



AAHOA's 2015 Fall National Advocacy Conference



FNAC Information



- Tuesday, October 20th and Wednesday, October 21st
- Will begin Tuesday at 11:00 am
- Tuesday- Legislative Conference, Guest Speakers, Reception
- Wednesday- Meetings On Capitol Hill, Industry Reception
- Detailed agenda will be provided at registration



The Commercial Real Estate and Economic Development (CREED) Act of 2015



What is the Current Regulation?



The Small Business Jobs Act of 2010 terminated the SBA 504 Loan Refinancing Program on September 26, 2012

CREED Act



- H.R. 2266 (26 co-sponsors)
- S. 966 (7 co-sponsors)

How Does this Legislation Improve Business Conditions?



- Renews SBA refinancing program established in 2011
- Borrowers gain access to capital and can refinance their debt with lower rates and longer terms
- Allows small businesses to retain employees, create new jobs, modernize equipment, and improve infrastructure

A Look at the Numbers



- The CBO scored the program at **ZERO** cost to the federal government
- Extending the program 5 years would help **250,000** more small businesses
- Each of these businesses would save up to **\$20,000** per month
- Provides over **\$5 billion** in 504 loans to local communities

Advocacy Partners



- American Bankers Association (ABA)
- Association of Women's Business Centers (AWBC)
- California Association for Micro Enterprise Opportunity
- Consumer Bankers Association (CBA)
- Independent Community Bankers of America (ICBA)
- National Small Business Association (NSBA)
- Small Business Association of New England (SBANE)
- U.S. Chamber of Commerce
- Women Impacting Public Policy (WIPP)

Resources



- [Bill Text](#)
- [SBA Website- Loan Financing](#)
- [SBA Website- Regional Offices](#)



How do You Utilize Section 1031 Like-Kind Exchanges?



What is Section 1031 of the Tax Code?



Under Section 1031 of the United States Internal Revenue Code (26 U.S.C. § 1031), the exchange of certain types of property may defer the recognition of capital gains or losses due upon sale, and hence defer any capital gains taxes otherwise due.

What is the Issue?



In the 113th Congress, both the Senate Finance Committee Chairman Baucus and the House Ways and Means Committee Chairman Camp as well as President Obama proposed eliminating Section 1031 during discussion of tax reform

What Does AAHOA Think?



AAHOA supports preserving the like-kind exchange rules as a way to allow small businesses to grow.



Big Government Attacks Small Business: Redefining the Joint Employer Standard



Background: the Joint Employer Standard



- The term “joint employer” explains who is legally liable in business relationships
 - Franchisee – franchisor
 - Contractor – subcontractor
 - Lessee – lessor
 - Parent – subsidiary
- 30 year standard that clearly defined liability based on control over conditions of employment
 - wages, hours, schedule, etc.

NLRB Ruling



- NLRB claimed companies escaping liability on employment decisions and overturned rule
- August 2015, issued a ruling in *Browning Ferris Industries, Inc.*
- Creates new standard for liability: potential control, unexercised control, retain the right to control employment conditions

What does this mean for your Business?



- Franchisors with new liability will take active role in franchisee's decisions
- Franchisees will lose control of business
- Franchisees will become managers instead of owners
- Organized labor will try to unionize franchise businesses (collective bargaining with franchisor)

Congressional Action

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- “Protecting Local Business Opportunity Act”

Reaffirming that two or more employers must have “actual, direct, and immediate” control over employees to be considered joint employers

H.R 3459 (9/25/15 Hearing)

S. 2015 (10/6/15 Hearing)

AAHOA's Voice Heard on Capitol Hill



Congressman Joe Wilson wears AAHOA pin to joint employer hearing



AAHOA Board of Director, Jagruti Panwala, testifies before Congress on the joint employer issue

Resources



- [Bill text](#)
- [How to get involved](#)
- [Remarks from President/CEO Chip Rogers](#)

Legislative Review

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- Among many important issues, AAHOA strongly advocates that Congress:
 - Pass the CREED Act of 2015
 - Preserve Like-Kind Exchange Rules in the tax code
 - Enact the Protecting Local Business Opportunity Act, which reverses the NLRB's recent joint-employer ruling

Capitol Hill Meeting Structure



- 1) Introduction- No more than 5 minutes
- 2) Discuss each Issue- approximately 5 minutes
- 3) Concluding Remarks- 5 minutes

Steps to a Successful Meeting



- Define roles within your group and know your discussion points in advance.
- Arrive at each meeting with an objective and a plan.
- Introduce yourselves and where you are from in the district and state.
- Introduce AAHOA. The goals, mission and important statistics.
- Approach the meeting as a business transaction, like you would with a vendor.
- Give a personal account about the challenges hoteliers face on “Main Street.”
- Discuss each of AAHOA’s legislative priorities and hand the page(s) to the Congressman and staff.
- Research if the Member of Congress supports the legislation (bill sponsor lists provided).
- YOU are the expert; give background on the issue and explain its importance to YOU as an hotelier.
- The ASK: if the Congressman is *not* a cosponsor, ask him to cosponsor the bill, or look into supporting it. Tell the Congressman and staffer that you look forward to following up.

Helpful Tips



- Be prompt and patient. Call ahead if you think you will be late. Be mindful of the duration of each meeting.
- Be understanding if the Congressman is late or unable to attend due to schedule changes.
- Be confident and enthusiastic.
- Do not discount a meeting with staff. These young professionals are very influential and are the gateway to the Congressman.
- Collect the names and business cards of all staff members in the meeting and record the information on the briefing form. Leave your card with them as well.
- Do not be discouraged if they do not agree to support the legislation immediately. Follow up afterwards is key.
- If you cannot answer a question, tell them that you will find the answer and get back to them.
- Be assertive without being aggressive. Always keep the meeting cordial.
- Never discuss campaign contributions during official meetings.

Follow Up



- Write a thank you email to each congressional staffer with whom you met and briefly recap your talking points (sample provided).
- Have at least one person from your group handwrite a thank you note to the Congressman.
- Follow through on any promises you made during the meeting – such as sending more information about an issue.
- Send an additional note to the Congressman if he ultimately comes to support your position.



Questions?