done on your behalf, or share expert information you will need for your business, please make the investment of time to read the email, attend an event, and engage with your fellow BC New Car Dealers.

Returning to the gratitude theme, we are very grateful to the sponsors of the 2017 Conference who made this important educational and networking event possible. We couldn't do it without you. And to the Dealer and Associate members who attended, thank you for making the time to join us.

Finally, to our Board of Directors and to the Staff team at the office, lead by Lisa So, thank you for helping put on a terrific event. I am grateful to you all for your great support and the hard work you do.

Please mark your calendars now for our next Conference, the Western Dealers Conference, to be held in partnership with our provincial colleagues in Alberta and Saskatchewan at the Wynn Encore, Las Vegas, November 1-3, 2018, during the SEMA Show.

To wrap-up my message for the year end edition of SIGNALS, on behalf of our NCDA Chairman, Jim Inkster, our Foundation Chairman, John Wynia, the Board Members of the two organizations and our hardworking staff team at the NCDA office, I wish you and yours the very best for the holiday season, a Merry Christmas and a very happy, healthy and prosperous 2018.

In lieu of holiday cards, the NCDA will donate \$1,000 on behalf of our members to the BC Salvation Armv.

See you down the road and make sure you take a taxi if you are out celebrating this holiday season!

Blair Qualey - President & CEO





TO OUR NEW ASSOCIATE MEMBER

Associate Members of the New Car Dealers Association of BC provide vital products and services to Dealer Members, allowing them to do business with greater cost effectiveness, environmental responsibility, and general efficiency.



Vehicle Reconditioning Specialists | Ceramic Pro Certified Installer, Auto Detailing, Paint Correction and Protection

Ceramic Pro: Want the ultimate in protection and ease of maintenance for your vehicle? They are trained and certified by CERAMIC PRO CANADA. Paint, Wheels, Calipers, Glass, Leather or Textiles, and have a coating to protect every surface on your vehicle.

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Other Services: Paint Protection Film (Xpel Ultimate), Window Tint, Paintless Dent Repair and Wheel Repair.

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Contact: Derek Gagne | 604-802-8384 | derek@911autoworks.com www.911autoworks.com



TRADER Corporation is the leading digital player in Canadian automotive, boasting the top marketplaces autoTRADER.ca and autoHEBDO. net, which cumulatively generate 14.1 million visits each month, in addition to the popular car buyer information site Autos.ca. In British Columbia autoTRADER.ca drives approx... 1.7 Million visits monthly.

TRADER helps consumers find the cars they want – with the largest inventory of used and new cars available in Canada, and encourages better vehicle buying decisions through helpful reviews, buyer's guides, pricing tools, and more.

TRADER accelerates dealers' ability to market and manage their inventory through a powerful suite of solutions that we call the TRADER ADVANTAGE – with leading Marketplaces, Web Solutions, Web Traffic, Inventory Management solutions, and industry-leading customer service.

They've partnered with the best in the industry – vAuto, Dealer.com, and others – to ensure that every solution they offer helps consumers make better choices, and dealers outpace the competition.

Contact: Tyler Gibson

Regional Sales Manager, BC | autoTRADER.ca tyler.gibson@trader.ca | 604.836.5204 | 1.877.414.2030 www.tradercorporation.com

CarGurus

Founded in 2006 by Langley Steinert, co-founder of TripAdvisor, Car-Gurus (https://ca.cargurus.com) is a leading online automotive shopping website focused on bringing trust, transparency and efficiency to the car research and shopping experience. The site uses technology and market data analysis to help millions of automotive shoppers search for cars and quickly identify the best deals from top-rated dealers in their local area. CarGurus launched its Canadian site in 2015 and operates sites in the United Kingdom and Germany.

Some of the dealerships in BC that work with CarGurus: Signature Mazda, Westwood Honda, Olympic Auto Group, Trotman Auto Group, Haley Auto Group, and more

Contact: Lexi Lipton | CarGurus | Marketing Manager alipton@cargurus.com | (617) 315-1137



A proven and dealer-trusted company since 1979, Consolidated Dealers Co-Op Inc. has faithfully served dealer members across Eastern Canada with all their dealership needs from equipment and complete dealership layout and design to paint and body products to insurance and office supplies. As a co-operative, dealers feel positive about buying and saving from an entity that puts profits back into their own businesses so that they can continue to invest in the growth of their enterprise. On November 1, 2016, Consolidated Dealers Co-Op Inc. commenced business on a National level with its mandate to serve dealers from coast-to-coast with the same competitive prices and excellent service regardless of their location within Canada. Consolidated Dealers Co-Operative Incorporated is Canada's first National Auto Dealer buying group.

Contact: Greg Fenzl, Vice President of Sales gfenzl@consolidateddealers.com



Leading Boards provides a software management solution specifically designed for boards of directors and their committees. The board portal is an innovative secured web tool that addresses the governance challenges of board directors. It includes features to organize meetings and enhance collaboration between directors. The platform provides an electronic document management system that securely streamlines governance processes.

Contact: Lorne Goldman, Senior Account Executive Lorne.goldman@leadingboards.com | 416-949-2900 www.leadingboards.com



of Canada

The Automotive Business School of Canada (ABSC) was established in 1985 by the automotive industry to provide specialized education for future industry leaders. The School offers students an opportunity to gain industry specific knowledge and skills while completing an undergraduate business education. The ABSC offers Canada's only Bachelor of Business degree - Automotive Management as well as an Automotive Business diploma. Their programs offer multiple paid coop opportunities and the strongest industry partnerships leading to a job placement rate of over 90%.

The ABSC also offers the Automotive Dealership Management program, an executive level education program for General Managers and Dealer Principals in Canada. A part-time program designed for the Canadian marketplace to help groom your future leaders and set your dealership apart.

ARE YOU DRIVEN? To find out more about your school: AutomotiveBusinessSchool.ca or ABSC@GeorgianCollege.ca

Contact: Joe Lauzon, Marketing Officer **Automotive Business School of Canada** Joseph.Lauzon@GeorgianCollege.ca | 705.728.1968, ext. 1234





Insurance Insight Solutions, a division of Insurance Insight Inc., is a specialty insurance brokerage offering a variety of quality consumerfocused protection products and programs for automobile dealers, manufacturers and lenders - and is the exclusive distributor of WALKAWAY products in Canada. They have the expertise, systems and experience to execute and service any insurance program in the automotive industry.

WALKAWAY Finance Protection™ is at the forefront of consumer debt protection. They introduced the first ever vehicle return insurance designed to protect consumers from the unexpected. It is the first automotive debt cancellation protection effectively canceling a consumer's auto-related debt (lease or finance) when certain life events occur. It is also the first and only to cover all ages and those with pre-existing health conditions. WALKAWAY offers consumers a cost-effective way of structuring their automotive lease or finance contract so they have flexible options in a time of need.

Contact: Kurt Cassidy

Business Development Manager | Insurance Insight Solutions Registered Insurance Brokerage / Exclusive WALKAWAY Distributor c. 604-340-4441 | o. 866-603-8666

Vehicle Sales Authority of BC Update



Using MSRP in Advertising -A Caution

The first rule that applies to all advertising is, "Is it true?" If the MSRP is used to make savings claims, proof of those claims must be available. Making savings claims based on MSRP can be made only if you have sold a substantial number of units at that price. If similar units have never sold at that price, claiming that a buyer will save an amount off that price is misleading.

If you are advertising this way, the Vehicle Sales Authority (VSA) will ask for sales records to confirm a substantial number of vehicles sold at that price. These rules apply to any dealer list, regular price or ordinary price used as a benchmark price in savings claims. The VSA does not have the authority to regulate the advertising of vehicle manufacturers.

Dealers with misleading advertising will be contacted by the VSA. If the problem persists, additional compliance action will be taken. Requirements for the retention of dealer records, including advertising and marketing materials, were outlined in the August 1, 2017 Bulletin.

Price savings claims rules have their roots in the federal Competition Act. As a result, it is also included in the Business Practices and Consumer Protection Act as an example of a deceptive act. Standards set by the federal Competition Bureau say a person can make a price comparison about a product if they have either:

- sold a substantial volume of the product within a reasonable period of time before or after making the representation (volume
- offered the product for sale in good faith for a substantial period of time recently before or immediately after making the representation (time test)

The substantial volume of product requirement will be met if more than 50% of sales are at or above the reference price.

Compliance undertakings on advertising and more information on MSRP can be found at VehicleSalesAuthority.com.



NCDA Lifetime Achievement Award: Graeme Roberts

The New Car Dealers Association of BC was pleased to honour former new car dealer and current Chairman of the Motor Vehicle Sales Authority with a rare Lifetime Achievement Award at the BC Auto Industry Conference held last month in Whistler, BC.

Previous recipients of the award have been Jim Pattison, Marnie Carter and, the late Tom Harris.

Graeme's automotive history began as an apprentice mechanic in the UK followed by several years at various OEMs including Ford, GM, Renault, and Toyoytalsuzu. Graeme then shifted gears and began working in dealerships and he then stepped-up as owner of Toyota, Honda, BMW, and Mercedes dealerships in Nanaimo.

Among his private passions has been 25 years of volunteer work in amateur sport for youth, seniors, and people with disabilities through the B.C. Games Society. In this cause, he has attended close to 60 Games in more than 40 B.C. communities.

As a past board member of the New Car Dealers Association of BC, former Mayor of Nanaimo, and among the city's prominent business personalities for more than a generation, Graeme Roberts has served in senior executive and Board of Directors positions for a succession of public and private sector entities, locally, regionally, and nationally. He served seven years as Chairman of the British Columbia Public Service Commission and twenty years on the Board of Air Canada Jazz and its predecessor, Jimmy Pattison's, Air BC. He is also a founding member of the Board of Directors, B.C. Ferry Corporation. Graeme is a current member of the Board of Directors of the Victoria Airport Authority and is a Lay Bencher appointed by the Law Society of British Columbia.

Graeme and artist wife, Kathryn Amisson, reside in Brentwood Bay near Victoria.

Congratulations on your NCDA Lifetime Achievement Award, Graeme!







BC AUTO INDUSTRY CONFERENCE

OCT 15-16, 2017-WHISTLER, BC

Thank you for attending this year's BC Auto Industry Conference at the beautiful Fairmont Chateau Whistler!

Energy was electric as we kicked-off the event with a Welcome Reception held at the Squamish Lil'wat Cultural Centre on Sunday evening, where food and drink were a plenty, and golf balls were flying for the Longest Drive Competition.

Monday's speakers were engaging and provided our audience with solid information and takeaways that could be applied and practiced immediately. The group mixed and mingled with our tradeshow exhibitors during networking breaks and lunch; connections were made left, right, and centre.

We rounded-out the Conference with a moving video and presentation from an athlete from our charity of choice, Special Olympics BC (SOBC). The evening flowed into a fun and lively auction hosted by ADESA Vancouver with proceeds directly benefiting SOBC and the New Car Dealers Foundation, which helps post-secondary students with their interests in entering the automotive sector through CarCareerBC Education Grants.

Leon Chretien of Sunrise Ford Sales Ltd. in 100 Mile House took the podium to thank the NCDA community who so generously donated to the BC Wildfire Fund, and shared how much the funds assisted him and his staff during a difficult and unexpected period of time.

Lastly, we celebrated Graeme Roberts as the recipient of the Lifetime Achievement Award for his many contributions to the automotive industry, and his dedication to both the New Car Dealers Association and the Motor Vehicle Sales Authority. Graeme Roberts joined the ranks of Jim Pattison, Marnie Carter, and the late Tom Harris in becoming a Lifetime Achievement Award recipient.

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Thank you, once again, for supporting your New Car Dealers Association.



event!" – Sean Kumagai, General Manager, Metrotown Mazda

Dealer Principal, Anthony's Subaru, Kelowna



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2018 Vancouver International Auto Show - Your Opportunity!

EXPANDED SPACE, NEW ACTIVATIONS & 98 YEARS OF CONNECTING WITH AUTO LOVERS!

We're excited to welcome you back to the Vancouver Convention Centre (VCC) from March 28 to April 1, 2018 for the 98th annual Vancouver International Auto Show (VIAS)!

For 2018, we are thrilled to share the news of our further growth: we are expanding by an additional 30,000 sqft and taking over the entire VCC West building.

What does this mean to you? This is a fantastic opportunity for dealership and associate members alike to engage with the more than 100,000 attendees and benefit from the multimillion dollar displays that the OEMs (manufacturers) bring to Vancouver with their latest models and innovations.

Take advantage of this expanded space with any number of display opportunities, from an activation to modified vehicles to a hosted customer VIP lounge for your clients - there's a

customized option available for you. If staffing, booth design, printing, etc. are barriers to your entry, contact us. Let us help - depending on the size and scope of your concept, we have a package for you.

Why should you attend and exhibit? Auto shows present a robust industry and are on the leading edge of technology, safety, and personal comfort, all while providing financial support for the industry to continue to thrive behind the scenes. Combine that with access to over 100.000 purchasing consumers and this is an opportunity not to be missed!

Owned and operated by the NCDA, this is your show. The NCDA is a not-for-profit business, and every dollar we generate at the Auto Show goes towards funding initiatives that benefit the entire NCDA membership, in both the short and long term. The more dealers that support the Show and ensure their manufacturers know the importance of the Show, the better our Show becomes; therefore providing NCDA with more opportunities to act on behalf of its members.

Auto Shows across Canada are the most celebrated and best attended consumer shows in their regions and in many cities across Canada, these shows are dealer association owned and operated, for the benefit of their entire association.

VIAS is a member of ASNA (Auto Shows North America) and we know from data collected from 17,000 surveys following more than 60 Auto Shows in the 2015-2017 show seasons that:

- Today's car buyers are far more car-connected, participating heavily in experiential marketing;
- 50%+ are influenced by auto show experience during purchase decisions; and,
- 40% of auto show influenced buyers are ages 18-34 and 40% of auto show influenced buyers have \$100K+ in income.



INSPIRE. YOUR INFLUENCE. OUR PLATFORM.

50% • are influenced by auto show experience during purchase decisions

Today's car buyers - far more car-connected, participating heavily in experiential marketing

Auto Shows are: advising 2X as many other people about new cars and trucks they should consider, recommending their purchased brand twice as often and posting or blogging 75% more often online about their new vehicle

From our survey results:

- 58% come to see new models;
- 75% of buyers likely to spend at least \$30,000; and,
- 50% of our attendees are likely to purchase a new vehicle.

Use our proven platform to influence your customers!

VIAS generates revenues for the Association that the Association invests in services that benefit all dealership members in BC. This revenue is the single largest funding source that allows NCDA to provide invaluable services to its membership. Our membership now exceeds 385 franchised new car and truck dealership members across the province.

We hope to see you at the 2018 Vancouver International Auto Show, participating and activating at your Show!

Submitted by Jason Heard, Executive Director, Vancouver International Auto Show

For Sponsorship and Exhibitor Opportunities, please contact Jason at iheard@newcardealers.ca or 604,220,2725.





KEY TRENDS TO LOOK FOR AT THE DEALERSHIP of the Future

by Beth Kempton, Hireology



he retail automotive industry has seen ever-increasing sales since 2013, but experts predict this momentum may have plateaued - and will likely decline in the coming years. Hiring the right people can help dealerships stay competitive no matter what the market has in store.

We've pulled together a list of emerging trends dealerships of the future will embrace to turn their people into a source of competitive advantage.

Centralizing Human Capital Management

Rather than using countless disconnected systems and processes to manage employees, dealerships are moving toward a more centralized talent management function. Using one platform to seamlessly manage hiring, onboarding, payroll, talent management and compliance will save your team time and increase efficiency and profitability.

Integrating Talent Management with Your DMS

A dealership management system (DMS) helps dealers manage inventory and calculate sales and service operations, but has limitations when it comes to HR capabilities and integration with other essential systems. As a result, dealers lack quantitative understanding of the impact of practices, spend and quality of hire on gross profit. Instead of relying on a DMS to manage HR capabilities, embrace a hiring and talent management platform, which integrates directly with leading dealer management systems. Doing so will also help ensure you're paying employees with complete accuracy, by automating flag time calculations for service workers and tracking overtime hours.

Working 1:1 with a Hiring Strategy Partner

By centralizing hiring and talent management - and integrating it with a DMS - you can also benefit from 1:1 customer support from a hiring strategy partner. Look for talent management software that offers a customer service team that's dedicated specifically to your business. This team will have a complete understanding of your account and business needs, making them better equipped to answer any questions you have - and help you get the most value out of your talent management software.

Embracing Data and Process-Focused Hiring

Many dealerships don't have a hiring process that is easily repeatable each time a new job opens. But dealerships of the future are turning to a more consistent hiring process, and leveraging actionable data to improve the process for each new job opening. For example, data related to hiring velocity (time to hire), hiring process adherence and hiring quality and ROI by source - such as career site, individual job boards and referrals - can bring greater transparency and accountability to the hiring process.

Outside of hiring, dealers are also tapping into predictive analytics to analyze and predict costs, competition, market shifts and other trends. For example, some OEMs are increasingly relying on their website data to better measure consumer preferences in order to improve marketing and streamline supply chains.

Following a Proactive Recruiting Strategy

Dealerships have often made the mistake of waiting until the business has an immediate opening to start the hiring process. But this can pose many risks, including missing out on star candidates, losing overworked employees, keeping bad hires around for too long and hiring employees who aren't the right fit simply to fill the open role. To address these drawbacks, consider focusing on proactive recruiting and continuous hiring. By maintaining a strong employment brand - including a compelling career site - and reviewing new applicants on a regular basis, you can avoid reactive hiring, capture passive candidates and build a network of prospective employees for when an opening rises.

Shifting Focus from Sales to Fulfillment and Customer Experience

As consumers gravitate toward digital retailing, many car buyers walk into dealerships armed with more information than ever before and, in many cases, will have already made a purchase decision by the time they walk in the door. With little room for negotiation due to consumers' outside research, your dealership should empower employees to focus on fulfillment rather than sales. This means answering any final questions the customer has before making the purchase, getting them up to speed on the car technology and completing the sale as quickly as possible. Supporting a positive fulfillment experience makes customers more likely to come back to your dealership in the future - for service or their next car purchase.

Moving Away from Commission-Based Pay Plans

Given the shift from sales to fulfillment, one way to evolve your people strategy is by adjusting your dealership pay plans - especially for sales roles. High-risk, commission-based pay plans are no longer working with today's job seekers, many of which are leaving retail automotive for more stable roles. Take it from AutoNation, the largest new vehicle retailer in the U.S. AutoNation recently rolled out a new pay plan offering sales people a base salary plus bonus, rather than the traditional commission-based structure. Not only will this help AutoNation - and any other dealerships who make the switch - attract and retain employees, but it will empower employees to focus more on fulfillment and customer experience, rather than trying to make higher commissions through sales.

Evolving Roles in the Dealership

Some of the most forward-thinking dealerships are also creating new roles to meet the needs of today's car buyers. A few OEMs have created the role of product expert, which is customer service-focused similar to what you'd find in an Apple Store. Given the complexity of today's cars, product experts the go-to advisors for product knowledge before, during, and after each purchase. Product experts can help car buyers configure their phones with their vehicles, program the garage door opener, set up voice commands, and more, rather than focusing on sales and negotiation as dealership employees have done in the past.

Other new dealership roles include e-commerce coordinators, who are responsible for analyzing the dealership's digital advertising, business analytics and vendor performance, and talent acquisition specialists, who are dedicated to recruiting and hiring the right people.

Testing Out Artificial Intelligence

Hiring and retaining quality auto technicians are among the biggest challenges facing retail automotive today. And when dealerships don't have enough technicians to service vehicles in a timely manner, customers

might end up taking their business to the competition. Recognizing the shortage of technician talent, some dealerships are testing out artificial intelligence (AI) to ensure the technicians they do have are productive.

Kia dealerships are using AI to schedule service appointments. Using AI improves the overall service experience, as customers no longer have to call into the dealership - and potentially wait on hold - to make an appointment. For dealerships, AI helps service workers spend more time on actually servicing cars, rather than on the phone tracking down customers to schedule appointments or collect feedback. In the long run, this can help increase revenue by enabling your dealership to process more service requests.

Is your dealership adapting to the latest market trends to build your best team and stay ahead of the competition? To learn more, read our eBook, "Planning for People in Retail Automotive." (http://hireology.com/blog/ new-ebook-planning-for-people-in-retail-automotive/)

Beth Kempton

Content Strategist, Hireology

LegaLine

FRUSTRATION OF THE EMPLOYMENT CONTRACT - DEALING WITH LENGTHY ILLNESSES

very now and then, I receive a call from a client with questions about how long they are legally obligated to maintain the employment of an employee who has been off work sick or disabled many months or years. Although an employee's absence from work as a result of an illness or disability would not, in itself, provide just cause to summarily terminate the employment relationship, there are situations in which the employment contract may become "frustrated," thereby entitling the employer to terminate the employment relationship without any corresponding obligation to make any payment on account of severance and/or termination pay. Unfortunately, there is no clear formula that can be applied to determine at what point an employer is permitted to terminate the employment relationship on the basis of frustration of the contract.

The doctrine of frustration, in the context of an employment relationship, is when an employee is absent from work for a sufficiently lengthy period, and an employer may be justified in terminating the employment relationship on the basis that the employment contract is at an end, through no fault of either party, as the employee is simply unable to perform his or her job.

In cases where an employee suffers an obvious permanent illness or disability which will prevent the employee from ever being able to return to work, frustration of the employment contract is clear. The more difficult question is, at what point in time is an employer justified in treating the employment contract as frustrated, where an employee is absent from work due to a temporary illness or injury? Surprisingly, given how commonplace absences due to lengthy illnesses or disabilities are in the workplace, there are relatively few cases providing guidance on this issue.

The principles that have arisen from the court cases that have considered the issue indicate that, in determining whether or not the employment contract has been frustrated due to illness or injury, the court will consider:

(a) The terms of the employment contract. For example, if the employment contract provides that an employee is entitled to a certain number of sick days a year, an employment contract cannot be frustrated if the employee is absent for that number of days or less. On the other hand, if an employee is found to be entitled to long-term disability benefits, there may be a stronger argument that the employment contract has been frustrated.

- The nature of the employment position. If the employee is one of many employees in the same category, then it will be more difficult to establish frustration, as compared to an employee being in a key position (for example, the employee is the only one who occupies a certain position).
- If the employment contract is for a fixed term, then an illness or disability will (c) be more likely to frustrate the contract.
- Most obviously, the lengthier the period of absence and the greater the degree of incapacity, the more likely it is that the employment relationship has been frustrated.
- A lengthier employment relationship will result in an employment contract that will not be deemed to be easily frustrated. For example, in the case of Yeagar v. RJ Hastings Agencies Ltd. [1985] 1 WWR 218, the court ruled that, even though the plaintiff's illness led to his absence from work for almost two years, this was not long enough to frustrate the employment contract, primarily as the plaintiff had been employed for 30 years.

Based on the cases that have considered the issue of frustration, there appears to be a consensus that, after approximately 20 to 24 months' absence, if there is no prognosis for a speedy return to work, an employer will be able to establish that the employment contract has been frustrated. It is important to note that the critical factor in the assessment of the issue is the severity of the disability/illness and the prognosis for returning to work. As such, prior to making any decision to terminate on the basis of frustration, employers should request and obtain an updated report from the employee's doctor to get a prognosis and estimate as to when the employee can be expected to return to work. Unless the medical report indicates that the employee will not be able to return to work in the near future, an employer will be taking a significant risk by terminating the employment contract on the basis of frustration.

Seema Lal, Associate, SHK Law Corporation

Changing the game for athlete health

B.C.'s New Car Dealers are among the longest-standing supporters of Special Olympics BC. In this issue of Signals we continue the series demonstrating all that your support helps to bring to life through the world of Special Olympics - all the experiences of joy, friendship, empowerment, and acceptance for more than 4,600 athletes with intellectual disabilities around the province.

> People with intellectual disabilities experience worse health care and access to services than others in their communities. Globally, millions of people with intellectual disabilities lack access to quality health care and experience dramatically higher rates of preventable disease, chronic pain and suffering, and premature death in every country around the world. In developing and developed countries alike, people with intellectual disabilities are consistently one of the most marginalized population subsets - a status that comes with horrific health outcomes, such as higher rates of premature death and obesity.

Through the international findings, we can infer that British Columbians with intellectual disabilities likely have lower life expectancies, live more sedentary lifestyles, and are hospitalized more frequently than the general population.

A person with a disability is not an inherently unhealthy person. Health status is affected by genetics, social circumstances, environment, individual behavior, and health care access. Special Olympics is addressing the range of barriers that affect the health of individuals with intellectual disabilities, which include lack of access, education, and resources.

Many individuals with intellectual disabilities have trouble realizing or expressing their health concerns, and many health professionals have not had the opportunity to receive specific training, or are not familiar enough with this population, to know the best questions to ask to draw out the issues.

With the support of generous sponsors including B.C.'s New Car Dealers, Special Olympics BC is changing the game for the health of athletes to address the disparities they face. Our health offerings include:

Special Olympics Healthy Athletes screenings, through which individuals with intellectual disabilities receive free health screenings in a supportive environment, helping identify issues and receive referrals for the care they need, while participating health care professionals receive training about this population's specific health care concerns and how to ask the right questions.

Year-round health support including Club Fit programs, health advocacy training for athletes, Fit Families & Friends programs for families and caregivers along with athletes, information and support offered through provincial programming such as the Performance Program and functional testing, and the development of health, fitness, and nutrition resources on the SOBC website.

Data from B.C. Healthy Athletes screenings from 2011 to September 2016 shows the significant needs and unaddressed issues among our province's athletes, including:

 More than 93.3 per cent of athletes screened had balance and flexibility issues identified, while 81.9 per cent had strength problems identified;

73.7 per cent had gingival signs;

63.1 per cent had gait abnormalities;

 46.9 per cent needed a new eyesight prescription;

37.8 per cent had blocked or partially blocked ear canals; and

35.6 per cent are obese.

These statistics are all comparable to or higher than the global population of individuals with intellectual disabilities who participated in Healthy Athletes screenings between 2011 and September 2016.

Trying to identify and combat these issues, since 2011 SOBC has expanded our health programming and delivered 3,249 Healthy Athletes screenings at events held throughout the province, open both to Special Olympics athletes and all individuals with intellectual disabilities, and free for all participants. In 2017 alone, SOBC hosted standalone Healthy Athletes events in Fort St. John and Nanaimo as well as Healthy Athletes screenings for more than 340 athletes and local individuals with intellectual disabilities at the 2017 Special Olympics BC Summer Games in Kamloops.

Healthy Athletes B.C. Opening Eyes Clinical Director Dr. Brad McDougall says volunteering with Healthy Athletes is an inspiring experience, and the screening days are highly rewarding for both volunteers and participants. "At [the 2016 SOBC Healthy Athletes Screening Day in North Vancouver] we saw a few athletes that we had seen at previous Healthy Athletes events, and their parents and coaches described to us how much the glasses we provided for them have made a difference in their sport, in their confidence, and to the overall quality of their lives."

Learn more about Special Olympics BC's health initiatives:

http://specialolympics.bc.ca/healthy-athletes

Photos: SOBC Healthy Athletes screenings in Burnaby, Kamloops, and Fort St. John.



Dealers Making a Difference for SOBC







With this series Special Olympics BC turns the spotlight on individual dealers who have so generously supported our athletes and our organization.

In memoriam: Tom Harris

Special Olympics BC will always gratefully remember Tom Harris and his significant impact throughout his many years of generous support and leadership to benefit athletes with intellectual disabilities and our movement. As a lifelong auto dealer and a longtime philanthropist and volunteer with industry and community causes, Harris truly made a difference.

President of the Tom Harris Group and a second-generation auto dealer, Mr. Harris was a successful businessman who built the Harris Auto Group on Vancouver Island and Tom Harris Cellular, Canada's largest TELUS dealer with locations throughout British Columbia and Alberta.

Among his many contributions to industry, community, and charity over the years, Harris was a longtime member of the New Car Dealers Association of BC executive committee, and was involved for many years with the committee that steers what is now the New Car Dealers Foundation of BC / Special Olympics Auction. He was involved when the auction took the form of an annual gala held in Vancouver, and helped lead the important transition into the online auction it is today.

The highly successful auction now annually attracts more than 200 donated items and each year draws more bidders from all corners of the province. The funds raised continue to grow every year, providing significant support for Special Olympics athletes, programs, and opportunities throughout the province.

Not only did Mr. Harris support Special Olympics BC with his time and his generous donations to the auction, he led the way with an inspiring spirit of genuine dedication to making a difference for individuals with intellectual disabilities.

"What I see is an organization that is totally devoted to what they do, to providing a fun, competitive meaningful set of activities for people with intellectual disabilities. They joy that I see on the athletes' faces when they get to compete, and the joy I see on the faces of the people helping them make this all possible, gives me a great feeling," Harris said in 2014.

Throughout his long and successful business career, Harris served on the executive committees of both the provincial and national New Car Dealers associations, and contributed significantly to a number of charitable causes both with the gift of his time and his impactful fundraising support.

Special Olympics BC is so fortunate to have known Tom Harris and to have benefitted so much from his inspiring example and generous support. Our thoughts and sincere condolences are with his family and many friends and admirers.







A Driving Year for BCASA

BY LYNETTE SAWYER

Administrator of the BC Automobile Sector Alliance (BCASA) www.bcautocareers.ca

s we enter November and start to wrap up 2017, it is always a great time to reflect back on the year, celebrate the wins and look at the year upcoming. It has almost been a full year of coming aboard to BC Auto Careers to work towards increasing the profile and driving interest for talent into BC's most in-demand industry. This year has been a busy one, and it will only be busier in 2018.

Where We Were and Where We Are Going

This year, BCASA completed many offline and online activities to reach our audiences. From high profile events to association presentations and digital marketing, we were lucky to reach our audiences.

Social Media

LinkedIn, Facebook, and Twitter have fully launched, and our community is growing. With daily job posts, industry news and more, we have developed our communities organically. Contests were a big hit, and more are to come. This next year, we will focus on a content strategy and paid campaigns to increase our community in more depth, as well as, outreach with influencers and bring more video and live video!

Events

BC Auto Careers attended well over 20 events this year, ranging from small association presentations to job fairs, to mid-size career events to one of the largest automotive shows. It's always rewarding to represent in person and speak one-on-one with future talent, students and people seeking work. For the next year, we will strategically choose events to attend to ensure the best ROI.

BCASA's Online Presence

As noted in our last post, BC Auto Careers got a makeover! The new site is filled with many more bells and whistles (i.e. tools and features) to serve our employers and job seekers better. Make sure to check out the new website at www.bcautocareers.ca and send us your feedback. We will continue to improve and add to our site over the next year!

Planning 10 in Partnership with VSA

The planning 10 presentations in partnership with the VSA will also see a makeover. We will be switching to a more digital approach

> to increase our reach. Stay tuned for the coming month to see our newest tool and presentation, our marketing work to engage with students and don't miss the VSA's Ninjas!

> 2018 will bring more digital-focused efforts to increase our community and reach, as well as, more custom and curated content! We, of course, encourage you to reach out, engage with us and participate in our

www.facebook.com/BCsAutoCareers www.twitter.com/BCsAutoCareers

Lynette Sawyer bcautocareers@amail.com





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We are a small, but dedicated and hardworking team of nine individuals working to serve all Members of the New Car Dealers Association of BC. Should any questions, concerns, issues or ideas arise, the Association staff will be available to listen and help.

Get in touch via phone, email, fax or in person at our Richmond office!



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Associate Member Listing

Company	Contact Name	Email	Phone	Website
6279490 Canada Inc. dba e-Dealer	Shane Hambly	shane.hambly@edealer.ca	(416) 853-5626	http://www.edealer.ca
911 Autoworks (1076973 BC Ltd)	Derek Gagne	dmgagne@gmail.com	(604 802-8384	http://www.911autoworks.com
ADESA Auctions Canada Corp	John Macdonald	john.macdonald@adesa.com	(604) 232-4403	http://www.adesa.com
AllWest Insurance Services Ltd.	Renee Nielly	rnielly@allwestins.com	(604) 733-7383	http://www.allwestins.com
Audatex Canada	Darcy Gorchynski	darcy.gorchynski@audatex.com	(416) 498-3777	http://www.audatex.ca/autopoint
Automotivaters	Warren Cederberg	warren@automotivaters.com	(250) 920-7775	http://www.automotivaters.com
BCIT - School of Transportation	Guy Ellis	Guy_Ellis@bcit.ca	(604) 432-8759	http://www.bcit.ca/transportation
BMO - Bank of Montreal	Bradley Warren	bradley.warren@bmo.com	(604) 665-7064	http://www.bmo.com
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