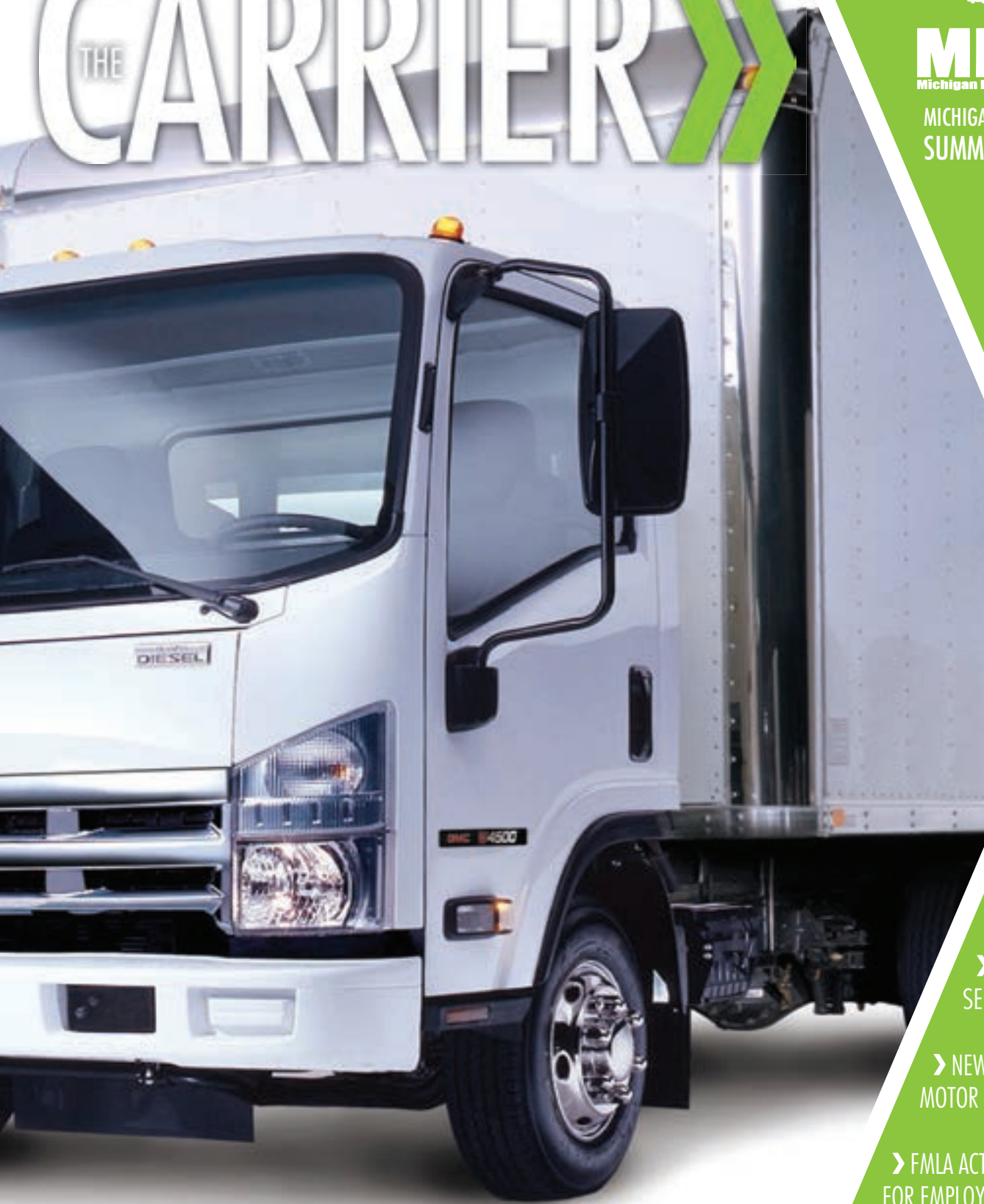


# THE CARRIER



MICHIGAN MOVERS ASSOCIATION  
SUMMER 2015



## IN THIS ISSUE:

- › RE-EMPLOYING MILITARY SERVICE MEMBERS
- › NEWS UPDATE FROM THE MOTOR CARRIER DIVISION
- › FMLA ACT: TIPS FOR EMPLOYERS
- › MMA SCHOLARSHIP APPLICATION

## BUSY SEASON BECKONS...

# THE CARRIER

MICHIGAN MOVERS ASSOCIATION

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Kyle Shumaker, CW, IT Director

## THE CARRIER STAFF

### EDITORIAL & ADVERTISING

Donnelly K. Eurich | 517.327.9207 | donn@mimovers.org

### GRAPHIC DESIGN

Kimberly Lavon & Theresa Dunham | Spartan Printing Inc. | www.printspartan.com

### PRINTING

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## EDITORIAL INFORMATION

The Carrier is a quarterly newsletter published by the MMA. MMA is a membership organization that promotes the interests of Michigan Movers Association through, interaction, education, information and legislative advocacy. Advertising opportunities are available. Acceptance of advertising does not imply endorsement or approval of the product or services advertised. The MMA Board of Directors reserves the right to refuse any ad that they consider inappropriate and does not hold to the standards and principles of the association. We accept unsolicited manuscripts but reserve the right to edit due to space limitations. Opinions expressed by guest writers do not necessarily reflect views of the MMA or Eurich Management Services. Please send address changes, membership inquiries, and advertising requests to MMA, 3721 W. Michigan, Suite 102, Lansing, Michigan 48917. Phone: (517) 327-9207, Fax: (517) 321-0495, Email: donn@mimovers.org.

## PRODUCTION SPECS

Trim size is 8.5x11. Live copy should be at least 1/2" from trim edge. Bleeds may be included on full page ads and must extend 1/4" beyond trim size on all four sides. Preferred file formats: High resolution PDF or TIF. Those retaining graphic design services should note that proofs will be submitted via email and should be returned to MMA within 24 hours with all corrections noted on proof.

## MPSC RESOURCES

### The Motor Carrier Advisory Board 2015 Meeting Schedule is:

July 16  
September 17  
November 19

Effective May 18th, 2015, the MPSC Motor Carrier Division office moved from the 6546 Mercantile Way building in Lansing to a new permanent work facility at :

### 333 South Grand Avenue, Lansing Michigan.

All Motor Carrier Division staff telephone numbers and email addresses remain the same. Call the Motor Carrier Division's main line at 517-284-8110 if you have any questions.

#### Office hours are:

Monday - Friday (closed on State Holidays) 8:00 a.m. to noon 1:00 p.m. to 5:00 p.m.

Note: Transactions filed after 11:30 a.m. may be processed after 1:00 p.m. of the same day. Transactions filed after 4:30 p.m. may be processed the next work day.

#### MOTOR CARRIER DIVISION'S MAILING ADDRESS:

MICHIGAN PUBLIC SERVICE COMMISSION

MOTOR CARRIER DIVISION, P.O. BOX 30221, LANSING, MI 48909

## PHONE LISTING

Contact numbers are provided to help in identifying personnel dealing with your specific concerns.

Director, Motor Carrier Division . . . . .	(517)284-8110
Executive Secretary to the Director . . . . .	(517)284-8110
Division General Inquiry Line . . . . .	(517)284-8110
Division Secretary . . . . .	(517)284-8110
Motor Carrier Regulation Safety & Compliance Section . . . . .	(517)284-8120
Authority Applications . . . . .	(517)284-8122
Safety Reviews . . . . .	(517)284-8118, 8119
Complaints . . . . .	(517)284-8120
Moving Company Rates, Tariffs & Annual Reports Concerns and Complaints. . . . .	(517)284-8113
Motor Carrier Credentials & Customer Service Section . . . . .	(517)284-8110
Decal Processing . . . . .	(517)284-8123, 8124
Intrastate Authority Renewals . . . . .	(517)284-8110
Insurance Processing . . . . .	(517)284-8123, 8124
Unified Carrier Registration . . . . .	(517)284-8110
Intrastate USDOT Number Application . . . . .	(888)464-8736
Motor Carrier Division FAX . . . . .	(517)2848127



# PRESIDENT'S MESSAGE

**JON C SORBER**  
TWO MEN AND A TRUCK INTERNATIONAL, INC.

Happy summer!! As a proud Michigan resident, when I think of summer, I think of boating, the beaches, fishing, running outside, biking, camp fires, grilling, etc... As a proud mover, I think of the quote, "Make hay when the sun shines!" I also think of a squirrel digging up the last acorns in the spring and preparing to store more, during the harvest, for next winter. Hopefully over the winter and spring, you have had the time and resources to prepare your equipment and staff to make lots of "hay" this summer! Don't forget to store some of this summer's "hay" for next winter!

On the Michigan political front, so far this year has been very interesting. Proposal 1 which provided new taxes to fix our roads, but also designated new funds for schools and cities, was "taken to the wood shed" with an 80-20 vote against the bill. I believe this vote was the Michigan voting public's way of saying, "Enough already! Do the work with the money we are already giving you!"

**SINCE THIS VOTE, MICHIGAN REPUBLICANS HAVE ALREADY "FOUND" \$1,000,000,000 (ONE BILLION) TO SPEND ON ROADS WITH VERY LITTLE TAX INCREASES.**

If you go to the Michigan Capitol Confidential website and search "roads," you will find some detailed articles on this. Right now, the battle is heating up to repeal Michigan's Prevailing Wage law that inflates Michigan's construction project spending by as estimated 15%. That's a lot of money that can fill a lot of pot holes! Please remember, politics is not a spectator sport. Decisions are made in Lansing and DC that directly affect our family and business environments.

In closing, if you need business support, please look to our dedicated suppliers in this publication. They support us and we need to support them as well. Treat your front line staffs like gold; they have such a tough job. Take some time to enjoy this short, but sweet, beautiful, Michigan summer!

God Speed!

Kind regards, Jon  
President, MMA

**SHARE YOUR  
GOOD NEWS!**

"The MMA wants to share your success with our membership. Did your company or an employee receive special recognition? Have you championed a drive for a local charity? Movers are good citizens and we want to share your story with our members and with the public on our website. Simply email your success story to [Donn@mimovers.org](mailto:Donn@mimovers.org)."

# NEWS FROM THE MOTOR CARRIER DIVISION

## NEW NAME – NEW LOCATION

As of May 18, 2015 this division has a new name and a new location as a result of Governor Snyder's Executive Order EO-10 of 2015 .

The Motor Carrier Division is now the Regulatory and Credentialing Section of the Michigan State Police, Commercial Vehicle Enforcement Division, (MSP/CVED). Our office is in the State Police Headquarters downtown in Lansing (333 S. Grand Ave., Lansing) until we move to a permanent location when the State Police relocates to the secondary complex near I69/I96 in Dimondale MI. Our offices are still available to assist motor carriers by appointment in our downtown location. Please call our main telephone number at 517-284-8110 or 517 – 284 -8120, to set up a time to meet with our staff. Please note that there is no semi parking in the downtown area.

## MANDATORY TARIFF TRAINING.

The Regulatory and Credentialing Unit of the MSP/CVED recently approved a change to the Tariff 4000. The new addition to the tariff is effective June 11, 2015 and states:

1. All newly authorized household goods carriers must complete a tariff training session at the Michigan State Police, Commercial Vehicle Enforcement Division or other tariff training approved by the Michigan Movers Association. Attendance is required within 180 days following the issuance of MSP/CVED authority.

2. Any household goods carrier determined to have violated any provision of the tariff shall complete a tariff training session within 180 days following the finding of the evaluation.

3. The Michigan State Police, Commercial Vehicle En-

forcement Division will publish the training session schedule in the Motor Carrier Bi-Weekly information bulletin.

4. Failure to complete the tariff training session as required above will result in sanctions up to and including the revocation of MSP/CVED authority.

## MEMBERSHIP FEES DEADLINE:

All 2015 Michigan Movers Association membership fees must be paid by July 1, 2015. The Motor Carrier Act requires that state-wide movers must have an approved tariff on file with the Michigan State Police, Commercial Vehicle Enforcement Division. Being a member in good standing of the Michigan Movers Association meets that tariff requirement. Movers not meeting those requirements will be subject to sanctions up to and including revocation of MSP/CVED authority. If you have any questions, please contact Cindy Swix at 517-284-8113.

## PICTURE THIS.

Every platform allows your business to post some type of visuals. The more visuals your posts incorporate, the more attention your followers will pay to your content. The human brain finds visuals four times more memorable than text.

**FLAUNT IT IF YOU'VE GOT IT.** When you are creating a network of followers, the individuals who choose to follow you have a reason for doing so, whether it is because they've done business more you, they receive value from your posts, or they simply support your business. It is not perceived negatively to share your company's earned media coverage. The more credible content you provide, the higher the impact you have on your buyers.



# WHAT EMPLOYERS NEED TO KNOW ABOUT REEMPLOYING MILITARY SERVICE MEMBERS



**BY KARL W. BUTTERER**

FOSTER SWIFT BUSINESS & CORPORATE LAW REPORT

1700 EAST BELTLINE, N.E. | SUITE 200  
GRAND RAPIDS, MI 49525-7044  
T 616.726.2212  
F 616.726.2299

## MILITARY SERVICE MEMBERS MAKE TREMENDOUS SACRIFICES WHILE SERVING.

The federal government passed the Uniformed Services Employment and Reemployment Relief Act of 1994 (USERRA) in order to prevent employers from discriminating against employees that leave to serve in the military. As military deployments have increased over the last 15 years, increasing attention has been paid to USERRA and its requirements. USERRA requires employers to reinstate employees who leave for service as a member of the Armed Forces, including the National Guard, if the absence is five years or less.

Under USERRA an employer must reemploy the service member if:

- The employee gave the employer advanced written or verbal notice of the military service, unless impossible or unreasonable due to military necessity;
- The employee's absence did not exceed five years, unless an exception applies such as a war or national emergency declared by the Congress or the President;
- The employee was given an honorable discharge or general discharge; and
- The employee promptly returns to work within specified time periods that relate to the employee's length of service; for example, for military duty of 1 to 30 days an employee must report back to work at the first shift beginning after safe travel time from the military duty site plus eight hours rest.

USERRA prohibits employers from simply reinstating service members into the same position they served in prior to entering the military. Instead, the position depends on the length of duty, and the employer must establish the appropriate position by determining what position the employee would have been in if continuously employed during military service.

For military duty between 1 and 90 days, an employee is entitled to the same position he or she would have held had employment not been interrupted.

For military duty 91 days or more, an employee is entitled to the same position he or she would have held had employment not been interrupted, or a position of like seniority, status, and pay.

If an employee returning from service is not qualified, the employer must offer the employee training, including training to take into account technological advances. If, after training, the employee is unable to qualify for the position he or she would have held, then the employee must be placed in an equivalent position that the employee is qualified to perform. An employer cannot fire the service member employee without cause for up to six months if military services was 31 to 180 days and for up to 12 months if military duty was 181 days or more.

There are exceptions to a service member's right to reinstatement under USERRA, including:

- Workplace changes make it unreasonable or impossible to reinstate the employee;
- Reemployment of the returning employee creates an undue hardship on the employer; or
- The employment prior to service was brief and there was no reasonable expectation that employment would continue for a long period of time.

Michigan and many other states provide similar employment protections to service members. Protections under Michigan's statute, MCL 32.271, also cover service performed by members of the Michigan National Guard.

Employers can fulfill their obligation to provide notice to employees of their rights under USERRA by displaying the text of this notice where they customarily place notices for employees.

[http://www.dol.gov/vets/programs/userra/USERRA\\_Federal.pdf](http://www.dol.gov/vets/programs/userra/USERRA_Federal.pdf)

This brief summary covers many of the main USERRA points that employers should keep in mind, but it should be noted that state law, collective bargaining agreements and/or other statutory or contractual provisions may create additional rights for military personnel. Please contact Karl W. Butterer to make sure that your company's reemployment practices are compliant.

## MILITARY FAMILY LEAVE UNDER THE FMLA

The Family and Medical Leave Act (FMLA) has been significantly changed over the last eight years, particularly in terms of its application to employees with family members in the military. Covered employers must be aware of FMLA provisions and protections that have been put in place specific to the needs of military families.

### QUALIFYING EXIGENCY LEAVE

Eligible employees are entitled to take up to 12 weeks of FMLA leave per 12-month period because of any qualifying exigency resulting from the fact that the military member spouse, son, daughter, or parent of the employee is either (i) on covered active duty; (ii) called to covered active duty status; or (iii) has been notified of an impending call or order to covered active duty.

"Covered active duty" means, for members of the regular armed forces, duty during deployment with the armed forces to a foreign country. For members of the reserve components of the armed

forces, it means duty during deployment with the armed forces to a foreign country under a federal call or order to active duty in support of a contingency operation.

If an employee's military relative is on covered active duty, the employee may take FMLA leave for qualifying exigencies such as for military events, for financial and legal tasks to deal with the family member's active duty, and for urgent child-care and school activities, among other things.

Employees seeking leave must give reasonable and practicable notice if the exigency is foreseeable, and the employer may require verification information such as a copy of the military member's active duty orders, a statement of facts explaining the reason for leave and the expected length of leave.

### MILITARY CAREGIVER LEAVE

Eligible employees are entitled to take a total of 26 weeks of leave to care for a covered service member or veteran during a single 12-month period. In order to qualify, the employee must be a spouse, parent, child or next of kin of a service member or a veteran who sustained a qualifying injury for up to five years after discharge from military service.

A covered service member is one who has suffered a serious injury or illness in the line of duty that may render him or her medically unfit to perform the duties of his or her office, grade, rank or rating. Military caregiver leave is determined per service member and per injury, and the 26 weeks of caregiver leave may be taken all at once or intermittently. In addition, an employee is entitled to a combined total of 26 weeks of FMLA leave during a single 12 month period. Accordingly, an employee can take 12 weeks for his or her own health condition, and 14 weeks to care for a covered service member.

As with qualifying exigency leave, employees seeking leave must provide notice to their employers. Employers may require employees to provide certification supporting the leave request including information such as a statement of facts regarding the service member's health condition supporting the need for FMLA leave, contact information for the authorized health care provider completing the certification, and estimates for the period and dates of treatment or recovery.

Please contact Karl W. Butterer with any questions about FMLA or other employment related issues.

# FROM THE EXECUTIVE MANAGER'S DESK



**BY DONN EURICH**  
EXECUTIVE MANAGER

## THE MMA WEBSITE: YOUR MARKETING PARTNER

The MMA staff and IT Committee have been hard at work upgrading the MMA site to let you feature the special services you offer, write a 50 word company description and increase your visibility to prospective shippers who visit our site.

The MMA website is averaging over 500 hits per month. You are now able to log on to the site, select those services you offer from a list and write a 50 word description of your company or services. When a site visitor searches for a nearby mover, they can now narrow down the results by services offered by those movers. By filling out your profile, you can then appear in those searches.

Here's what you need to do;

- 1) Go to the MMA website at [www.mimovers.org](http://www.mimovers.org)
- 2) Click on the "Members Area" tab
- 3) Click on the "Member Login" tab

- 4) Enter your user name (First initial and last name of primary contact)
  - 5) Enter your password (your MPSC authority number w/o any leading letter)
  - 6) From the list of services offered, check the box next to all those you offer
  - 7) Write a 50 word or less company profile and enter into the text box
  - 8) Click on Browse to upload an image which will appear with your profile (square images work best)
  - 9) When finished, click "submit" and your new updated profile will be active
  - 10) You can change your password to one you can easily remember from within your profile by clicking on "Change password"
- That's it! You're done. You can revisit the website and update your profile whenever any information changes.

## MOVING & STORAGE COMPANIES FOR SALE PORTABLE STORAGE COMPANIES FOR SALE

ARE YOU READY TO EXPAND YOUR MOVING & STORAGE BUSINESS OR ARE YOU READY TO START WORKING ON YOUR "EXIT STRATEGY"?

We have 2 of your Competitors that are working on their "Exit Strategy" we expect them to List their Businesses for sale with us in the next few days. Would you like to have information on these Businesses? These Sellers are concerned about "CONFIDENTIALITY" we will ask you to sign a confidentiality agreement.

It is a Sellers' market; we have many Buyers interested in expanding to the Michigan Market and the surrounding States. We would also like to give you a free valuation of the price you can expect when we sell your business. Please send me an e-mail today with your questions or comments. We have a Specialist Business Broker who lives in Michigan, and has been working with the Moving & Storage Industry for many years.

Dennis Riley "COACH" To the Moving & Storage Industries.

[DENNIS@BELTWAYBROKERAGE.COM](mailto:DENNIS@BELTWAYBROKERAGE.COM) Office Land line (410) 326-2187 In Michigan, contact [DONN EURICH](mailto:DONN@MIDWESTBUSINESSESFORSALE.COM) at (517) 327-9207 or [DONN@MIDWESTBUSINESSESFORSALE.COM](mailto:DONN@MIDWESTBUSINESSESFORSALE.COM).

# ABANDONED OR DELIN- QUENT STORAGE ITEMS? AUCTION THEM OFF!



**BY JOE SCHMITT**  
OWNER, BROKER, AND PRESIDENT OF MASTERBID, INC.

Have you had enough of trying to comply with all the necessary disclosures, address searches and paperwork related to auctioning off abandoned property? There are alternatives which keep you in compliance, generate impressive cash flow and relieve the stress of remembering each step in warehouse lien collection procedures.

Recently, two MMA members took full advantage of the professional service available to them and turned stagnant delinquencies and unproductive space into thousands of dollars in income. They recovered and re-rented much in-demand vaults and containers which are now producing new income. The mover owners were so impressed that these were some of their reactions to the process and results:

**"WE EARNED THREE TIMES WHAT WE THOUGHT IT WOULD BRING." "WE WILL DEFINITELY DO THIS AGAIN." "62 PEOPLE SHOWED UP TO BID ON THE ITEMS!" "WE REALLY NEEDED THOSE VAULTS." "I REALLY DIDN'T KNOW HOW MUCH SPACE WE WOULD RECAPTURE. WOW." "I HAD SMILE ON MY FACE AS I WATCHED THE BUYERS LOAD UP AND CLEAN UP." "THIS WAS A BIG LOAD OFF MY SHOULDERS." "WE SOLD THINGS THAT HAD BEEN SITTING AROUND HERE FOR YEARS, IT WAS FUN!"**

Rarely is the patience of a mover more tested than when dealing with delinquent storage accounts and the steps involved with dis-

closure and disposal. Not only is rental income affected but there are intangible costs such as labor, time, bookkeeping, collection and paperwork.

The auction process is efficient, immediate and profitable. Having this service available can help movers limit expenses related to storage and generate new revenue without the normal hassles. Fortunately, the legislature has recognized that delinquencies and abandonments are real costs of doing business. Public Act 61 addresses many of the issues facing movers and storage owners:

## THE LAW PROVIDES FOR:

- Agreed upon values of stored property
- Provides for the assessment of 20% late fees
- Eliminates affidavit requirements
- Provides for vehicle authorizations
- Late fees and lien enforcement can be added to tenant account balance
- Provides for disposal of confidential documents without liability
- Provides for disposal of illegal properties without penalty

Even though PA 61 protects the rights of storage providers, the auction process is what ties the loose ends together, provides for the submission of all paperwork (The auctioneer will do this on your behalf), and the auction process provides the most proven and efficient way to maximize revenue from what used to be a frustrating process.



# BECOME A MICHIGAN PROMOVER



By now you are likely familiar with AMSA's ProMover Program which recognizes and identifies quality professional moving companies for the benefit of consumers. The AMSA ProMover logo represents certification for interstate moves. We are proud to announce that the

Michigan Movers Association is partnering with AMSA to bring a Michigan ProMover certification to movers who represent excellence in local and intrastate moves.

The criteria to become a MMA ProMover in Michigan are similar to the qualifications required by AMSA for interstate ProMover approval. MMA membership is required to become a MMA ProMover in Michigan.

To apply for MMA ProMover in Michigan status and receive certification for your intrastate and local moving excellence, please log on to [www.mimovers.org](http://www.mimovers.org) and click on the Michigan ProMover Logo. You can download and complete the Michigan ProMover Signatory Agreement and mail it to the MMA office with the appropriate application fee. The Michigan ProMover Agreement renews every September 1 so applications received through August, 2015 will provide program enrollment through August 31, 2016.

#### APPLICATION FEES\*

Members of both MMA and AMSA..... \$210  
 Member of MMA only ..... \$300

\* This does not include either MMA or AMSA membership dues.

**CONTACT DONN EURICH AT THE MMA OFFICE FOR MORE INFORMATION OR VISIT [WWW.MIMOVERS.ORG](http://WWW.MIMOVERS.ORG) AND CLICK ON THE PROMOVER LOGO.**

CARRIER IS A MEMBER OF MMA ONLY	CARRIER IS A MEMBER OF AMSA ONLY	CARRIER IS A MEMBER OF BOTH AMSA AND MMA
ELIGIBLE FOR PROMOVER CERTIFICATION FOR LOCAL, INTRASTATE SHIPMENTS UNDER AUSPICES OF MMA.	ELIGIBLE FOR PROMOVER CERTIFICATION FOR INTERSTATE SHIPMENTS UNDER AUSPICES OF AMSA.	ELIGIBLE FOR PROMOVER CERTIFICATION FOR BOTH INTERSTATE AND LOCAL, INTRASTATE SHIPMENTS.
MMA WILL PROVIDE QUALIFYING CARRIERS WITH MMA PROMOVER LOGO DESIGNED FOR INTRASTATE CARRIERS ONLY.	AMSA WILL PROVIDE QUALIFYING CARRIERS WITH AMSA PROMOVER LOGO DESIGNED FOR INTERSTATE CARRIERS ONLY.	QUALIFYING CARRIERS WILL BE PROVIDED WITH SEPARATE IDENTIFYING PROMOVER LOGOS BY MMA AND AMSA.
ELIGIBLE TO USE AMSA ARBITRATION PROGRAM FOR INTRASTATE SHIPMENTS.	ELIGIBLE TO USE AMSA ARBITRATION PROGRAM FOR INTERSTATE SHIPMENTS.	ELIGIBLE TO USE AMSA ARBITRATION PROGRAM FOR BOTH INTER AND INTRASTATE SHIPMENTS.
ELIGIBLE FOR AMSA MOVE.COM WEBSITE REFERRAL SERVICE.	ELIGIBLE FOR AMSA MOVE.COM WEBSITE REFERRAL SERVICE.	ELIGIBLE FOR AMSA MOVE.COM WEBSITE REFERRAL SERVICE.
NOT PRESENTLY ELIGIBLE FOR FUTURE STAR LEVEL PROGRAM.	ELIGIBLE FOR FUTURE STAR LEVEL PROGRAM FOR INTERSTATE SHIPMENTS.	ELIGIBLE FOR FUTURE STAR LEVEL PROGRAM FOR INTERSTATE SHIPMENTS.

# TIPS FOR EMPLOYERS TO PROTECT THEMSELVES FROM CLAIMS UNDER F.M.L.A.



**BY PAMELA C. DAUSMAN**  
ATTORNEY | FOSTER SWIFT COLLINS & SMITH PC

## DOES YOUR COMPANY HAVE MORE THAN 50 EMPLOYEES?

Over the course of 20 or more work weeks during the preceding year must provide benefits under the Family Medical Leave Act (FMLA) to qualifying employees. Once an employee gives notice that they may qualify for leave under the FMLA, the employer must take steps to notify the employee of their rights and determine if the employee qualifies for leave. Employers should be aware that the Department of Labor issued a final rule that allows employees to take FMLA leave to care for a same-sex spouse. The rule provides that employees who are legally married, regardless of where they currently reside, are entitled to benefits under the FMLA. The FMLA and accompanying regulations impose specific requirements on the employer. Employers can protect themselves against future claims that an employee's FMLA rights were violated by closely following these requirements.

### 1. EMPLOYERS SHOULD KEEP A COPY OF ALL EMPLOYEE FMLA LEAVE REQUESTS.

Employers should keep a copy of all requests for FMLA leave in a separate FMLA jacket, within the medical file for each employee requesting FMLA leave. Although employers can ask employees to put their request for FMLA leave in writing, there may be occasions where the notice is provided orally. In that case, it is suggested that employers make a note of the FMLA

request in the employee's FMLA jacket. The employee's request for FMLA leave triggers certain duties for the employer.

### 2. ADVISE THE EMPLOYEE WHETHER THEY QUALIFY FOR LEAVE OR IF MORE INFORMATION IS NEEDED.

After an employee gives notice of the need for FMLA leave, the employer has five (5) business days to issue a Notice of Eligibility and Rights & Responsibilities Form. This form advises the employee whether they meet the preliminary requirements for FMLA leave and if the employer needs additional information to make a decision. The notice may also advise the employee that they do not qualify for leave and the reason(s) that they do not qualify.

### 3. IT IS THE EMPLOYEE'S RESPONSIBILITY TO PROVIDE A COMPLETED MEDICAL CERTIFICATION FORM.

When the employer does not have enough information to determine whether an employee qualifies for FMLA leave, the employer can ask the employee to provide a medical certification form. Preferably, all communications with the employee about the medical certification form and the request for FMLA leave should be in writing. The employer must give the employee fifteen (15) calendar days to submit the completed medical cer-



tification form. When employees fail to return the medical certification form by the deadline or provide an incomplete form, the employer must follow-up with the employee. The employer must tell the employee if the medical certification form is insufficient and explain in writing what additional information is needed. The employee is entitled to receive seven (7) calendar days to obtain the requested information.

#### **4. EMPLOYERS MUST ISSUE A DESIGNATION NOTICE TO EMPLOYEES REQUESTING FMLA LEAVE.**

Once the employer has enough information to decide whether the employee qualifies for FMLA, the employer must issue a designation notice. The designation notice tells the employee whether their request for FMLA has been approved and how much leave they are entitled to take based on the information provided. The designation notice also assists the employer to keep accurate records of the employee's use of FMLA leave. Given the rise of what is referred to as intermittent leave requests for conditions such as migraines, asthma, and irritable bowel syndrome, it can sometimes be difficult to monitor the FMLA leave entitlements for numerous employees.

#### **5. LEGALLY MARRIED SAME-SEX COUPLES QUALIFY FOR FMLA BENEFITS.**

The Department of Labor's final rule regarding benefits for same-sex couples took effect on March 27, 2015. Previously, the term "spouse" was defined by the state where the employee resided. Now, spouse is defined by the law of the state where the marriage was entered. Employers should amend their FMLA policy and any forms or notices to conform with the new definition of spouse. The employer can ask the employee to provide documentation of the marriage, such as a marriage license or a court document. However, employees can also sat-

isfy this request by providing a statement that the family relationship exists. Employers should use caution when requesting this documentation and ensure that all employees are requested to verify the validity of the marriage to head off possible FMLA interference claims. However, if the employer already has proof of the marriage, for example in health benefits documents, the Department of Labor advises that this is sufficient to confirm a family relationship exists.

In conclusion, maintaining up-to-date documentation for employees utilizing FMLA leave will decrease the likelihood of future FMLA lawsuits by employees. Additionally, an open dialogue with employees about their entitlement to FMLA leave will reduce misunderstandings about the amount of their leave entitlement. Finally, employers should review their FMLA policies and the forms they utilize to ensure that they are in compliance with the Department of Labor's final rule extending FMLA leave rights to same-sex couples that took effect on March 27, 2015.

This article provides a general overview of the requirements imposed by the Family Medical Leave Act. Employers are subject to additional requirements when employees return from FMLA leave.

**PLEASE CONTACT PAMELA DAUSMAN AT (517) 371-8163 OR [PDAUSMAN@FOSTERSWIFT.COM](mailto:pdausman@fosterswift.com) FOR ADDITIONAL INFORMATION ABOUT AN EMPLOYER'S DUTIES UNDER THE FAMILY MEDICAL LEAVE ACT, OR FOR ASSISTANCE IN REVISING EMPLOYER FMLA POLICIES AND FORMS TO REMAIN IN COMPLIANCE WITH THE FMLA.**

# MMA ACADEMIC SCHOLARSHIP FUND APPLICATION DEADLINE APPROACHING

## FOR MEMBER COMPANY EMPLOYEES AND THEIR DEPENDENTS:

Drivers, dock workers, mechanics, office personnel and other dedicated moving industry employees are among the thousands of people each day who contribute to a strong, efficient moving industry in Michigan.

Many of these workers are or have dependents who are pursuing studies toward a higher education. The Michigan Movers Association Academic Scholarship Fund (MMA-ASF) would like to help some of these students in their efforts by providing some financial aid to Michigan Movers Association (MMA) member company employees or their dependents.

Several Annual Scholarships ranging from \$500 to \$1,500 may be awarded. Recipients will be selected on the basis of their academic achievement, community involvement and financial need. The Fund will provide financial assistance for college and trade school students. These funds may be used to meet such expenses as tuition, books, and housing.

The MMA Academic Scholarship Fund (MMA-ASF) is funded by MMA financial reserves, consisting of dues and other financial resources as received from member movers for membership and other related activities. The ASF has been specifically structured to support higher education among moving family members who are part of the MMA.

**ELIGIBILITY:** Applicants must be high school seniors or college students. They must be an owner, employee or a dependent of someone employed by a company with membership in the Michigan Movers Association. Scholarships are available to all MMA member movers and Associates.

**APPLICATION:** A student seeking a scholarship should complete the attached application form and send it to the MMA-ASF along with a recent photograph, a certified copy of their transcript (last mid-term is acceptable), two or three letters of recommendation and an accompanying letter of intent. This letter should include information on current and planned studies, career goals, interest, and the reason for applying for the scholarship.

**SELECTION:** Recipients will be chosen by the members of the MMA-ASF Committee. The funds will be sent directly to the recipient's school.

**DEADLINE FOR APPLYING:** Applications must be received by Wednesday, June 30, 2015, for scholarships to be awarded for the 2015-2016 Academic Year. Winners will be notified in early August.

## VOCATIONAL SCHOLARSHIP APPLICATION

The Vocational Scholarship was initiated primarily for the applicant looking to further their education in trades associated with the moving industry. Annual grants of \$500 to \$1,000 for vocational scholarships will be awarded by the MMA-ASF to eligible students who are related to an employee of a current MMA member.

**Vocational Scholarship – Diesel Mechanics & Truck Drivers Mechanics:** Diesel mechanic training is a two-year program at most vocational schools with the year divided into four quarters and the month of September being vacation time. Eligible students must have completed high school or the GED equivalent, or be enrolled in a vocational school.

[CONT'D ON PAGE 19]



# APPLICATION FOR MMA-ASF SCHOLARSHIP

A scholarship from the MMA-ASF will be awarded in consideration of an applicant's academic achievements, community involvement and financial need. It is awarded for one year in an amount determined by the ASF Committee. It is valid for the academic year it is awarded and cannot be held over without the approval of the ASF Committee.

## APPLICANT MUST:

1. Be an owner, employee or dependent of a MMA member company in good standing
2. Maintain full time student status (12 semester hours)

## PERSONAL DATA

Name \_\_\_\_\_

Present Address (street, city, state, zip) \_\_\_\_\_

Telephone Numbers: Home \_\_\_\_\_; Cell \_\_\_\_\_

E-mail address: \_\_\_\_\_

Permanent Mailing Address (if different from Present address) \_\_\_\_\_

Social Security #. \_\_\_\_\_ Date of Birth \_\_\_\_\_ Age \_\_\_\_\_

Single       Married      No. of Dependents \_\_\_\_\_

## SCHOOL HISTORY

High School: \_\_\_\_\_

Year of High School Graduation \_\_\_\_\_ Cumulative Grade Point Average \_\_\_\_\_ on a \_\_\_\_\_ scale

ACT score \_\_\_\_\_ or SAT score \_\_\_\_\_

Name of College, University or Trade School \_\_\_\_\_

Years of College Completed \_\_\_\_\_ Grade Point Average \_\_\_\_\_ on a \_\_\_\_\_ scale (if applicable)

Activities, Awards and Honors (list on a separate sheet if needed) \_\_\_\_\_

## ADDITIONAL INFORMATION

Hobbies and recreational interests \_\_\_\_\_

Your affiliation with the moving industry: Name of Relative: \_\_\_\_\_

Relationship: \_\_\_\_\_ OR: If an employee, your position: \_\_\_\_\_

Name of MMA Member Company; City, State, Telephone Number or email address: \_\_\_\_\_



## EMPLOYMENT RECORD: (LIST MOST RECENT EMPLOYER FIRST)

Date: \_\_\_\_\_

Employer's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Job description: \_\_\_\_\_

Date: \_\_\_\_\_

Employer's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Job description: \_\_\_\_\_

Date: \_\_\_\_\_

Employer's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Job description: \_\_\_\_\_

Your income last year \_\_\_\_\_ Spouse's income \_\_\_\_\_

Father's Name: \_\_\_\_\_ Father's Occupation \_\_\_\_\_

Father's Address \_\_\_\_\_

Mother's Name: \_\_\_\_\_ Mother's Occupation \_\_\_\_\_

Mother's Address \_\_\_\_\_

Number of Dependents (other than applicant) at home \_\_\_\_\_

Estimated combined annual family income (include non-custodial parent, if applicable) \$ \_\_\_\_\_

Other financial resources, assets and savings your family may have in addition to their yearly income \_\_\_\_\_

List the type and amount of any financial aid you may be receiving: \_\_\_\_\_

Should you be awarded a scholarship, please provide name, phone number and address of the college/ university where the funds should be sent:

### SUBMISSION CHECKLIST:

COMPLETED APPLICATION

RECENT PHOTOGRAPH

LETTER OF INTENT

OFFICIAL TRANSCRIPT - LAST MIDTERM IS ACCEPTABLE

TWO OR THREE LETTERS OF RECOMMENDATION

AWARDS, RECOGNITIONS, GRANTS

SEND TO: MMA ACADEMIC SCHOLARSHIP FUND  
3721 W. MICHIGAN AVE SUITE 102, LANSING MI 48917 | (517) 327-9207 | DONN@MIMOVERS.ORG  
DEADLINE: JUNE 30, 2015

# BUSINESS VALUATION: WHAT'S YOUR COMPANY WORTH?



Many factors are considered when arriving at the market value of a business. The market itself is the final determiner of the value. Theoretically, a business's value is determined by evaluating the assets to be sold and the potential income those assets have and will generate for the potential buyer. For more information contact the corporate office today at 301-937-8220 or contact your Broker directly using the contact information in the left menu bar if available.

Most businesses are sold as "asset sales" versus stock transfers. (Asset sales offer much less risk for a buyer, as any "hidden" liabilities are the responsibility of the seller.) Consequently business owners will probably retain certain assets and may pay certain bills and the company's financial information must be adjusted for these items. Typical examples of assets retained are cash in the bank, vehicles, life insurance policies, etc. Additionally, in order to properly value

a business the company's financial reports for tax purposes must be adjusted to reflect the true financial performance of the business. Tax charges such as excess depreciation or charges for "extra" company vehicles must be added back to taxable income. These are just a few of the adjustments and considerations taken into account in order to value a business.

Once these adjustments have been taken into account generally there are two ways to arrive at the value of a small business. One method uses the company's ability to generate sales, cash flow and/or profits. The second method is to value the company based on its assets. The method used depends on the condition of the business and the industry it is in. However, a business, like any other asset, is worth what a buyer is willing to pay and what an owner is willing to accept. Beltway Business Brokerage is qualified to advise you on the value of your business.

## RULE OF THUMB VALUATION GUIDELINES

An extremely well established and steady business with a rock-solid market position whose continued earnings will not be dependent upon a strong management team.	A multiple of eight to ten times current profits
An established business with a good market position, with some competitive pressures and some swings in earnings, requiring continual management attention.	A multiple of five to seven times current profits
An established business with no significant competitive advantages, stiff competition, few hard assets, and heavy dependency upon management's skills for success.	A multiple of two to four times current profits
A small personal service business where the new owner will be the only, or one of the only, professional service providers.	A multiple of one times current profits

# SERVICE DIRECTORY

## 2015 ROSTER OF MMA ASSOCIATE MEMBERS

WE ENCOURAGE YOU TO LOOK TO THEM FIRST WHEN SEEKING SERVICES  
FOR YOUR COMPANY

### **Aegis Insurance Services, Inc.**

Scott & Barbara Stevens  
5755 North Point Parkway #44  
Alpharetta, GA 30022  
www.aegis-online.com  
bstevens@aegis-online.com  
770-360-5565 ph • 770-667-8348 fx

### **Alliance Relocation Service**

Jim Walsh  
2059 Limber Pine Circle  
Manlius, NY 13104  
jim.walsh@alliancerelocation.com  
877-242-0455 ph

### **Arpin Van Lines, Inc.**

Kathleen Frazier  
P.O. Box 1302  
East Greenwich, RI 02818-0998  
www.arpin.com  
info@arpin.com  
800-343-3500 ph • 410-536-9019 fx

### **Ayres-Rice Insurance, Inc**

Scott Kuiper  
452 North Grand  
Schoolcraft, MI 49087  
skuiper@ayres-riceinsurance.com  
269-679-4918 ph  
269-679-2306 fx

### **CDS Moving Equipment**

Brian Preusse  
2636 S. Clearbrook Dr.  
Arlington Heights, IL 60005  
bpreusse@cds-usa.com  
847-437-9334 ph

### **Daycos, Inc.**

Tami Pick  
1305 13th Street  
Norfolk, NE 68701  
www.daycos.com  
tami@daycos.com  
402-379-1440 ph • 402-379-3574 fx

### **Foster Swift Collins & Smith, P. C.**

Paul Millenbach  
32300 Northwestern Highway, Suite 230  
Farmington Hills, MI 48334  
www.fosterswift.com  
Pmillenbach@fosterswift.com  
248-539-9900 ph • 248-851-7504 fx

### **Hawk Agency, Inc.**

Tim Kirkham  
7131 N. Knoxville Ave, 61614  
Peoria, IL  
tkirkham@hawkinsurance.com  
309-690-9800

### **Howey & Associates Insurance**

Skip Howey  
22333 Allen Road  
Woodhaven, MI 48183  
www.howey-insurance.com  
showey@howey-insurance.com  
734-676-6600 ph • 734-676-1372 fx

### **Johnston Lewis Associates**

Dan Wilhelm  
575 E. Maple Road  
Suite A  
Troy, MI 48083  
service@johnstonLewis.com  
248-528-2400 ph • 248-528-2410 fx

**Kentucky Trailer**

Louisville - KY  
MaryBeth Tomes  
7201 Logistics Drive, 40258  
502-637-2551  
mbtomes@kytrailer.com

**LSI Source, LLC**

Sue Doeden  
12722 Tonkel Road  
Fort Wayne, IN 46845  
www.lsisource.com  
sue@lsisource.com  
877-321-6541 • 260-469-2522

**MSS, Inc.**

Lynne Mazzoni  
211 Commerce Drive  
Montgomeryville, PA 18936  
lynnem@mssl.com  
800-433-1159

**Scopelitis, Garvin, Light, Hanson & Feary, PLC.**

Michael Tauscher  
535 Griswold, Suite 1818  
Detroit, MI 48226  
www.scopelitis.com  
mtauscher@scopelitis.com  
313-237-7403 ph • 313-963-7425 fx

**Transguard Insurance**

Chrissy Yacoub  
301 N. Lake Avenue  
Suite 400  
Pasadena CA 91101  
Chrissy.Yacoub@transguard.com  
626-529-7144

**Unemployment Services**

Kent Downey  
1401 Glengary Road  
Wolverine Lake, MI 48390  
Usi.downey@yahoo.com  
248-926-8900

**Vanliner Insurance Co. - OH**

3250 Interstate Drive  
Richfield, OH 44286  
330-659-8900

**Vanliner Insurance Co.**

Mike Lucas  
One Premier Drive  
St. Louis, MO 63026  
www.vanliner.com  
mike\_lucas@vanliner.com  
800-325-3619 ph • 636-305-6977 fx

**Victory Packaging**

Charlie Newberry  
31740 Enterprise  
Livonia, MI 48150  
csmi@victorypackaging.com  
1-800-331-2089

**Wheaton-Bekins Van Lines**

Fred McBroom  
8010 Castleton Road, 46250  
Indianapolis, IN  
fred\_mcroom@wvlcorp.com  
317-558-0771



Innovative  
legal strategies  
for the  
moving industry

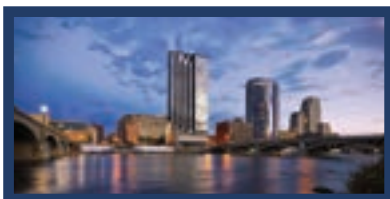
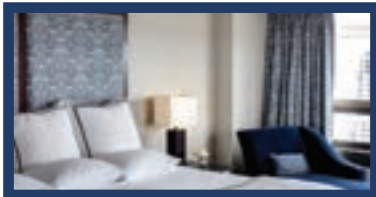
## HELPING YOU CHOOSE THE BEST ROUTE TO ACHIEVE YOUR GOALS

Customized counsel focused on today, with an eye on tomorrow.

Paul J. Millenbach | 248.539.9908 | [pmillenbach@fosterswift.com](mailto:pmillenbach@fosterswift.com)

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SAVE THE DATE!

**94TH ANNUAL MMA CONVENTION & MEMBERSHIP MEETING**  
**2016 JANUARY 27 & 28 AMWAY GRAND PLAZA HOTEL**



[CONT'D FROM PAGE 12]

If the scholarship candidate is already enrolled in a vocational school, the candidate should ask the school to provide the MMA-ASF Committee with a list that includes vocational achievements, class attendance, and professional aptitude and citizenship ratings. The Committee will award Vocational scholarships based on that criteria plus financial need.

Truck Drivers: There are several truck driving schools in the region and each class is approximately six months long. If the candidate is already enrolled, please ask your school to

provide the Scholarship Committee with a statement of progress to date.

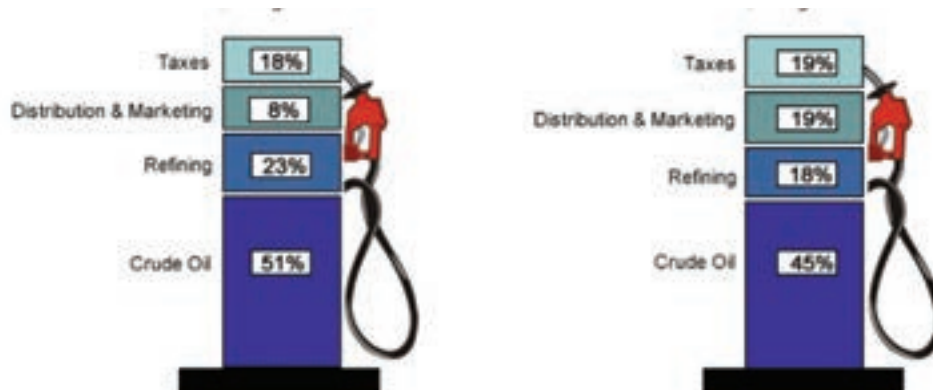
All applications must be received at the MMA office no later than June 30, 2015.

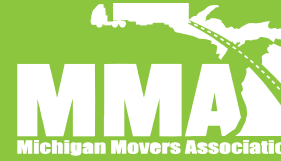
The Scholarship Committee will review the applications in August, and recipients will be announced on or about August 1, 2015. Recipients of Vocational Scholarship Awards may use funds to attend accredited colleges or universities, community colleges, or vocational institutions.

## ON-HIGHWAY RETAIL DIESEL PRICES

AVERAGE ALL TYPES, DOLLARS PER GALLON, INCLUDING ALL TAXES

U.S. REGULAR GASOLINE PRICES *(DOLLARS PER GALLON)					
	5/18/15	5/25/15	6/1/15	week ago	year ago
U.S.	2.904	2.914	2.909	↓0.005	↓1.012
East Coast (PADD1)	3.007	3.014	3.001	↓0.013	↓1.032
New England (PADD1A)	3.093	3.101	3.092	↓0.009	↓0.973
Central Atlantic (PADD1B)	3.158	3.162	3.143	↓0.019	↓1.036
Lower Atlantic (PADD1C)	2.875	2.884	2.874	↓0.010	↓1.070
Midwest (PADD2)	2.791	2.800	2.804	↑0.004	↓0.984
Gulf Coast (PADD3)	2.793	2.803	2.799	↓0.004	↓1.101
Rocky Mountain (PADD4)	2.813	3.174	2.835	↑0.005	↓0.858
West Coast (PADD5)	3.162	3.057	3.163	↓0.011	↓0.858
West Coast less California	3.033	3.269	3.055	↓0.002	↓0.868
California	3.268	3.269	3.249	↓0.020	↓0.854





## MEMBERSHIP BENEFITS & SERVICES

### EDUCATION PROGRAMS

MMA offers an annual convention in mid-winter, and periodic seminars on the Tariff and related topics to help members obtain professional continuing education.

### INSURANCE PROGRAMS

MMA can help you find the lowest rates regardless of your needs. For business insurance contact Skip Howey at Howey & Associates Insurance, 734-676-6600. For a complete listing of all insurances please see the MMA website and Michigan Movers Directory.

### FORMS

MMA members can purchase forms specific to the moving industry and the MMA Tariff. Take advantage of discounts on items like Bills of Lading to log books.

### CREDIT CARD PROGRAMS

Now you can save money on credit card processing! NDMS can provide affordable in-the-field credit card processing and payment capture for gift cards, debit cards and other electronic payment methods. MMA members get a special discounted rate! For more information call David Lopez at 310-359-9091 or visit [www.ndmscorp.com](http://www.ndmscorp.com).

### TARIFF REGULATION

As an MMA member, your moving company can participate in the MPSC 4000 Tariff, which the MMA administers. We are also available to help you file independent actions.

### MEMBERSHIP DIRECTORY

Each year, the MMA produces a Membership Directory for distribution to all MMA members. This directory contains the MMA by-laws, all MMA member moving companies and our partner service providers, upcoming MMA events, and scales located throughout Michigan.

### MMA WEBSITE – [WWW.MIMOVERS.ORG](http://WWW.MIMOVERS.ORG)

Interactive member website invites shippers to find you by city, zip code, and now, by service. This spring, the MMA will invite each member to create a custom service profile on the site to list the services you provide. Shippers will now be able to search by requesting providers of various special services and find you even more often! All associate members are also listed, and can enter a 50 word description of their products and services. Associates may also advertise on the site.

### MMA ACADEMIC SCHOLARSHIP FUND

The MMA offers scholarships to college entry and trade students who are employees, family members of employees or otherwise directly related to an MMA member mover. The scholarships are awarded each fall and the application to apply can be found at [www.mimovers.org](http://www.mimovers.org).

### THE CARRIER NEWSLETTER

MMA produces a quarterly newsletter complete with industry news, legislative updates and information on our services and events. Associate members are welcome to write articles for inclusion and advertising is available.

### FUEL SURCHARGE UPDATES

Each month the MMA computes the new fuel surcharge and emails the new rate to every member. Current and past fuel surcharge rates can also be found on the MMA website. Associate members are welcome to sponsor these email blasts.