

The Retail Review

THE OFFICIAL NEWSLETTER OF THE
RETAILERS ASSOCIATION OF MASSACHUSETTS

Summer 2020 Edition

Annual Meeting

Thursday, November 19, 2020 8:30 am - 12:00 pm

2020 Holiday Calendar available to download. Visit our website at www.retailersma.org



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Retail Tales from the Pandemic

by Ronn Garry, Jr., Tropical Foods, Boston

"The NBA has just suspended the season because of the Coronavirus!" It was March 11th and I thought my brother was joking. No, he was serious.

"The NBA?!? Oh man. This is getting scary. Can we handle what is coming? Will anyone even show up for work tomorrow?"

The next three weeks were the blizzard that never ended. There was real panic. Real fear. The system was breaking. But the one thing that did not break was my staff's bravery and commitment.

My name is Ronn Garry Jr. and I am a co-owner of Tropical Foods Supermarket in Boston and my store managed to get through the past four months because people who never signed up to be essential became ESSENTIAL and pulled us through.

I would pull in to the parking lot before we opened each morning and count employee cars... 'Six, seven, eight... OK, I think we will have enough to open today.' I knew I had to be there every day but I would wonder – what made that cashier, stocker, cutter, show up today?'

As retailers, what we have just experienced is unprecedented. We have all been tested. What stands out for me is the people who ran toward the fire and for them I am incredibly grateful. It starts first and foremost with my employees- they were absolutely heroic. But I am also incredibly impressed by our vendors, our wholesaler, the delivery drivers—everyone who kept coming to work in very scary times.

I have never been more proud to be part of the Supermarket industry. Grocery stores were the last line of defense. The fact that they ALL stayed open and served their customers and their communities gave people hope. It gave people confidence that we were going to make it through this. As long as Roche Bros./Stop & Shop/Market Basket/Goretti's/Big Bunny Market/Save A Lot/Wegmans/Vincente's/Whole Foods Market/Shaw's and so many other grocery stores stayed open – it was/is going to be OK.

I feel for those retailers who were forced to close at the start of the pandemic. I know that had they not been forced to close, they would have done the same, as they are now, opening and fighting for their employees and their communities to survive. For those who were closed earlier, their task ahead may be even harder than what the grocery stores went through in the beginning.

I am sure we are going to be talking about the Pandemic of 2020 for many years - and how scary it really was. We will be talking about toilet paper, sanitizer, disposable gloves in the parking lot, maximum capacity's, plexiglass shields, socials distances and masks. But, for me, what I will always remember is walking in the store before it opened on March 12th and there were three cashiers - drawers ready to go - wiping down their registers and sending the message that they could be counted on. The NBA was going to stop working – but these cashiers weren't. And for that, we are all very fortunate and thankful. \blacksquare



The Retail Review

Summer 2020

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MA Legislature Extends Formal Session through the End of the Year

The MA House of Representatives and the MA Senate abandoned the traditional July 31st end of formal sessions this year due to the COVID-19 pandemic, opting instead to extend the session through the end of the year without a new deadline. The extension allows the Legislature more time to complete work on a number of issues currently before committees of conference, where three members of the House and three members of the Senate are tasked with coming to resolution on competing pieces of legislation that have been endorsed by both branches.

The extended session also gives the Legislature more flexibility in dealing with time sensitive CO-VID-19 related matters, as well as time to draft and release an FY21 state budget. Consideration and debate of the state budget was shelved once the pandemic hit, while budget writers have struggled to get a clearer picture of the full impact on state revenues and future spending levels. The potential for another federal stimulus package to assist the states looms large over the budget discussions.

In addition to the unresolved state budget, five major issues remain unsettled in the Legislature, each now pending in conference. Those major issues include legislation to address policing reform, economic development, climate change, health care, and a transportation bond bill.

In the economic development conference, conferees must resolve differences related to housing reform, the authorization of sports gambling in the Commonwealth, and an important Senate adopted retail provision making a technical correction to the "Grand Bargain" of 2018 that completes the phase out of state mandated holiday premium pay for most retail employees.

The healthcare conference includes a discussion on the future of telehealth and how we pay for it. RAM believes it has proven to be an effective alternative to in-person care during the pandemic, however, in the long run it must deliver on its promise to be a low-cost alternative to traditional in-person visits. RAM supports the telehealth framework outlined in the House legislation before conference.

The transportation bond conference may largely eschew the discussion of new revenues to support transportation infrastructure and financing, as the Senate did not take up the House's companion transportation revenue bill, which included a five-cent gas tax increase. The Senate bond bill does include language, which RAM opposed, to allow for local and regional ballot initiatives to fund transportation projects via a local surcharge on certain taxes, such as sales, or real or personal property taxes. However, the larger revenue debate may still be had on Beacon Hill this fall, depending on whether or not the federal government delivers additional stimulus relief, and at what level.

New State Holiday: Juneteenth Independence Day

Governor Charlie Baker recently signed into law a bill that included language to establish and designate June 19th as a state holiday, "Juneteenth Independence Day," commemorating the end of slavery in the United States. The language inserted the holiday into the section of law requiring voluntary work in retail stores and aligned it with statutorily required, yet declining, retail premium pay in 2021 and 2022.

COVID-19 and its Effects on Staff Morale: Tales from the Cold Side!

Judy Herrell, Herrell's Ice Cream, Northampton

Lately, brick and mortar shops see consumers willing to venture out and try to resume their lives while embarking on the new frontier in retail: the age of required masks, shields and social distancing. How do these new requirements effect customers, staff and businesses in the walk up world of counter service?

At Herrell's Ice Cream our phones have never rang so much. Those who want Curbside Delivery, call, place their order and are served outside. Others place orders and pay over the phone, but pickup inside the store. Some customers just come into the store as they normally would have before the pandemic; wait on line, order then take-out their purchase to enjoy. We've added extra freezer storage and are seeking delivery services that take orders online and deliver ice cream farther than just around the corner. We do not offer inside seating since we cannot secure it from the virus. We streamlined our menu for faster service. Customers may NOT eat inside our store because of mask removal.

One can easily see the struggle stressed servers go though daily. Compound this with checking if customers are wearing masks and socially distancing and you have a tension. It's difficult when there is a long line of customers, but adding the COVID-19 issues can break a servers' will to work. An example: a women who refused wearing her mask began ranting that my workers would not serve her because she was a Republican (clearly not tattooed on her forehead) stressing everyone. Before I could say anything, a man a few customers down, turned around and said, 'to be served lady, all you need to do is follow the rules and wear a mask, if you won't, you need to leave and let the rest of us enjoy our day'. She was stomping angry, but left. The entire room applicated her departure.

Covidiots refusing to wear masks will not be served at Herrell's. Servers and other customers require protection from exposure to potential risks. The servers do not make the rules, but get hauled over the coals when they enforce them. Servers have been yelled at, called names, had ice cream thrown at them and flipped off, but why? Because of their willingness to have a job, serve the public, and enforce rules of their job while attempting to remain healthy in a pandemic situation. There are many customers who come in, are nice and happy to follow the rules and be served. Once Covidiots comes in, all that good is gone.

To date, I have lost three employees to stress. I have one out on a temporary leave of absence and am not sure he will return. Covidiots are unreasonable people who feel as if they are personally targeted about mask wearing and refuse to wear them on principle. They do not care about anyone's health and often they do not believe that COVID-19 is real. Too bad they live in their own little world but affect ours so very much.

Staff, Landlord & Money - Tales from the Pandemic

Bruce L. Vogel, Plum Island Coffee Roasters, Commune Café and Soufflés, Newburyport

With the onset of the March close down, a triple whammy crashed down on my three coffeehouses. With each having a unique clientele and offerings, we were left trying to figure out "now what"?

For Soufflés and Commune, the answer came easy. Driven by the disappearance of customers and the fleeing of staff - affected by fear and no doubt lured by the 600(FPUC) - they closed. Open now since the first and third week of June, Soufflés is OK and Commune is struggling.

Thanks to an energetic skeleton staff ready to serve many desiring customers, the Roasters stayed open. Amid stacked tables and chairs, reconfigured in-store purchase flow, plexiglass, online ordering, and a "pickup window" protected with a tent – we thankfully have done great business.

Other than the overwhelming support of the Roasters staff and customers, the two profound aspects of running my businesses through this chaos has been dealing with my landlords and navigating the insufferable maze of PPP and other money.

Even though we did not close I asked the Roasters landlord for a "pause in the rent while we waited to see what is going to happen". Without skipping a beat, they responded with a simple, "Business as usual, pay your rent".

My phone call to the smallest landlord was answered with, "We are all in this together", as she waved April and then May rent.

My third, and most expensive, landlord was last paid in March and properly

notified even before the April 24th law was implemented. Despite my regular asking for a meeting since February, he finally responded at the end of June with a large envelope adorned with \$8.00 in postage.

In the nasty cover letter he "customized" the provision **5.04** (3) of the 400 CMR 5.0: COVID-19 Emergency Regulations. The law reads "A small business tenant <u>may</u> provide notice [by using this form]..." but my landlord's preference was to replace "may" with "shall". As he continues to ghost me, another expense has joined the stack - hoping he can break the logjam, an attorney has been hired.

One suggestion is the landlord's action may be egregious enough to raise the attention of the AG. Way too much drama.

Certainly, my PPP experiences must be similar to yours. Does it seem to you that those who created the "plans" were never small business owners?

There is a simple, clean and straightforward solution for keeping landlords paid, staff employed, vendors paid and putting some money in business owner's pockets. All we need is to be supported in the form of business interruption. Level fund us with our sales number from last year, adjusted for current costs and income – and we're good.

Instead, we get to figure a FTE number over some period of time and, like Godot, wait - for the promise of more relief and some common sense to show up. ■

State Launches "My Local MA" to Support **Small & Local Businesses**

Clint Paige and John Mooney, co-owners of Wheelworks in Belmont met with Governor Charlie Baker and Lt. Governor Karen Polito before the press conference.



Governor Baker announced "My Local MA" campaign.



Clint Page of Wheelworks reminded residents to visit their local businesses after Lt. Governor Polito detailed the state's new campaign.



RAM President Jon Hurst gave an update on how retail is handling the pandemic and the need for people to support local businesses and those they employ.

FindmylocalMA.com



Governor Charlie Baker and Lt. Governor Karyn Polito took a tour of RAM member, Wheelworks, in Belmont, last month to promote the Sales Tax Holiday weekend in August and to announced the launch of an effort to encourage residents to support their local economies by shopping at local Massachusetts businesses and attractions, safely - in person, online, and using curbside pickup or takeout.

The "My Local MA" campaign kicked off on August 29-30 with the Sales Tax Holiday, and will run through the holiday shopping season in December. The campaign was developed by the MA Office of Travel and Tourism (MOTT) to showcase MA businesses and attractions - from family owned-restaurants to artisan boutiques to museums - that are a critical part of the Commonwealth's economy.

"RAM is thrilled to have the state as a partner in promoting our local retailers, restaurants and Main Streets," said RAM President Jon Hurst.

The campaign, found at findmylocalma.com, will also include print, broadcast, billboard and digital ads, and social media. All RAM members are encouraged to visit the site and to follow along and cross promote the effort through social media - and don't forget to use the RAM sponsored #BuyinMA hashtag!

Local is better. here's why.

Local businesses bring out the charm and character in our neighborhoods. But they do a lot more. By choosing local, you are creating jobs in your community, fostering growth, and doing good for the environment. Here are the facts.

54K

By shopping local you are helping to create new jobs. In 2019, small businesses were responsible for 53,980 net new jobs in MA. 46% of employees in MA work for a small business.

126K 99.5%

Main streets and locally based businesses drive our economy and our workforce. 99.5% of businesses in MA are small businesses, employing 1.5 million people.

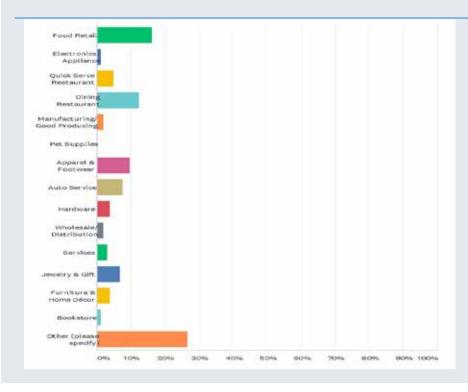
Last year, 125,998 people across the Commonwealth were employed by minority-owned businesses.

July Survey Results of RAM Membership Sales and the Economy

RAM is often asked by public policy leaders, the press and opinion leaders to provide information as to how RAM members are faring through the pandemic. We have been including short surveys in our regular e-news updates that members receive. Please watch your email for these important updates and respond to these quick online surveys. If you are not receiving these emails, contact Andi Shea, RAM's Membership Director at andi.shea@retailersma.org.

Thank you.

Survey Respondent Type



Other specified:

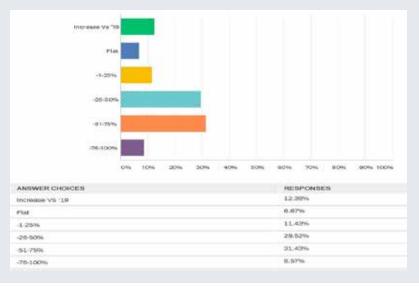
- Auto Parts/ Sales
- Dry Cleaners
- Garden Center
- Gifts/Jewelry
- Mattress/Bedding
- Musical Instruments
- Optical
- Art supplies
- Pharmacy
- Sporting goods
- Tobacco
- Toy and Hobby

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• 53% of respondants were "essential"

Sales Reductions

Q: Sales over prior 4 plus month (March 10-August 1)



- More than half of our respondants are operating at full capacity
- 60% anticipate altering their business model
- 55% do not anticipate needing to lay off their employees



Q: How do you anticipate altering your business model?



continued >>>>

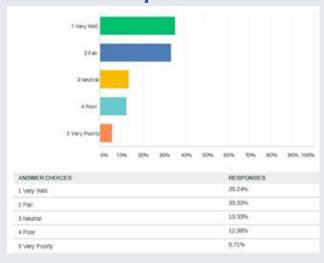
Challenges

Q: What are your biggest challenges today for your small business?

- 70%: Lack of Sales and Consumer Traffic
- 50%: Rehiring Employees
- 50%: Exhausted PPP
- 37%: Complying with COVID requirements
- 36%: Obtaining/Financing Inventory
- 35%: Meeting Rent/Mortgage obligations

Government Assistance

Q: How has MA handled the COVID-19 crisis, in fairly balancing health, economic and competitive considerations?





401k Quick Tip #1

"The Devil May Lie in the Details"

The Federal Government passed the Setting Every Community Up for Retirement Enhancement Act, SECURE Act, earlier this year, which provided a sweeping overhaul of many plan provisions. Many advocates say this has been long overdue but keen

attention must be paid to some of the subtle details. One such area a plan sponsor must pay attention is listed below.

Section 112:

Qualified cash or deferred arrangements must allow long-term, part-time employees to participate

Under current law, employers generally may exclude part-time employees (employees who work less than 1,000 hours per year) when providing a defined contribution plan to their employees. Except in the case of collectively bargained plans, the bill will require employers maintaining a 401(k) plan to have a dual eligibility requirement under which an employee must complete either a one year of service requirement (with the 1,000-hour rule) or three consecutive years of service where the employee completes more than 500 hours of service. In the case of employees who are eligible solely by reason of the latter new rule, the employer may elect to exclude such employees from testing under the nondiscrimination and coverage rules, and from the application of the top-heavy rules.

Why might this be a big deal? This may make the difference of being ERISA Audit size or not. If deemed to be a large form 5500 filer, cresting the 120-employee mark, those employers would need to perform an ERISA Audit. In addition to the time and energy these audits command, an average cost of \$10-\$15,000 per year is not uncommon. For employers who have many part-time employees and are close to this threshold, this has the potential to skyrocket the annual plan cost!

What can a plan sponsor do? there may not be many options to those companies who cross the threshold, but the adoption of the MEP 401k offered by RAM can help. Our MEP is considered a single plan by ERISA and the DOL and as such we perform a single audit for all our participating employers, thus eliminating this requirement for each company. Want to learn more? Send an email request to team@retail401k.com



Twenty Years Experience Selling Main Street to Mid-Market Businesses
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Dillon Boiler Services Co., Inc.

Fitchburg

Bennies Restaurant & Pub

Worcester

Carry Out Cafe, Inc.

Newburyport

Spencer

Guaranty Glass and Mirror Company, Inc.

{ continued from page 9	Lighthouse Inn, Inc.	Mill Marketing, Inc.	PLAYNOW!
	West Dennis	Oxford	Westfield
Hampshire Towing	Lion's Den Glass LLC	Motion Technology, Inc.	Precision Auto Repair & Sales
South Hadley	Lowell	Northborough	West Springfield
Hanover Shell & Tire	Liquid Solids Control, Inc.	MOTU	R. D. Williams, Inc.
Hanover	Rochester	Cambridge	Carver
Hanover Sunoco	Lizzy's Homemade Ice Cream LLC	Nantucket Culinary Center	Raps Auto Parts Supply, Inc.
Hanover	Waltham	Nantucket	Auburn
Hidden Treaures	Long Cadillac	NAPAC, Inc.	Red Sky Restaurant
Rockport	Southborough	Worcester	Hull
Higgins Energy Alternative	Long Subaru	Nashoba Brook Bakery	Regal Motors
Barre	Webster	Concord	Holbrook
Hilario Auto Sales, Inc.	Lord Hobo Drydock LLC	Nauset Farms	Riccardi's Italian Restaurant
Worcester	Boston	E. Orleans	Fairhaven
HIM Mechanical	Lost Shoe Brewing and Roasting Co.	NE Maintenance Depot LLC	Richard's Appliance
Bridgewater	Marlborough	Springfield	Salisbury
Holyoke Hummus Company	Lou's Custom Exhaust	Nelson Bach USA Ltd.	Robertson's GMC Truck
Holyoke	Roxbury	North Andover	Wareham
Honey Dew Donuts	M & B Sea Products, Inc.	New England Business Media LLC	Roots to Rise
Georgetown	New Bedford	Worcester	Weston
Huntington Radio & TV, Inc.	Maddy's Car Wash, Inc.	New England Foliage LLC	Route 110 Auto, Inc.
Newton	Peabody	Chelmsford	Dracut
Hydrograss Technologies	Mahoney's Atlantic Bar & Grill	Newtonville Camera, Inc.	S. Edward Proko
North Danford	Orleans	Waltham	Worcester
Ice Cream and Candy Bazaar	Main Street Tavern	Nuovo Restaurant	Salitsky Alloys
Edgartown	Monson	Worcester	Holden
Iron Duke Brewing LLC	Mal Elfmans	ORO Restaurant, LLC	Sanctuary
Ludlow	Waltham	Scituate	Oak Bluffs
J. S. Woodhouse Co. Inc.	Mannys Pizzeria	Outlook Spirit	Savvy on Main
West Springfield	Weymouth	Westhampton	Orleans
J.J. Sullivan Plumbing & Heating Co.	Marcotte Ford Sales, Inc.	Oxford Trading Company, Inc. Taunton	Sayar Market
Somerville	Holyoke		Norwood
Jacqueline's Bridal LLC	Maria's LLC	Pammy's	Scott's Truck Repair
Wellesley	Gloucester	Cambridge	Middleboro
∬'s Tavern	Max on the Move, Inc.	Papagayo	Sensys Gatso USA
Florence	South Boston	Boston	Beverly
KCD Software	Merrimack Auto Sales, Inc.	Paradise Golf	Settebello
Catamut	North Chelmsford	Middleton	Lexington
Kennedy's Ice Cream Bar	Metro Industrial and Marine Supply	Pearle Vision	Simplex Chemical
Amesbury	New Bedford	Wilmington	Sharon
Kitchen Associates	Micro Video Instruments	Pentimento	Smolak Farms LLC
Sterling	Avon	Chatham	N. Andover
Laurel Grove	Middlesex Truck & Auto Body, Inc.	Petrita, Inc.	Sol Azteca
Sudbury	Boston	Boston	Brookline
Lehigh-Armstrong, Inc.	Morris Heating & Air Conditioning	Place Motors, Inc.	Sonia's Auto Sales, Inc.
Billerica	Ipswich	Webster	Worcester
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Spectrum Enterprises Shrewsbury

Spring Rebuilders Worcester

Start Line Brewing Co.

Strawberry Moon So. Dartmouth

Hopkinton

Subaru of Wakefield Wakefield

Sullivan & Company Braintree

Sweet Life Hospitality

Mashpee Sweet SurpriZe

Winchester

Sylvester's Restaurant Northampton

Bedford

The Port Tavern Newburyport

Taylor and Lloyd, Inc.

Thompson Company E. Weymouth

Tierney & Dalton Associates, Inc.

Douglas

Tom's Long Dog & Grill

Whately

Toolmex Industrial Solutions, Inc.

Northborough

Trudel's Auction Gallery

Bellingham

Turner Steel Company, Inc.

West Bridgewater

Udderly Fantastic, Inc.

Orleans

United Electronic Industries, Inc.

Walpole

US Tool and Fastener

Worcester

Veterinary Associates of Cape Cod

Forestdale

Vibesman's Jerk Shack

Easthampton

Visible Body

Newton

Beverly

Ward's Florist

Water Street Kitchen, Inc.

Woods Hole

Wax Wing Cafe West Hatfield

Wayland Gulf Wayland

WC Gurrisi & Sons Truck Service

Peabody

Wheel Dynamix, Inc.

Natick

White Street Paint & Wallpaper Co.

Lawrence

White Wizard Games

Sudbury

Williams Restaurant, Inc.

Gardner

Wits End Bar Newton Highlands

Yanis Foreign Auto Repair LLC

Hyannis



As a member of RAM you and your business have undoubtedly been impacted by the COVID-19 pandemic. There are many resources available across the retail landscape to help you manage your business through these unprecedented times. Knowing many of our RAM members are small businesses, we reached out across our network to obtain some industry Best Practices and insights that may be beneficial to you.

First, Kroger, an industry leading grocer, is freely sharing their experience, learnings and resources, which include signage.

What Kroger has learned https://tinyurl.com/y86wfywv Downloadable signage https://tinyurl.com/y56ke58m

Next, The Retail Industry Leadership Association (RILA) in partnership with the National Retail Federation (NRF). The protocols RILA proposes were developed in accordance with CDC guidelines and benchmarking between leading retailers who have shared their operational experiences. A mutually agreed upon blueprint will accomplish three key objectives: (1) Protect our communities (2) Allow for the safe reopening of retail and (3) Establish clear expectations for employees and customers.

https://tinyurl.com/y8vmrhum

Lastly, Reopening Massachusetts on Mass.gov helps you stay current with the most recent updates from Massachusetts.

https://tinyurl.com/y7t6e99m

New England Loss Prevention Advisory Group, LLC was created in 2018 to provide retailers with resources to help them protect their people, property and profits. We specialize in supporting businesses who do not have full time security or loss prevention resources. NELPAG has a team of industry experts with firsthand experience of proven best practices and a broad network of cost-conscious providers. We can advise you on assessing your risk, procuring resources and how to best leverage your existing or needed resources. Our advisors will help you develop a Loss Prevention program to prevent, identify and resolve external and internal theft, reduce operational losses, and respond to workplace violence and critical incident events.

Visit us at: www.newenglandlosspreventionadvisorygroup.com or email us at: info@nelpag.com

Nothing herein constitutes legal advice or other formal direction or guidance of any kind.



18 Tremont St. Suite 810 Boston MA 02108



Throughout the COVID-19 crisis a top priority for our small business members has been the safety and well-being of their workers. The elevated health risks have made employer sponsored health insurance all the more important, and for many businesses the continuation of health care coverage will play an important role in their disaster recovery strategy.

Both of our carriers, Blue Cross Blue Shield of MA and Fallon Health, have announced expansion of coverage and access to care to help members address health issues related to the COVID-19 pandemic. RAM reminds members that premium rates on all health insurance plans offered through RAMHIC now come with an upfront discount of 3% for both renewals and new participating members. Qualifying members also have access to additional financial incentives and free ancillary benefits by purchasing through the cooperative.

Visit the RAM website **www.retailersma.org** to learn more about how you can start saving on health insurance and provide peace of mind to your employees during this trying time.

