

A publication for members & friends of the New Car Dealers Association of B.C.

# signals

July - August 2018



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**We've Moved to Langley!**  
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## Chief Car Washer's Message

After almost two decades in Richmond, B.C., the NCDA office has officially moved to a brand-new strata building in Langley. The new office space, more centrally located in Greater Vancouver, will allow our small and dedicated team to continue to serve our members all across British Columbia. Not only does the new office space and facilities provide a vastly improved environment for our staff and members, the value of the real estate has already shown significant growth, again for the benefit of our members and their Association.



We invite you to our official 'Office Open House' on September 6th, but we encourage all of our members to stop by anytime to see our new space when you're in the neighbourhood! And drop by and charge your clean energy vehicle at the building's charging stations, thanks to our Associate Member FLO - Add Energie. We are located at Unit 380-8029 199th Street, Langley, BC V2Y 0E2.

Beyond our move at the end of July, the Summer was a busy period of advocacy by provincial/state and national Associations against possible auto tariffs on automotive imports on both sides of the 49th parallel.

Earlier in July, I had the pleasure of joining my dealer association management colleagues from across the U.S. for both the Auto Shows of North America (ASNA) and Automotive Trades Association Executives (ATAE) summer meeting, this year held in California.

Participating in these meetings and having a briefing from the senior leadership at the National Automobile Dealers Association around their discussions with the Trump administration was especially important at a time when the federal administration in the U.S. has imposed not only crushing tariffs on steel and aluminum imports from Canada and other countries, but continues to talk about extending those tariffs to automotive imports. Add to this the prospect of retaliatory tariffs from Canada and we face a full-blown trade war in automotive.

Given that Canadian-American automotive trade is worth close to \$150 Billion a year, as the President of our Canadian Automobile Dealers Association John White stated, we simply cannot afford a tit-for-tat, dollar-for-dollar escalation with our southern neighbour.

We will continue to support the position taken by our national association and facilitate conversations with the Federal Government in order to ensure that our sector remains competitive. Our thanks to our dealer members who participated in the CADA advocacy campaign directed to federal Members of Parliament, and shared the potential impact of auto tariffs in Canada.

At the provincial level, another policy debate is emerging - one that revolves around how to get more clean energy vehicles on the road.

On one end of the spectrum are the advocates of Zero Emission Vehicle (ZEV) mandates, creating penalties for auto manufacturers who fail to meet seemingly arbitrary EV target percentages of their overall car and truck sales.

While such mandates may have been helpful in encouraging the development of EV models, these kinds of policies do little to sway consumer choice and drive up demand. California's ZEV mandate in place for many years, for example, resulted in an EV penetration per capita (2.6 percent) that is less than British Columbia's (3.7 percent). ZEV mandates are a solution to a problem we don't face in B.C. Not only is consumer demand leading the country, consumers are able to

purchase over 28 different models now in the province. As affordability seems to be top of mind for British Columbians and local governments, let's not put in unnecessary mandates that will do nothing but drive up the cost of all vehicles for British Columbians and lessen access to the vehicles they need.

At the other end of the debate are those who believe in carrots, not sticks – that better education of consumers, coupled with financial incentives and investments in charging infrastructure is a more effective strategy – a strategy that was put to the test in our province and one that has yielded some very positive results. We've had a number of pop up displays to build awareness of the CEV incentives throughout the summer, including in Penticton for Canada Day, Nanaimo for Bathtub Days, Kamloops for Hot Nite in the City Show N' Shine and more recently at Vancouver's ElectraFest event.

In 2017, the CEVforBC™ program saw almost 1,800 CEVforBC™ applications processed for clean energy vehicles, representing a 21 per cent increase over 2016. And for the first half of 2018, we've seen an increase of 110 percent in applications processed from the same period last year. In case you are interested, the top 5 most popular vehicles in the Program so far in 2018 has been: Chevrolet Volt, Mitsubishi Outlander, Chevrolet Bolt EV, Tesla Model 3, and Nissan Leaf.

Another popular environmental program, the BC Scrap It program, has also been a success story in the province, removing 43,000 older polluting vehicles since 1994 with the aid of financial incentives from government and now the private sector.

To further solidify the case for incentives over mandates, the NCDA recently received the results from an extensive polled commissioned to look at consumer expectations around ownership and charging of electric vehicles.

One of our biggest takeaways from the survey was that when informed of both the CEVforBC™ and BC Scrap It BC Program incentives, 70 and 62 per cent respectively, of respondents said they would definitely or probably be more likely to purchase an EV.

It's also understandable that the perceived lack of charging stations and "range anxiety" remains the biggest barrier when it comes to purchasing an EV for would-be EV drivers (46% of poll respondents noted this as the number one barrier, and 44% noted EVs as too expensive compared to non-electric vehicles (44%).

In a province as vast and geographically diverse as ours, it's important to reiterate that EVs are not always the most viable option. Manufacturers are unveiling new internal combustion models that are more and more fuel-efficient with each passing year as well and offer a realistic alternative to plug-ins, but the government's renewed commitments to expanding the charging network across BC is certainly encouraging.

In other Association news, ICBC also recently launched a Safe Driving Refresher Course. Crashes have increased 25 per cent since 2014 and we all need to do our part in driving safety. Test your knowledge at [www.icbc-drivesmart.ca](http://www.icbc-drivesmart.ca).

The Western Dealers Summit is right around the corner, so be sure to register online at [www.westerndealersummit.com](http://www.westerndealersummit.com), if you haven't already. The event will be the perfect opportunity for dealership management (Dealer Principals, CFOs, General Managers, General Sales Managers, Marketing Managers, F&I Managers etc) to network and learn more from workshops and speakers within our industry. The Western Dealers Summit will be taking place at the Wynn Encore in Las Vegas from November 1 to 3. Be sure to also mark down the NADA Show in San Francisco taking place next year, from January 24 to 29.

With the Special Olympics Canada 2018 Summer Games concluding this month, I would like to congratulate all athletes and coaches who participated this year in Nova Scotia. Each athlete embodies the athleticism, friendship, empowerment and acceptance promoted by the Games and you should all be proud of what you've accomplished.

As we begin a new chapter in the history of the NCDA, the conversations and our office location may have changed, but our commitment to our Members certainly hasn't. Should you wish to discuss anything dealer-related or see our upgraded space, come on down and visit our new home in Langley. We're closer than you think!

Blair Qualey - President & CEO  
New Car Dealers Association of BC (NCDA)  
Member, Canadian Automobile Dealers Association (CADA)



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# Welcome

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For an independent review and comparison of your current employee benefits program, please contact us.

Contact:

**Nancy Pereira, Dan Eisner, Fab Biagini,**

**Vince Szeto & John McGrath**

**Employee Benefits Advisors, ZLC Financial**

**Address: Suite 1200, 666 Burrard Street,**

**Vancouver BC V6C 2X8**

**Phone: 604.688.7208 | Email: [NCDA@zlc.net](mailto:NCDA@zlc.net) | [www.zlc.net](http://www.zlc.net)**



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**Employee Health & Injury Management**

**Maxxam Insurance**

**Email: [pamelas@maxxaminsurance.com](mailto:pamelas@maxxaminsurance.com)**

**Mobile: 778-679-2577**



# You're Invited!

to the NCDA Open House, September 6!

Date: Thursday, September 6, 2018

Time: 5:00PM – 7:00PM

Where: 380 – 8029 199th Street, Langley, BC

*Appetizers and refreshments will be served.  
Business Casual.*

*Please RSVP to Maria:  
604.214.9964 EXT 221 /  
info@newcardealers.ca*

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# New Car Dealers Foundation of BC Continues to Support Vancouver Island University Students!



**S**ince 2015, the New Car Dealers Foundation of BC has donated over \$41,000 to support Vancouver Island University (VIU) students. Since inception of the awards, 21 students have been supported on their academic journeys. The New Car Dealers Foundation has established two awards with VIU. One award is geared towards business students, and the other is for those in automotive trades.

## New Car Dealers of BC Foundation Award for Business Students

This award is available to continuing students in a Business program. Preferred applicants will be those who have an interest in a technical, accounting, management, sales or marketing career with the New Car Dealers of BC (NCDA).

## New Car Dealers of BC Foundation Award for Trades Students

This award is available to students in the Automotive Service Technician program, with preferred applicants participating in an Apprenticeship, and who have an interest in a career with BC's New Car Dealers.

On July 11, 2018, the growing partnership between NCDA and VIU was celebrated by awarding students a collective \$10,000. **John Wynia**, past Chairman of the New Car Dealers Foundation of BC, attended the awards presentation. Congratulations to Business Award recipients **Alexis Bouma** and **Nicole Poulsen**, and Trades Award recipients **Kameron O'Keefe**, **Dylan Peach-Brown**, and **Ethan Aspin**.

A special thank you to **Janice Krall** and **Susie Cowell** from VIU for arranging the event.

For more details on these awards, and other awards available through the New Car Dealers Foundation of BC, visit [www.newcardealersfoundation.ca](http://www.newcardealersfoundation.ca).







# Western Canadian Dealer Summit 2018

LAS VEGAS NOVEMBER 1-3

## Registration Open - Book Now!

The New Car Dealers Association of BC (NCDA), the Motor Dealers' Association of Alberta (MDA) and the Saskatchewan Auto Dealers' Association (SADA) are joining forces to host the **2018 Western Canadian Dealer Summit**.

We are excited about the 2018 Convention which will include energizing speakers, including Dave Kindig - owner and chief designer of Kindig-It Design, along with a series of challenging workshops and presentations on topical issues facing the industry, such as: the future and your own digital destiny, and; Technology, cars & insurance: a look inside the future.

To view our full schedule of events and register, please visit:  
**[www.westerndealersummit.com](http://www.westerndealersummit.com)**

**WHERE: Wynn Encore in Las Vegas**

**WHEN: November 1-3**

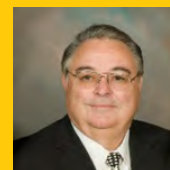
The 2018 Western Canadian Dealer Summit is a perfect opportunity for all who contribute to our industry, including: Dealer principals/owners, general managers, senior dealership managers and directors, sales leadership, Internet sales managers, business development managers, F&I directors, fixed-op directors, key dealership leaders, advertising and marketing consultants, controllers and other key decision makers.

We look forward to seeing you in Vegas!

## MEET THE SPEAKERS



Ian Beavis  
Chief Strategy Officer  
AMCI Global



Larry Edwards CMC, CSP  
Founder & President  
Edwards & Associates Consulting



Sherif Gemayel  
Founder & President  
Sharp Group of Companies



Shaun Raines  
Founder  
Dealer Superhero



Jane Webb  
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### Platinum Sponsors







**IMPACT**, British Columbia's Auto Crime Police, is the agency responsible for coordinating the battle against car thieves across the Province. The team is made up of police officers from the RCMP, Delta, Metro Vancouver Transit, New Westminster, and Vancouver Police Departments.

IMPACT relies on strategic assets to make car thieves' lives harder, including: Police Dog Units, uniform patrol, and our eye in the sky, Air One. Our famous Bait Car program rounds out the arsenal. Bait Cars are some of the most stolen vehicles, left in critical locations. When suspects steal them, hidden cameras and GPS record their every move. IMPACT can chase thieves round the clock.

According to Inspector Brian MacDonald, Officer in Charge of IMPACT, the daily police enforcement work is doing great. Through the team's investigations, five out of the ten most wanted car thieves are already in custody, and several projects are being conducted in partnership with RCMP Detachments and Police Departments to find and arrest other prolific auto crime offenders.

IMPACT's efforts are only part of the puzzle. Despite all the arrests, a significant portion of the auto crime cases are related to crimes of opportunity. Believe it or not, we still see drivers leaving their vehicles with the doors unlocked, windows rolled down and with valuable items left on the passenger or back seats. In some cases, police officers have found cars running while unattended, with doors opened, and some with wallets and purses left inside.

Therefore, the Auto Crime Police decided to team up with ICBC, New Car Dealers Association of B.C., and the local communities to increase

awareness on auto crime prevention. During the 2018 Vancouver International Auto Show, an educational campaign was launched through the website and official social media pages, sharing tips and the best practices on how drivers can change simple behaviors to avoid being a victim of auto crime.

Another useful tool that IMPACT relies on are community policing programs. These volunteers help us alert drivers by leaving auto crime prevention notices and recovering stolen vehicles. Contact your local police department if you would like to volunteer.

Remember, car thieves are inherently lazy, and they are always looking for the easiest target.

Simple things can help IMPACT turn the game against auto crime. All that you have to do is:

- Never leave valuables in your vehicle.
- Lock the doors and close the windows.
- Treat your keys like cash.
- Keep your spare keys with you, not in your car.
- Invest in a good anti-theft device.
- If you see any suspicious person or activity near a vehicle, call 911.

Follow these steps and don't become a victim of auto crime. Visit [www.baitcar.com](http://www.baitcar.com)

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## Penticton Canada Day and Bathtub Days in Nanaimo - CEVforBC™

British Columbia has one of the highest per capital adoption rates of electric vehicles in the country and given the response to the CEVforBC™ program, it's clear why the program has been such a success.

Throughout the course of the summer, CEVforBC™ has been visiting communities across the province to give British Columbians a up-close look at an EV and to answer any questions that people may have regarding charging infrastructure, incentive program details and driving experience.

On Canada Day, CEVforBC™ partnered with the Downtown Penticton Business Association to bring EVs closer to Penticton and was met with an overwhelmingly positive response.

Over the course of the day, hundreds of people in Penticton stopped by to get behind the wheel of a Chevrolet Bolt EV and many more stopped by to inquire about the incentive program offered in the province.

The demand for EVs and EV charging infrastructure is steadily growing in British Columbia, with many drivers seeing the benefits of going electric.

More remarkable is the fact that during a two-day period in June of this year, more than 75 applications were submitted and over 1,000 in the April-June Quarter – a number that is unprecedented in the history of the Program.

On the July 20-21 weekend, CEVforBC™ was also onsite, joining the more than 40 year old Nanaimo Bathtub festival. In partnership with the Loyal Nanaimo Bathtub Society, the Electric Avenue was the perfect opportunity to learn more about the provincial CEVforBC™ incentive program, ask questions, and learn more about eligible clean energy vehicles.



**CEV for BC™**  
Clean Energy Vehicles for British Columbia









# Special Olympics

## Snapshot

**Join the #InclusionRevolution and enrich the lives of individuals with intellectual disabilities through sport**

*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.*

At Special Olympics BC, we're taking the next year to reach back into the archives and share the moments in our history that helped shape our organization.

As part of the 50th anniversary of Special Olympics, our #50moments campaign will be part of a celebration that helps reveal how we got here, explains who we are, and guides us on where we're going over the next 50 years. Through our social media channels and website, the goal is to share the incredible last half-century.

It all began in the 1960s when two pioneers had a vision for improving the lives of people with intellectual disabilities.

In the U.S., Eunice Kennedy Shriver sought to correct how unjustly and unfairly people with intellectual disabilities were treated.

In Canada, Dr. Frank Hayden was conducting his own groundbreaking research that proved given the opportunity, people with intellectual disabilities could acquire the skills needed to participate in sport and become physically fit. In other words: Sport could have a transformative effect on the lives of people with intellectual disabilities.

The two helped pave the way for the first Games in Chicago in July of 1968, and started Special Olympics on a road that would change the lives of people with intellectual disabilities in Canada and around the world.

Dan Howe, President & CEO of Special Olympics BC, said the idea behind the #50moments campaign is not only a way to showcase the history, but also serves as an opportunity to say thank you to those who helped build the movement into what it is today.

"There are so many moments over the last 50 years that resonate with our athletes, coaches, volunteers, and families," Howe said. "Special Olympics stands as a beacon for inclusion and has been enriching the lives of Canadians with intellectual disabilities through the transformative power of sport. This is an opportunity to share the stories of the people and moments that led us down the road to where we are today."

Like Shriver and Dr. Hayden, other leaders stepped up to leave their mark. Harry "Red" Foster, a broadcasting legend in Canada, was a tireless advocate for Special Olympics. SOBC athletes like Julie Keldsen and Marc Theriault exemplify the dedication, passion, and skill it takes to compete on the world stage. Keldsen was the first SOBC athlete to compete at three different Special Olympics World Games in three different sports and winning medals at all. Theriault was the first SOBC athlete to win gold medals in four different World Games in three different sports.



The journey over the last 50 years has also been greatly influenced by organizations like the New Car Dealers Association of BC.

The New Car Dealers Association of BC has generously supported Special Olympics BC for the past 34 years. In that time they have raised more than \$4.9 million. The annual auction continues to grow in size each year and 2018 was no different, raising \$182,000. A big part of the auction's success is thanks to the countless hours of time and energy put in by the volunteer committee and New Car Dealers Association members. The multi-day event includes hundreds of incredible items and bids coming in from all over the province.

Howe said he's amazed at how many people and organizations like the New Car Dealers Association have stepped up and helped shape the history of Special Olympics.

"We are so grateful to the New Car Dealers Association of BC for their dedication to raising funds and awareness for Special Olympics," Howe said. "Their support has been instrumental in helping SOBC grow from two weekends of games with about 500 participants to involving more than 4,800 athletes in 55 communities around the province. It has helped change the lives of thousands of athletes and, in turn, the lives of everyone they touch."

The 50th anniversary celebration campaign got off to a glowing start when communities across the province proclaimed July 21 the Global Day of Inclusion and communities around B.C. lit iconic landmarks red in honour.

In Vancouver, BC Place, Rogers Arena, and Science World TELUS World of Science were just some of the landmarks to join in. Elsewhere in B.C., the Parliament Buildings in Victoria and the Victoria Street Bridge in Trail also made the symbolic gesture to let the public know they stood with Special Olympics and recognize the significant impact made over the past 50 years.

The Global Day of Inclusion stands for much more than just a one-day awareness campaign. For someone with an intellectual disability, the opportunity to live to their full potential is one of the greatest benefits of inclusion.

But while we're highlighting the past with #50moments, we're looking to the future. Part of that is the #InclusionRevolution. The campaign challenges people to open their hearts and minds and commit to working toward a world where everyone is included. Special Olympics BC and its athletes are challenging people across the globe in an all-out effort to end discrimination against people with intellectual disabilities and deliver a fully inclusive world.

Howe's hopeful the campaigns will lead more people to become involved in Special Olympics. He said people can refer friends or family members with intellectual disabilities to a Special Olympics program, help raise awareness of the organization's mission, volunteer, or make a donation.

To follow the #50moments campaign, please visit us at [www.specialolympics.bc.ca](http://www.specialolympics.bc.ca) and find us on Facebook and Instagram @specialolympic-sbc and Twitter @sobcsociety.





# What Employers Should Know About The Legalization Of Marijuana



By: **Matthew Wansink**, & **Christopher Bakker**,  
Associate Associate

## *The Cannabis Act*

It is official: recreational marijuana use will soon become legal in Canada. With the final version of Bill C-45 passing the Senate on June 19, 2018, and receiving Royal Assent on June 21, 2018, the Cannabis Act (the "Act") will come into force on October 17, 2018. The Act will allow adults who are 18 or 19 years of age and older (depending on the province or territory) to legally possess, grow and purchase limited amounts of cannabis, or marijuana, for personal use. The Act amends the Criminal Code, the Controlled Drugs and Substance Act and several other statutes. With these amendments, possessing small amounts of marijuana on your person will no longer be a criminal offence.

During the transition period between now and the coming into force of the Act, the government of Canada will work with provinces and territories, local communities, the regulated marijuana industry and law enforcement to prepare for implementation of the new legal framework for marijuana. While the Act enables the federal government to regulate commercial production, provinces and territories will have authority to regulate certain aspects of the marijuana industry such as distribution and retail, as they do for tobacco and liquor. For example, the province of B.C. will determine how and where marijuana can be sold and where it may be consumed. The province has determined that the Liquor Distribution Branch will be the wholesale distributor of recreational marijuana, which will operate marijuana retail stores provincially.

## *Current Legal Status of Marijuana in Canada*

The Controlled Drugs and Substances Act currently prohibits the possession, production and trafficking of marijuana except where authorized by an exemption or by regulations such as those that govern "medical marijuana." This prohibition will be repealed upon the enforcement of the Act.

"Medical marijuana" is presently legal in Canada under the Medical Marijuana Access Regulation, whereby a person may be authorized to use marijuana products for medical purposes. As with other prescription drugs, Canadians who require marijuana for health reasons may have access to it if they are prescribed marijuana by a doctor. Generally speaking, prescription marijuana use under the current laws for marijuana should be treated like other prescription medication use.

Even when the Act comes into force, Canadians who have been authorized by their health care practitioner to access marijuana for medical purposes will continue to have the option of purchasing marijuana from one of the producers licensed by Health Canada. Canadians will also be able to produce a limited amount of marijuana for their own medical purposes, or designate someone to produce it for them.

## *What are my Rights as an Employer?*

Despite the legalization of recreational marijuana in October 2018, the use of marijuana in the workplace should not change. Employers will continue to have the right to require employees to report to work sober and without any form of impairment. A zero-tolerance policy is enforceable.

Under B.C.'s statutes, employers maintain the right to safe and productive employees who are not impaired by alcohol, drugs or other substances. The Workers Compensation Act and the Occupational Health and Safety Regulation stipulate certain rights that employers may rely on to regulate the workplace:

### **Section 116 (2)(d) of the Workers Compensation Act:**

A worker is required to "ensure that the worker's ability to work without risk to his or her health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs or other causes."

### **Section 4.20 of the Occupational Health and Safety Regulation:**

- (1) A person must not enter or remain at any workplace while the person's ability to work is affected by alcohol, a drug or other substance so as to endanger the person or anyone else.
- (2) The employer must not knowingly permit a person to remain at any workplace while the person's ability to work is affected by alcohol, a drug or other substance so as to endanger the person or anyone else.
- (3) A person must not remain at a workplace if the person's behaviour is affected by alcohol, a drug or other substance so as to create an undue risk to workers, except where such a workplace has as one of its purposes the treatment or confinement of such persons.

Employers are responsible for the safety of all of their employees and, if an employee is impaired and poses a risk to the other employees, the employer must regulate the workplace accordingly.

As background, marijuana contains over 113 different chemical compounds known as cannabinoids. The two most well-known cannabinoids are THC (tetrahydrocannabinol) and CBD (cannabidiol). THC is responsible for the euphoric, mind-altering effects of marijuana use and leads to the "high" individuals experience after its use. CBD does not have the same psycho-active effect, rather it is thought to have other, potentially pain relieving, effects.

Individuals experiencing a "high" from THC are, for the purposes of workplace safety, impaired. Because the effects of recreational and "medical" marijuana are uncertain, an employee may be impaired when using either recreational or prescribed marijuana. For this reason, recreational marijuana use at work should be treated like any other controlled substance, such as alcohol. As for an employee who uses marijuana for medical purposes, an employer maintains the right to ensure that employees are not impaired and the workplace is safe for all employees. Notwithstanding the enforcement of the Act, an employer will remain entitled to insist that an employee does not use or act under the influence of marijuana while the employee is at work. If an employer reasonably believes that an employee is impaired, an employer has the right under the Occupational Health and Safety Regulation to bar the impaired employee from the workplace, subject to the duty to accommodate, as discussed below.

Further, as with cigarette smoke, smoke-free laws will apply to marijuana use so as to prohibit the smoking of marijuana in certain areas, including near a workplace entrance.

### *What About an Employer's Duty to Accommodate?*

Despite an employer's right to have an impairment free workplace, human rights laws create various exceptions. Marijuana use can trigger an employer's duty to accommodate. Specifically, employers are required to accommodate employees with illnesses, injuries and/or mental/physical disabilities, up to the point of undue hardship. Marijuana for medical purposes engages the same principles of accommodation as any other prescribed drug, meaning that employers are obligated to accommodate employees with illnesses, injuries and disabilities under both provincial and federal human rights codes. That being said, a prescription for marijuana does not automatically entitle an employee to smoke in the workplace, to be impaired at work, or to compromise employee and client safety.



# NADA 2019 SHOW

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When an employer is aware, or reasonably ought to be aware, that there may be a relationship between an employee's disability and their performance at work, the employer has a duty to inquire into that possible relationship before making an adverse decision against the employee. If the employer's inquiries disclose that there is a relationship between the employee's disability and work performance, then the employer has a duty to accommodate the employee. Specifically, accommodation is required up to the point of undue hardship, where the cost of reasonable and practical steps are too difficult or expensive for the employer. The bar for employers to prove that a form of accommodation is too difficult or expensive is extremely high.

Generally speaking, the accommodation process will involve the employer requesting medical information from the employee. The employer should look for evidence that confirms that the marijuana is necessary and provides information in respect of the potential impairments that the employee may suffer while under the influence of marijuana. Once adequate information is provided, the employer and employee should determine a form of accommodation, as would be done with any other disability.

For medical marijuana usage, therefore, the challenge for an employer is to determine whether allowable amounts of marijuana for medical use will not lead to impairment. Other concerns include issues of potential decreased productivity, the impact of usage and/or accommodation on other employees, and the overall costs of accommodation even if not up to point of undue hardship. What employers and employees need is a workable definition of impairment and a tool to assist in determining impairment, such as a universally applicable checklist for non-medically trained super-

An employer has the ability to prohibit an employee from the workplace, if the employer reasonably believes the employee is impaired and may pose a risk to the safety of other employees.

It is important to remember that this duty to accommodate can also arise where an individual suffers from an addiction or perceived addiction to marijuana. Section 13(1) of the Human Rights Code states:

A person must not

- (a) refuse to employ or refuse to continue to employ a person, or
- (b) discriminate against a person regarding employment or any term or condition of employment

because of [...] physical or mental disability [...]

Nor may a person, without reasonable justification, discriminate based on physical or mental disability in respect of whether or not to provide someone with an accommodation (section 8 of the Human Rights Code). This is relevant to marijuana usage, as drug dependency or addiction is considered a disability.

### *What Does Accommodation Look Like?*

There are several British Columbia Human Rights Tribunal decisions that have clarified an employer's obligations to accommodate an employee using marijuana for medical purposes. What we learn from these cases is that employers are required to engage the accommodation process, as would be done with any other disability.

visors. As previously stated, however, accommodating marijuana use does not give a worker the right to be impaired at work or to pose a health and safety risk to themselves or others. Employers have the right to prohibit impairment on the job, particularly in safety-sensitive work environments. In fact, if an employee has safety-sensitive duties, such duties may be removed from the employee's responsibilities pending the results of the employer's accommodation assessment. The assessment must consider, based on objective medical evidence, whether the employee's use of marijuana affects his or her ability to perform the duties in a safe and effective manner. Where the employee is not able to perform his or her role in a safe and effective manner, the employer must then attempt to accommodate the employee with other duties, up to the point of undue hardship.

The appropriate accommodation will depend on the individual circumstances of the employee and the essential duties of the position. In more extreme cases, reasonable accommodation for marijuana use may allow an employee to perform his or her job after ingesting or smoking marijuana for medical purposes, as long as the position is not safety-sensitive and the essential duties of the role may still be adequately performed. Of course, this does not apply to workplaces where the employee is operating vehicles or machinery. Overall, if there is a concern that marijuana use may impact an employee's job, employers have a right to request reasonable medical information from their employees to better understand the impact that usage will have on the workplace.

### *Key Takeaways*

Employers must revisit their drug and alcohol workplace policies to ensure that the use of recreational and prescription marijuana is incorporated and openly addressed. By creating guidelines that speak to marijuana use, employers can establish clear policies and expectations for employees that specify what is acceptable, the consequences of non-compliance, and grounds for termination in cases where employees possess or consume marijuana at work and thereby create unsafe work conditions. Employers have the right to enforce a zero-tolerance policy. For instance, a workplace policy may ban the use of recreational marijuana in the workplace and stipulate penalties for non-compliance. Although, such a policy may include an exception for use of marijuana for medical purposes, depending on the type of work performed. Drug and alcohol policies should distinguish between recreational marijuana use and medically prescribed marijuana use.

Employers should create or update existing accommodation procedures so as to address marijuana use by disabled employees. Such procedures may include the requirement that the employee provide the employer:

- (1) with a written accommodation request;
- (2) a copy of the employee's authorization to use marijuana; and
- (3) information from the authorizing physician relating to how the employee's use of marijuana may affect safety and effectiveness in the workplace.

Employers should adopt a confidential process for allowing employees to disclose the existence of an illness, disability or drug dependency, without fear of penalty. Policies should treat prescription marijuana in the same fashion as other medical prescriptions, subject to workplace rules prohibiting smoking generally. Recreational marijuana use may be addressed in the same manner as workplace policies on alcohol and drug use.

Ultimately, employers should openly communicate with employees about alcohol and drug policies. For more information on how best to proceed when revising workplace policies and accommodating employees, contact one of our lawyers to arrange for a review of your matter.

SHK

LAW CORPORATION



## CADA Launches Career and Job Portal – Exciting Opportunity for All Dealerships!

*Please share this information with your HR Team, or staff responsible for posting job opportunities.*

On June 1, 2018 the Canadian Automobile Dealers Association (CADA) launched Auto Career Start, an exciting initiative that aims to attract job seekers to work in new car and truck dealerships.

Many of you have already logged into the Cars and Jobs platform, which is part of Auto Career Start, to post your open positions.

For easy reference, you can go directly to **www.carsandjobs.com** and log in to post jobs.

If you need a refresher on how to log in, reset your password, buy credits, or post a job, CADA has created a series of short videos for you. The videos are posted in the FAQ section of [www.carsandjobs.com](http://www.carsandjobs.com) and also linked below:

### **How do I log on?**

<https://www.youtube.com/embed/0566UH8Pi9k>>

### **How do I reset my password?**

<https://www.youtube.com/embed/rEaNgpas5mE>>

### **How-to videos**

#### **How do I purchase more job credits?**

<https://www.youtube.com/embed/mpWp6qHekVY>

### **How do I post a job?**

<https://www.youtube.com/embed/NWDIei5f2nE>

### **Boosting job postings to Indeed**

When you create a new job posting on the carsandjobs.com platform, you'll have the opportunity to boost the posting to Indeed. No need to make a second post! The video on posting a job covers how to use this feature.

### **Free job posting credits**

As part of the Auto Career Start launch, each individual dealership/rooftop will receive 5 free job posting credits the first time you log on to [www.carsandjobs.com](http://www.carsandjobs.com).

This exclusive offer ends on December 31, 2018. After December 31, each job posting credit will cost \$25.00 + tax.



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# Blockchain: Welcome to the Transaction Superhighway

## Blockchain will impact your business

When the internet was introduced to the public 25 years ago, it was hailed as an information highway that could impact virtually every aspect of society. It did and does. Now, the second era of the internet is beckoning. This era, powered by blockchain technology, will bring us from an internet of information to an internet of value.

Blockchain technology can be thought of as a distributed ledger – a massive global spreadsheet that runs on millions of computers simultaneously. Blockchain can record transactions between two parties in near real time and in a verifiable way that doesn't require traditional intermediaries to authenticate or settle transactions. Additionally, it provides a platform for transparency and trust between strangers because of its immutable transaction record.

Many know of blockchain technology because it is at the heart of bitcoin and other cryptocurrencies, which have received accelerating media coverage over the past year. However, it is blockchain's broader implications for business that are truly staggering. Pick any industry, including the automotive industry, and blockchain has the potential to disrupt it.

## Complete Transparency

Industries ranging from artistic content to biotechnology are exploring blockchain's ability to store unregistered material in the time-stamped and secured ledger for later formal registration and protection. Because a blockchain transaction is undisputable, once a business has added something potentially proprietary to a public blockchain, that information can never be lost or changed. Thus, the blockchain could provide evidence of original ownership, a feature which may be of specific interest in the automotive industry.

A blockchain-powered supply chain has the potential to introduce complete transparency and inform better business and customer decisions. This is because blockchain captures certain information about a product and from different perspectives. For example, in manufacturing industries, blockchain data could provide attestable tracking of information and origins for all materials and inputs.

## Impact on the Automotive Industry

The automotive industry stands to be significantly impacted by blockchain technology. Areas showing biggest potential for transformation include manufacturer finance, retail finance, parts sales, warranty service records, sales history, accident history and maintenance of detailed vehicle histories, including ownership records. However, perhaps the biggest area of potential change revolves around the smart contract.

Smart contracts are one of the most transformative, early applications of blockchain technology. Simply defined, smart contracts house

code within a blockchain to automatically facilitate, execute, enforce and transact payments for a contractual arrangement between parties once the terms of their agreement have been met. For example, a smart contract can automate payment when a vehicle is delivered, when specific warranty services are performed, or can even be used to simplify and automate the leasing process, in conjunction with a secure payment process.

## Smart Contracts and Consumer Trends

Consider a scenario whereby the customer is able to choose their lease options, complete all necessary pre-approvals and register the lease to the blockchain, all from the comfort of the driver seat. These features can even be extended to other areas along the life of the vehicle, including choosing insurance coverages, tracking of activities, including distance travelled.

Perhaps most fascinating is the addition of representations of business processes into smart contracts could provide the opportunity to have not just attestable data shared between multiple parties, but also attestable processes. Nothing's out of reach.

Even the massive business phenomenon of the car sharing economy could be impacted by blockchain. Blockchain could be used to connect people wanting to rent a vehicle with people or companies who have a vehicle that is available for renting. Both parties can transact based on verifiable, transparent and trustworthy information in a direct peer-to-peer manner. If this happens, car sharing companies' disruptive business model could also be disrupted.

Executives would be wise to start reviewing the potential impact of blockchain on their business. It starts with educating business and technology leaders on the opportunities and challenges presented by blockchain and distributed ledger technology and incorporating this into strategic plans. It's important to ensure appropriate policies, governance models and guidelines are put in place to respond to and embrace this rapidly developing technology.



**Chris Schaufele**, CPA, CA is a Partner in Automotive Services, at MNP, a national accounting, tax and consulting firm. He can be reached at **604-536-7614** or **chris.schaufele@mnp.ca**



## Who's Who at the NCDA

### OUR VISION:

For member dealers and the dealer franchise system to be seen by the public as the best choice to fulfill all their automotive needs.

We are a small, but dedicated and hardworking team of seven 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 new Langley office!\*\*

\*\* New NCDA office location. Please note that we've re-located to Langley and our new address is 380 - 8029 199th St., Langley, BC\*\*



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### New Car Dealers Foundation of BC



**Christie Morning-Smith**  
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## CORPORATE PARTNERS



The NCDA is a proud member of the Canadian Automobile Dealers Association (CADA). CADA is the national association for franchised automobile and truck dealerships that sell new cars and trucks. [www.cada.ca](http://www.cada.ca)



The Vancouver International Auto Show (VIAS) is Western North America's best attended consumer show, and one of its premier automotive exhibition events.

VIAS is owned and operated by the New Car Dealers Association of BC and set a new attendance record for 2018, at more than 120,000 attendees. The 2019 VIAS returns March 19-24 at the Vancouver Convention Centre. Learn more: [www.VancouverInternationalAutoShow.com](http://www.VancouverInternationalAutoShow.com)



The Clean Energy Vehicle for BC (CEVforBC™) Point of Sale Incentive Program is administered on behalf of the Province of BC by the New Car Dealers Association of BC. CEVforBC™ provides purchase incentives for plug-in hybrid and electric vehicles to BC residents. [www.cevforbc.ca](http://www.cevforbc.ca)



BC Scrap-It is a voluntary early retirement vehicle program that provides incentives to help British Columbians replace higher polluting vehicles with cleaner forms of transportation. [www.scrapit.ca](http://www.scrapit.ca)

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## WE'VE MOVED!

Our new address:

380 - 8029 199<sup>th</sup> Street, Langley, BC, V2Y 0E2

After 19 years, it is with great excitement that we announce our official move to a new and more centrally located office in Langley. This location will be more accessible and convenient for our members, especially given the fact we are now located in the same office building as the Motor Vehicle Sales Authority (MVSA).

Our phones and fax numbers will all remain the same, but our new address is now: **Unit 380 - 8029 199<sup>th</sup> Street, Langley, BC, V2Y 0E2.**

The NCDA witnessed many changes in the auto industry over the past two decades, while at our former Richmond location.

We saw our sector face and overcome many challenges - from disruptive technologies and new vehicle sale models, to changing governments and policies and the Great Recession.

We're excited and committed to tackling whatever challenges the future may hold for our industry and to continue serving all our Dealer and Associate Members of the New Car Dealers Association of BC at our new location.

On September 6<sup>th</sup>, we welcome our members and other special guests to join us for an Open House celebration and ribbon cutting. We'll share photos from the event in the next issue of SIGNALS.

Should you have any questions, concerns, issues or ideas for us, please get in touch with us via phone or stop by and visit us in Langley, just off of Highway 1 and 200<sup>th</sup> Street. We're closer than you think!

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iA Auto Finance	Denise Buott	denise.buott@ia.ca	(604) 290-4903	<a href="https://ia.ca/">https://ia.ca/</a>
Industrial Alliance Insurance and Financial Services Inc.	John Eadlie	john.eadlie@ia.ca	(604) 882-8220	<a href="http://www.salgroup.com">http://www.salgroup.com</a>
Insurance Insight Inc.	Neal O'Donoghue	neal.odonoghue@insuranceinsight.ca	(416) 603-8555	<a href="http://insuranceinsight.ca/">http://insuranceinsight.ca/</a>
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Locator Technologies, LLC	Ronald Giblin	rgiblin@rogers.com	(310) 396-4628	<a href="https://www.locatortechologies.com">https://www.locatortechologies.com</a>
Manheim Auto Auction Company (Cox Automotive Canada)	Jack Sulymka	jack.sulymka@coxautoinc.com	(905) 875-3522	<a href="https://www.manheim.com/">https://www.manheim.com/</a>
Maxxam Insurance	Pam Shaen	pamelas@maxxaminsurance.com	(250) 391-8809	<a href="http://www.maxxaminsurance.com">http://www.maxxaminsurance.com</a>
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