

IIA WNY

I-WAYS

MAGAZINE

June
2015

INDEPENDENT INSURANCE AGENTS ASSOCIATION OF WESTERN NEW YORK, INC.

keeping you
up to
speed



Independent Insurance Agent

wnyagent.com

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GENERAL ENQUIRIES

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Orchard Park, NY 14127

Phone: (716) 207-3886

iiawny@gmail.com
www.wnyagent.com

A Message from the **PRESIDENTS COUNCIL**



Dear IIAAWNY Members:

FINALLY, Spring has Sprung in Western New York!!

With the onset of sunshine and warm weather, one's thoughts turn to the outdoors and, of course, Golf!

Please be sure to have June 29th circled and set aside on your calendars as our annual IIAAWNY Golf Outing extravaganza will be taking place that day at beautiful Orchard Park Country Club. Please check inside this Newsletter for all the information you will need to partake in the festivities.

With our election of Officers complete, please join me in congratulating our new Executive Committee and Board members, with a special "Welcome Back" to our incoming President, Vic Rutecki!

Please be sure to set aside the evening of September 24th as that will be our Installation. Please keep an eye out for more information regarding this exciting evening.

I know that Vic and your Board have many exciting ideas for the rest of 2015 and 2016, so be sure to keep checking your in box for information and notices regarding all of our upcoming events and ideas to help advance the mission of all Independent Insurance Agents in Western New York.

See you on the Links!!

Dave Gelia
Vice President



IIAAWNY Roger Gurney Memorial Golf Outing

Orchard Park Country Club, S4777 South Buffalo Street, Orchard Park, NY 14127

June 29, 2015

Full Day (golf, lunch, cocktails & dinner):
\$180 per golfer

Cocktails & Dinner Only:
\$60 per person

Registration Deadlines

Golf: June 8, 2015

Dinner: June 15, 2015

Name _____ Company _____

Email _____ Phone Number _____

_____ Golf & Dinner _____ Dinner Only _____ I cannot attend but please accept my donation

Register me as:

_____ An Individual

_____ Part of a Group

Person #2 _____

Person #3 _____

Person #4 _____

Total Amount Due (golf/donations): \$ _____

Payment Method: _____ Credit Card _____ Check (payable to IIAAWNY)

Please list desired foursome partners and company if you are not registering a complete foursome above:

Comments: _____

All reservations are first come, first serve basis. **Don't delay - We can only accept 120 golfers!**

Register Online at <https://icob.wufoo.com/forms/iaawny-2015-golf-registration-form/>

If Paying by Credit Card

After hitting submit you will be taken to the credit card payment screen.

If Paying by Check

After hitting submit, you will be taken to the credit card payment screen. Just disregard and exit the page.

If Paying by Mail

Please include a copy of your email confirmation and send to:

IIAAWNY, PO Box 983

Orchard Park, NY 14127

Remember: Metal spiked shoes and cargo pants/shorts are NOT allowed. Sneakers are OK.



IIAAWNY Roger Gurney Memorial Golf Outing

June 29, 2015 - 12:30 pm Shotgun

Orchard Park Country Club

Sponsor Request Form - Act fast !

Sponsorships are assigned on a first come, first served basis.

_____ **Diamond Sponsor: \$2,000**

includes 4 golfers, full page program ad, recognition at dinner, tee or hole sponsor, and driving range or golf cart sponsor

Circle one: Tee Sponsor

Hole Sponsor

Circle one: Driving Range

Golf Cart Sponsor

_____ **Platinum Sponsor: \$1,000**

includes 2 golfers, full page program ad, recognition at dinner, and dinner OR reception OR score card sponsor

Choose One: ___ Dinner Sponsor ___ Reception Sponsor ___ Score Card

_____ **Gold Sponsor: \$500**

includes ½ page program ad, recognition at dinner, and Par 3 challenge OR lunch OR program OR beverage station sponsor

Choose One: ___ Par 3 Challenge ___ Lunch ___ Program ___ Beverage Station

_____ **Silver Sponsor: \$250**

includes ¼ page program ad, recognition at dinner

_____ **Bronze Sponsor:**

\$100 includes tee/green sign on course, name in program

Name on sign _____

_____ **Stars: Prizes needed for golf contests** includes name in program

Item(s): _____

Note: Diamond, Platinum, and Gold sponsors are allowed to display signage or a banner in appropriate areas. Please send your text and logo for the program to IIAAWNY.

Company Name: _____

Contact Name: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

Return completed form along with check payable to:

IIAAWNY @ PO Box 983, Orchard Park, NY 14127

Or register online at <https://icob.wufoo.com/forms/iaawny-2015-golf-sponsor-form/>

For more information, please contact Jeanne Hellert – Executive Secretary @ 716-207-3886 – iaawny@gmail.com



FREE CAR SEAT CHECK

Conducted by a certified police officer

Friday, May 15th 10am - 2pm

Carstar Collision of Amherst
2915 Niagara Falls Blvd, Amherst



Sponsored by
Independent Insurance Agents Association of Western New York
www.wnyagent.com

On Friday, May 15, we held our 2nd Car Seat Safety Check. With the help of the Erie County Sheriff's Dept., we checked out over 25 vehicles and replaced four (defective, expired or wrong- fitting) car seats. The Sheriffs said it was the most car seats they ever checked on a week day! Carstar Collision located at 2915 Niagara Falls Blvd. was kind enough to offer and host the event.

Thank you to Ted Washburn, Dave Snell and Christie Swiers for all of their help and support in making this a successful event! They could not have been more accommodating! It proved to be an excellent location because of the traffic on NF Blvd. and with the Frozen Characters: Elsa, Anna & Olaf out front flagging in cars, it drove in a lot more customers! Thank you to Jessyca Riehle, Princess Parties of WNY, for your generous donation of the characters to our event!

I'd also like to thank Dick Budlong, NYCM, for donating the nylon backpacks; Matt Gortzig, Adirondack Ins. Exchange, for donating Fowler's candy bars, chip clips and pens; Preferred Mutual for bicycle safety coloring books; Heather Kuter, Progressive Insurance, for Flo tattoos; Jennifer Sullivan, Servpro of Buffalo Tonawanda, for tattoos; and Ted Washburn, Carstar Collision, for the buckle up for safety coloring books and crayons!

These events take a lot of work and coordination, but many hands make light work. Please consider helping out on a committee on our board, as Bridget Houck, D L Houck agency, did on this one! Any little bit you can contribute lightens the load for our board members and just helps our association become even stronger!

Remember IIAAWNY is YOUR Association and we want to help your agencies as well as spread the word on why an Independent Trusted Choice Agent is the BEST channel to purchase insurance!!

Thank you!

Barbara Duke

Amedeo J Duke Agency
Membership Enhancement Co-Chair



The Votes Are In!

Our election for the Board of Directors was held and we want to welcome newly elected members to the Board: Ashley Engl and Mark O'Brien, both from Lawley. Of course, we also want to welcome back Vic Rutecki, Rutecki Agency, and Karen Catalano, The Cesar Group.

The Installation for the Board will be held September 24, 2015 at the beautiful Crag Burn Golf Course, at 1231 North Davis Road, East Aurora, NY 14052. It is a great time and you get to meet and congratulate the board members. Invitations will be sent out as the event gets closer. Sponsorship packages will also be available.

Springtime Happy Hour

May 14th @ Templeton Landing, Buffalo



Paul Chisholm, Insurance Associates with Mike Carroll, Hanover Insurance and Tamara Storch from Scott Danahy Naylor.



Jessyca and Jennifer from SERVPRO of Buffalo with Barb Duke (center), Amedeo J Duke Agency



Jessyca Riehle and Jennifer Sullivan from SERVPRO of Buffalo celebrate spring with Dave Naples, United Insurance

2014-15 YEAR IN RECAP...

New Faces, A New Academy & A New Website!

By Nicole Majewski

The 2014-15 school year marked an exciting year for our Invest chapter. We have seen lots of progress with new speakers, the formation of Depew High School's brand new Academy of Finance and the introduction of Project Invest's freshly redesigned website for students, teachers and volunteers.



Whether speaking in a classroom, sitting on a board or working behind the scenes to keep our chapter running with fresh new ideas, volunteers are the key to our success and getting our industry out in front of eager students. This year, we welcomed Jeffrey Leyonmark of the Wolf Agency, Doreen DeCarlo of Kemper Insurance, Kathleen Rapasadi of Brown & Brown of New York, Inc and Brian Woronowski of the Cesar Group.

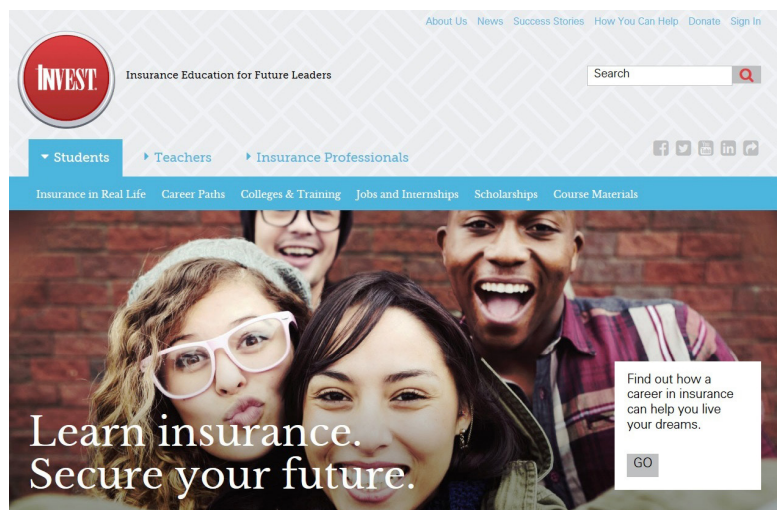


Beginning with the 14-15 school year, a new Academy of Finance took root in Depew High School. Our chapter will be working with them beginning in the 2016-17 school year. Jeff Rabey, Superintendent of Depew Union Free School District, started the new Academy and is a big supporter of the Academy of Finance, as he also started one in the Lancaster school district and another in the Lake Shore school district in Angola, NY.

Like most other Academies of Finance, Depew's Academy is a three year "school-within-a-school" program where students participate in a challenging business curriculum that gives them a first-hand view of the principles of business and the career opportunities in each branch of business. Students complete real life internships in their field of choice and can also get college credit for the courses they take in the Academy.

Finally, Project Invest's website (investprogram.org) has been redesigned for much faster access to classroom material and more information about our mission and organization. The new website is easier to understand and navigate through and has separate tabbed sections for students, teachers and insurance professionals.

Directly under each tab is a clickable menu of the topics in each section. In the Insurance Professionals tab, you'll find a menu with links to PowerPoint presentations and activities speakers can present in the classroom (in the Resources section), how the Invest program works as a volunteer and how your agency can conduct an internship or post an opening on the site's job board.



Though school is winding down for the summer, our chapter is not and we continue to work towards an even more successful 15-16! As always, thank you for your support and if you would like to jump onboard with us, please contact Karen Catalano at Karen@thecesargroup.com.

Start Here. Go Anywhere!

May 5, 2015

Mr. Vic Rutecki
Rutecki Agency
1008 Union Rd.
West Seneca, NY 14224

Dear Mr. Rutecki,



On behalf of the students and staff at Erie Community College, I would like to thank you for spending the day with us and bringing in the Distracted Driving Simulator. Our students were able to experience the consequences they could face if they use their cell phones while driving. The experience was so integral to the curriculum in General Studies at ECC; everyone took away valuable information.

College professors often seek out members of our community to enhance the education we provide for our students. You, so willingly, responded to my request for use of the simulator. It was so wonderful to view your interactions with our students as they learned in a very hands-on manner. Both, you and Mr. Marciano, enthusiastically answered so many questions from the students as well. It was, truly, a great day.

Thank you again for providing ECC with the opportunity to use the simulator. It was great meeting you and John. I hope to be in contact with you again for the upcoming fall semester.

Sincerely,

Robin M. Bobowicz

Robin M. Bobowicz
Assistant Professor/Department Chair
General Studies Department



**Texting Simulator
on the Move!**

**Sherry Ford, Lawley,
presented at Attica
High School where
students were also
able to try out our
texting simulator.**

NLRB Advises on Employment Policies

For answers to your legal questions, feel free to contact

Matthew D. Miller, Esq.
miller@ruppbaase.com

or

Luisa D. Johnson, Esq.
johnson@ruppbaase.com

at Rupp Baase Pfalzgraf
Cunningham LLC
1600 Liberty Building
Buffalo, New York 14202

716-854-3400
www.ruppbaase.com

Over the last decade, the National Labor Relations Board (“NLRB”) has increasingly focused on employment policies and employee rights under Section 7 of the National Labor Relations Act. As a result of increased litigation, the NLRB’s office of General Counsel released a report on March 18, 2015 providing guidance and examples of lawful and unlawful policies. For many employers, it was surprising that the NLRB found that certain types of policies were unlawful.

Section 7 applies to both unionized and non-unionized employees and protects employees’ rights to engage in protected concerted activities. Under Section 7, discussions with fellow employees and third parties about wages, hours, and other terms and conditions of employment are protected. If an employer’s policy could in any way be construed as interfering with these rights, it likely is unlawful.

Consider the following example policies:

- *“Do not send unwanted, offensive, or inappropriate emails.”*
- *“Do not use any company logos, trademarks, graphics, or advertising materials in social media.”*
- *“Taking unauthorized pictures or video on company property is prohibited.”*

Certainly the NLRB would consider these boilerplate policies lawful, right?

Wrong. The first example is considered unlawful because it is overly broad – employees could reasonably construe it to ban protected criticism or protests regarding their supervisors, management, or the employer generally. The second policy is considered unlawful because employees cannot be prohibited from the fair use of the company’s logos, copyrights, or trademarks on picket signs, leaflets, or other protest materials. The third policy is considered unlawful because employees have the right to use their own mobile devices to take photographs and make recordings on non-work time

for the purposes of protected concerted activity.

Although the NLRB has taken a strong stance, in some ways it still allows employers to protect their businesses. For example, broad prohibitions on disclosing “confidential” information remain lawful so long as they do not reference information regarding employees or anything that could reasonably be considered a term or condition of employment, because employers have a substantial and legitimate interest in maintaining the privacy of certain business information.

Importantly, a catch-all savings clause or disclaimer at the end of an employee handbook does not make otherwise unlawful provisions lawful because employees may not understand from the disclaimer that protected activities still are permitted. However, if an employer adds unambiguous language at the end of a specific section about the types of activities that are permitted, the NLRB may be satisfied.

CERTIFICATES OF INSURANCE LEGISLATION



SCHEDULED TO GO INTO EFFECT JULY 28, 2015

UPDATE: IIABNY OFFERS CERTIFICATE ADVICE TO OTHER ASSOCIATIONS

In May 2015, IIABNY reached out to 30 trade and professional associations – including contractors, realtors, property management, and state and local government – to offer assistance with educating their members on the new law. Included resources:

- Fact sheet on certificates of insurance
- List of Acceptable Certificate Forms
- Ready-to-use article for their newsletters, websites postings, etc.
- Two-minute video featuring IIABNY's Assistant Vice President of Research Tim Dodge explaining what certificates of insurance are and the basics of the new law.

All of these materials are available on IIABNY's Certificates of Insurance webpage, which can be found at

www.iiabny.org/certificates



Acceptable Certificate Forms

Certificate forms created by the insurance company issuing the policy **DO NOT** require prior approval from the NYS Department of Financial Services (DFS).

The following types of forms **DO** require prior approval from the DFS:

ACORD Forms

ACORD 25 (2014/01)	Certificate of Liability Insurance
ACORD 28 (2009/12)	Certificate of Commercial Property Insurance
ACORD 855 NY (2014/05)	NY Construction Certificate of Liability Insurance

ISO Forms

IL C 001 09 03	Certificate of Commercial Liability Insurance
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Other Forms

Any other private entity or governmental form with prior approval from the DFS

How do I know if a form has been approved by the DFS?

The Department of Financial Services will be posting approved certificate forms on its website – www.dfs.ny.gov. The list will be available by the July 28, 2015 effective date of the new law and will be updated as additional forms are approved.

How do I submit a form for approval?

Information on how to submit a form for approval can be found on the DFS website at www.dfs.ny.gov

Questions? Please Contact

Kathy Weinheimer, Senior VP Industry Relations
Independent Insurance Agents & Brokers of NY
800-851-8853 x239
kweinheimer@iiaabny.org