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News & Views

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2020 LIBA Free Enterprise Award Winners Issue

pages 10-11



Revolution Wraps Business Owners of the Year

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Message From the Chairman:

By Jim Ballard



Upon accepting the role of becoming the Chair of LIBA's Board, I was aware part of that responsibility was to come up with an enlightening

(hopefully) and informative letter each month. So, I diligently began brainstorming ideas, even starting a file of possible topics and interesting tidbits of information I could share. The first submission went smoothly and was actually fun to put together. But then, Covid 19 took center stage.

We are all now in uncharted waters. For what you are reading now, I wish I had some words of wisdom or some golden nuggets of advice to share with you. But I don't. Like many of you I wake up every morning uncertain of what the day will bring. Trying my hardest to focus on any new information available and to plan accordingly.

Also, like many of you I am a small business owner feeling a direct economic impact from the chaos cause by this pandemic. The past few weeks have caused a great amount of stress and instability. As time has progressed, I have gone wide range of emotions, anger, frustration and at times anxiety. I truly believe that as a community, state and nation we have taken the appropriate measures to minimize the damage and "flatten the curve." But the economic impact of doing the right thing still stings.

However, one thing I have not felt throughout this whole ordeal...is fear. By our very nature as entrepreneurs, business owners and leaders in our companies, I truly believe we are inherently built in such a way that fear is not a characteristic we can afford to possess. How else can we explain the drive to start an enterprise and be willing to risk great loss in order to make a passion, a dream or an idea come to life. Simply put, it's because we are not scared of the road less traveled.

One of the best definitions I've come across about entrepreneurs is from Howard Stevenson, a longtime professor at Harvard Business School. He said that "Entrepreneurship is the pursuit of opportunity beyond resources controlled."

Yes, there are many things out of our control right now. But it's the lessons learned from the risks we have taken in the past that will get us through to the future. Not to be frightened, but to constatntl have hope. And, my hope is that next time I sit down to write this opening letter, is that the virus has hit the downward slide and there is some sense of normality in our lives.

Until then I encourage you to utilize the resources LIBA is providing. The staff has done a remarkable job in getting out solid and useful information to help us navigate through these trying times.

Finally, my hope and prayer is that you all stay safe and you continue to travel the unknown path before us with a sense of confidence and hope.

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NEW FEDERAL LAW IMPACTS YOUR SICK LEAVE AND FMLA POLICIES RELATED TO COVID-19

By Jerry L. Pigsley | WOODS & AITKEN LLP | LIBA General Counsel



On March 18, 2020, President Trump signed the Families First Coronavirus Response Act (“Act”) into law. There are two paid leave sections of the Act that private employers with fewer than 500 employees and public agencies must be aware of: (1) Emergency Family and Medical Leave Expansion Act (“EFMLEA”), and (2) Emergency Paid Sick Leave Act (“EPSLA”). Both provisions take effect April 2, 2020, and expire on December

31, 2020.

Emergency Family and Medical Leave Expansion Act

EFMLEA is an expansion of the Family and Medical Leave Act (“FMLA”) that requires private employers with less than 500 employees and public agencies that employ at least one employee to provide 12 weeks of job-protected leave for certain reasons related to COVID-19. Here are the essential takeaways:

Employee Eligibility. EFMLEA covers employees who have been employed for at least 30 days and are unable to work (or telework) due to the need to care for minor children due to (1) a school or place of care being closed, or (2) the child care provider of such children being unavailable due to a COVID 19 emergency declared by a federal, state, or local authority.

Leave Entitlements. Eligible employees are entitled to 12 weeks of job-protected leave. The first 10 days of leave may be unpaid. However, an employee can substitute any accrued paid vacation, personal, medical, or sick leave. After the first 10 days, employers must provide employees with paid leave at a rate of two-thirds the employees’ regular rate at the number of hours employees normally would be scheduled to work. Paid leave cannot exceed \$200 in one day or \$10,000 total.

Job-Protected Leave and Job Restoration. Under FMLA, an employee must be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. Employers are also required to continue group health insurance coverage for an employee on FMLA leave under the same terms and conditions as if the employee had not taken leave.

Under EFMLEA, employees are generally entitled to the same job-protected leave. However, the Act makes a partial exception for employers with less than 25 employees if certain conditions are met:

1. The employee takes leave under EFMLEA;
2. The position held by the employee no longer exists due to economic conditions or changes in the employer’s operating conditions that affected employment and were caused by a COVID-19 emergency declared by federal, state, or local authorities;
3. The employer makes reasonable efforts to restore affected employees to equivalent positions (based on pay, benefits, and employment conditions); and
4. If no equivalent positions are available, employers must contact

the affected employees if equivalent positions become available up to one year after the earlier of: (i) the employee’s need to take EFMLEA leave ends or (ii) 12 weeks after the employee’s EFMLEA leave begins.

Notice Requirements. Employees whose EFMLEA leave is foreseeable must provide their employers with as much notice as is practicable under the circumstances.

Exclusions. Employers with employees who are health care providers or emergency responders may elect to exclude such employees from the EFMLEA’s protections. Likewise, the EFMLEA gives the Secretary of Labor the authority to issue regulations that could exclude certain health care providers and emergency responders from the EFMLEA’s coverage and to exempt small businesses with less than 50 employees from the EFMLEA if its requirements jeopardize the economic viability of such businesses.

Emergency Paid Sick Leave Act

EPSLA requires private employers with fewer than 500 employees and public agencies that employ at least one employee to provide employees with up to 80 hours of paid sick leave. Unlike EFMLEA, EPSLA applies to all employees, regardless of how long they have been with their current employer. Below are the key points that employers need to know:

Reasons for Leave. EPSLA requires covered employers to provide paid sick leave to employees who are unable to work due to:

1. Being subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. Being advised by a health care provider to self-quarantine due to COVID-19 related concerns;
3. Experiencing COVID-19 symptoms and seeking a diagnosis;
4. Caring for an individual subject to a federal, state, or local COVID-19 quarantine or isolation order, or an individual that has been advised to self-quarantine by a health care provider due to COVID-19 related concerns;
5. Caring for their own child because the child’s school or place of care closed, or their childcare provider being unavailable, due to COVID-19 concerns; and
6. Experiencing any substantially similar conditions specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Leave Entitlements. EPSLA provides up to 80 hours of paid sick leave for full-time employees. Part-time employees are entitled to paid sick leave for the average number of hours they work over a two-week period. For employees who have not begun working, the employer must pay them sick leave based upon the number of hours that they would have been scheduled to work.

Required Compensation. Under EPSLA, an employee whose leave falls into categories (1) (3) above is to be compensated

NEW FEDERAL LAW IMPACTS YOUR SICK LEAVE AND FMLA POLICIES RELATED TO COVID-19 Continued

at the employee's regular rate of pay up to \$511 per day or \$5,110 total. Employees eligible for leave under categories (4)-(6) are to be compensated at a rate that is 2/3 of their regular rate of pay up to \$200 per day or \$2,000 total.

Relationship to Other Paid Leave Provided by Employers.

Employers cannot require employees to use other types of employer-provided paid leave before using EPSLA leave.

Exclusions. Similar to EFMLEA, EPSLA allows employers to elect to exclude employees who are health care providers and emergency responders from its coverage. Moreover, EPSLA allows the Secretary of Labor to issue regulations to exclude certain health providers and emergency responders from coverage under EPSLA and to exempt small businesses with less than 50 employees from EPSLA when compliance would jeopardize the economic viability of the business.

Other Important Provisions. EPSLA also contains: (1) an express provision that employers are not required to pay employees unused EPSLA upon separation of employment; (2) a notice posting requirement, which is scheduled to be available by March 25; and (3) a prohibition against discrimination and retaliation against employees who utilize EPSLA.

The Secretary of Labor is currently scheduled to release guidelines to help employers calculate paid sick leave under both EFMLEA and EPSLA by April 2, 2020.

Importantly, the Act also affords private employers with tax credits for providing paid leave under EFMLEA and EPSLA. All EFMLEA and EPSLA paid leave can be credited (up to the permitted thresholds) against the employer's portion of certain federal payroll taxes.

As with any new legislation, LIBA members can expect to have questions regarding implementation of this Act. You are encouraged to go to the U.S. Department of Labor website which has resources to help you respond to COVID 19 in your workplace: <https://www.dol.gov/coronavirus>.

Editor's Note: This article is not intended to provide legal advice to our readers. Rather, this article is intended to alert our readers to new and developing issues and to provide some common sense answers to complex legal questions. Readers are urged to consult their own legal counsel or the author of this article if the reader wishes to obtain a specific legal opinion regarding how these legal standards may apply to their particular circumstances. The authors of this article, Jerry L. Pigsley, can be contacted at (402) 437-8500, jpigsley@woodsaitken.com or at Woods Aitken LLP, 301 S. 13th Street, Suite 500, Lincoln, NE 68508-2578.



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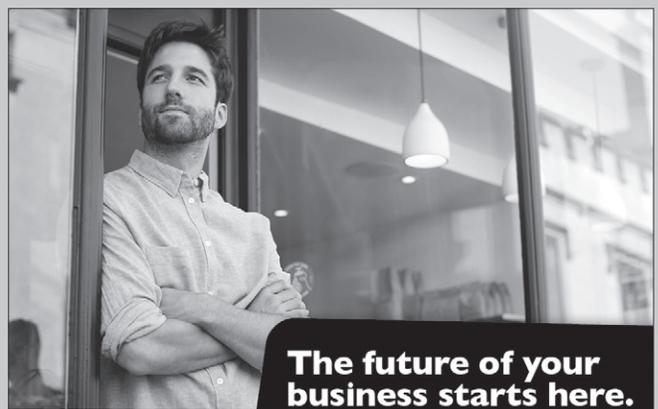
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DOORSTEP DINER CATERING

Doorstep Diner Catering has a huge announcement to make! We recently acquired Country Sliced Ham on 70th and O. A business that's been a staple in Lincoln for over 34 years is now under our leadership and we are super excited to be expanding our offerings from our south location. The expansion includes the Cafe, Catering, Country Sliced Ham and Daily Dinner. The café includes more sandwich options and side dishes in a soon to be renovated interior- a modern and sleek interior will pay homage to the roots of the business but give guests a clean aesthetic in which to enjoy lunch. Stop in for a classic Cubano or the famous 7 bean soup. Old favorites will be paired with new gourmet sandwiches.

Catering will be expanded beyond sandwiches and now include special events and weddings -that we like to say is "down home food at down home prices".

Order your famous Country Sliced Ham for Easter! Each year they sell out and you can call to reserve today. We are expanding to offer classic sides for Easter such as mashed potatoes, green bean casserole and more- all can be ordered by calling us at 402-467-2585.

Daily Dinner is the most exciting offering we've added. Monday through Thursday from 4pm to 6pm you can stop to pick up dinner for your family. Choose from a variety of main entrees and sides to mix and match to create the perfect meal. Bring in this article and receive \$5.00 off Daily Dinner, we're sure you'll love not doing dishes or being rushed. Spend quality time with your loved ones and let us do the heavy lifting!

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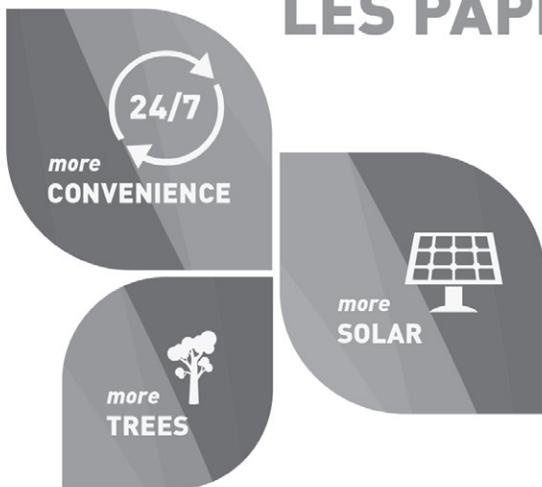
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2020 LIBA Free Enterprise Award Winners

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Business Owner of the Year - Revolution Wraps

The Business Owner of the Year winner is Ryan and Scott Stara of Revolution Wraps.

Revolution Wraps is one of the nation's leading providers of high-definition, high-impact graphics. Combining creativity, technology, and meticulous installations; Revolution Wraps offers a number of different products to its clients, including vehicle wraps, wall murals, boat wraps, floor graphics, banners, graphic design, posters, logo design, and digital printing. Revolution Wraps' tremendous design work was recognized by the American Advertising Federation in 2007 and 2008 when they were awarded the American Advertising Awards for Design. Through the experience of their in-house design team, Revolution Wraps creates head-turning, one of a kind graphics utilizing state of the art software and multiple large-format printers.



LIBA Champion Award - Founders of LIBA

The LIBA Champion Award winner are the founders of LIBA - Jack Lorenzen, Ray Brown, Earl Visser, Bob Sikyta, Dan Roth, Marty Miller, Ken Wentz, John Damke, and Bill Harding.

In the fall and winter of 1979, a few Lincoln business leaders met at Alice's restaurant to begin an organization that would focus on citywide business-related issues. Their philosophy was based on the idea that the prosperity of small businesses was essential to the free enterprise system. They passionately believed that the way to achieve prosperity and preserve it was to actively use the rules and rights of our democratic system to promote business interests. The outgrowth of their efforts was the Lincoln Independent Business Association, an association now consisting of over 1200 member businesses, with a history that provides inspiration for all new enterprises in Lincoln. LIBA continues to focus on advocacy throughout the community, with a special focus on the needs of small businesses.



Lincoln Young Professional - Brayden McLaughlin

In 2014, Brayden started Bridgewater Consulting, a Lincoln-based firm that offers urban planning and design services, when he was just 31 years old. Bridgewater Consulting designed the new Goodhue Monument in Lincoln's Near South Neighborhood, as well as several residential projects in and around the city. Brayden also works as a Land Planner at E & A Consulting Group, Inc., a planning, engineering, environmental and field services company with locations in Lincoln and Omaha.

In his personal time, Brayden is an active volunteer for his church, Cathedral of the Risen Christ. He has also been an active member of the Near South Neighborhood Association since buying a home in the area. For the past few years, McLaughlin has been chair of the Near South tour of homes, in charge of selecting the homes, designing the booklet, and making sure the tour runs smoothly.



Enterprising Gambler Award - Luxury Landscape

Luxury Landscape was started all because a couple had a passion for creating unique, creative landscapes, using their 40+ years of landscape experience and offering it to their clients. Ken Svoboda and Jackie Lienemann have always dreamed of working side by side and finally decided to make it a reality!

Jackie's background is in physical therapy, although she spent numerous years as a Rehab Director, supervising staff and patients. Jackie also has in-depth online marketing experience, complimenting Ken's 40 years of landscaping expertise.

Ken has designed, created and completed countless landscape projects, ranging from beautifying planters on the front porch to the development of complete landscape projects.



Free Enterprise Award - Pam Dingman, Lancaster County Engineer

After earning a civil engineering degree from the University of Nebraska-Lincoln in 1991, Pam worked in numerous firms, including becoming the first woman stockholder in her engineering company in the early 2000s.

A few years later, she left to join Engineering Design Consultants, and in 2005 she acquired the company and became one of a handful of women to own a United States-based civil engineering firm.

In 2013, Pam was chosen from four candidates and appointed to the job of Lancaster County Engineer. She would later become the first woman in the U.S. to win a contested county engineer election when she was elected Lancaster County Engineer in 2014. Pam ran unopposed in 2018 and won reelection with over 95% of the vote.

Pam's professional affiliations include the Society of Women Engineers, the National Society of Professional Engineers, the American Business Women's Association, the Lincoln Independent Business Association and Rotary International.



Community Impact Award - Lancaster Event Center

The Lancaster Event Center is a nonprofit 501(c)(3) organization dedicated to sharing the great agriculture of Lancaster County and contributing greatly to the county's youth, culture and economy. Amy Dickerson currently serves as the Lancaster Event Center's Managing Director.

The Lancaster Event Center is managed by the Lancaster County Ag Society. The Ag Society opened the Lancaster Event Center in 2001 to be home of the Lancaster County Fair, as its needs outgrew borrowed buildings on the former State Fairgrounds.

Over its 17 years, the Lancaster Event Center has grown to be a nationally-recognized multi-use event center with over 320 events bringing in 500,000 visitors. The Lancaster Event Center hosts several regional and national

events, including the #2 Farm Show, the #2 Tractor Pull, and two of the top 10 Quarter Horse shows in the United States. Recently, the Lancaster Event Center was chosen to host the National High School Finals Rodeo in July 2020 and July 2021, which is projected to bring in over \$16 million of economic impact each year to Lincoln.



Special Award - Lincoln Zehr

LIBA is honored to present a special award to Lincoln Zehr, the outgoing chairman of the LIBA Board of Directors. Lincoln, please join us on stage while we present your award.

Lincoln has demonstrated tremendous leadership as Board chairman over the past year. Lincoln helped guide LIBA through one of the most difficult times in its history following the sudden passing of former LIBA President Coby Mach.

In the months leading up to the hiring of a new president, Lincoln kept things running smoothly at LIBA by leading the Board of Directors meetings, serving as the emcee at all LIBA lunches, and becoming more involved in organizational and public policy decisions.

Lincoln was also instrumental in putting a process in place to hire a new president who would be able to fit within the existing LIBA culture and be prepared to lead LIBA into the future. We are honored to provide this special award to Lincoln Zehr.

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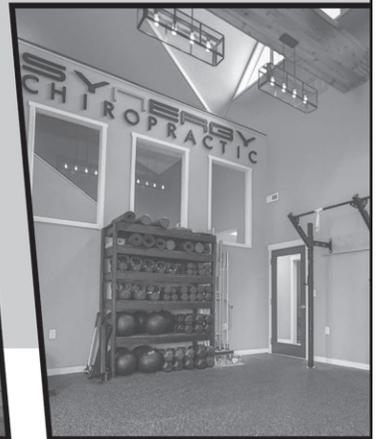
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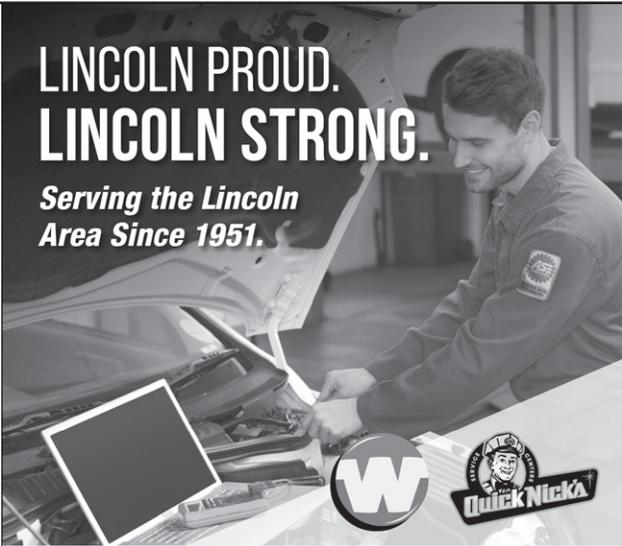
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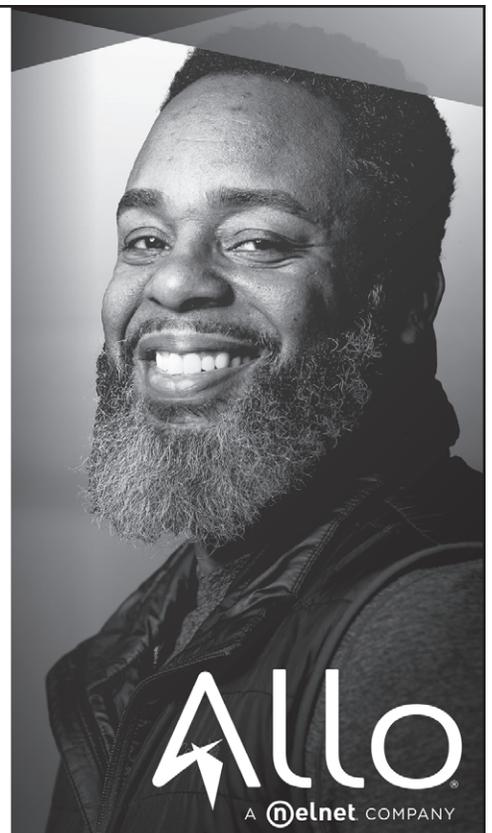
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We are adhering to every precaution outlined by the Centers for Disease Control (CDC) and continue to stay in close contact with local, state and federal health agencies so that we can respond quickly and effectively as needed. These precautions are imperative to minimize risks to residents, staff and families, as well as to ensure the utmost safety for everyone.

This is why we also are limiting the number of in-person visits to our community, as well as on-site tours and events. However, through a “virtual” visit via your computer or mobile device, you can still experience how The Woodlands at Hillcrest is continuing to provide exceptional experiences for our residents.

At The Woodlands at Hillcrest we want you to know we are here for you, as is everyone in our management company, Life Care Services®. Please contact us soon at (402) 261-0261 so that we may schedule your virtual visit and show you how we can help you or your loved one stay safe and well through challenging times such as these.



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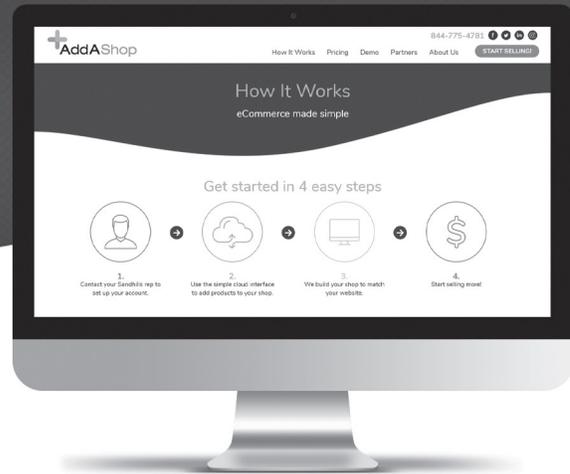
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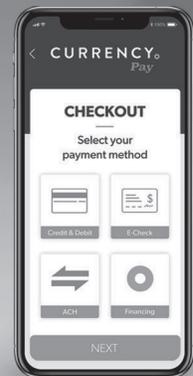
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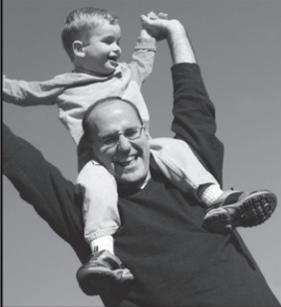
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“New Normal”

Bud Synhorst, President & CEO



Recently LIBA hosted our annual Free Enterprise Celebration and began to celebrate our 40th anniversary as an organization. In preparation for convention, I was able to meet with and talk with some of our founding members and get a lot of history of the organization. I really appreciate today their passion to help small businesses in Lincoln. These founding members have played a pivotal role in business

and policy in Lincoln because of an active membership, passionate about our community. They encouraged members to support other member businesses. All of these are things we continue today.

I am reminded of a previous article where I shared my “why” conversation with our middle daughter. In that conversation, I share my passion and love for Lincoln and wanting to help the community to grow and prosper. Now, more than ever, I remain steadfast in the passion for our community and the businesses in our community.

With the recent changes in our country related to the pandemic of COVID-19, it is time to make sure we continue to support local business as much as possible. With the ever-changing landscape right now we cannot predict what happens moving forward which will be impactful to our local businesses. With the numerous closings happening, events not happening in the community, cancellation of large events, our local businesses will see a great impact. Imagine the customers who would have been coming to Lincoln for various personal, social, school, and community events - now they are not coming any longer. All edges of our community from the hospitality industry to retail and all others will feel the strain of these events not coming to our community. The local businesses need our help and support more than ever.

Moving forward, we will also need to keep in mind, what we considered “normal” a few weeks ago will not be “normal” any longer and we may start talking about the “new normal,” however it may look in the coming days, weeks, and months. The way education is going to be delivered will change. Things will be changing all around us and we

will persevere. Now, thinking about all of these changes and the “new normal,” I am reminded of my time in Cedar Rapids, Iowa in 2008 during the great flood. As the waters of the river rose, we had no idea of the impact it would have on our community. We had no idea how long evacuations would last or what changes we would see hour by hour or day by day. I believe we are in the same situation moving forward with the COVID-19 virus and the changes it will bring about in our lives. Some days we will be thinking what is important in the next hour, then the next day, then the next week, then the coming months.

Thinking about uncertainty like this can be scary...really scary. Change is never easy and is usually full of uncertain outcomes. As business people in Lincoln we will need to support other businesses. With the loss of anticipated revenues because of large events, our business owners are going to experience some “great unknowns,” and my hope is, as a community, we will rally to support the other businesses in our community. When there would have traditionally been a big event coming to town, maybe consider making an extra effort to get to the local store or restaurant that week to give them a boost and show them we still care about our community and our many local businesses. I would also encourage you to talk with our business owners and check on them - sometimes a caring smile or conversation goes a long way in helping others out. Together we as a community can help each other understand and cope with whatever becomes our “new normal.”

Finally, as you have heard over the past few weeks, we need to practice basic consideration for others - if you are ill or at-risk to become ill, don't attend events and stay home. The most at-risk right now are those who are older adults and those with underlying health conditions. We can protect everyone by making sure we practice these basic steps.

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LIBA Calendar of Events

April-May

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
20	21 Elected Officials Forum, 7:30 a.m.	22 Public Relations Committee, 11:45 a.m.	23	24
27	28	29	30	MAY 1
4 Membership Committee, 11:45 a.m.	5 School Liaison, 11:45 a.m.	6	7 Legislative Action, 11:45 a.m.	8
11	12	13	14 Board of Directors, 11:30 a.m.	15
18	19 Elected Officials Forum, 7:30 a.m.	20	21 Advisory Committee, 11:45 a.m.	22
25	26	27 Public Relations Committee, 11:45 a.m.	28	29
JUNE 1	2	3	4	5



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