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**Publisher Joe Nicastro**  
Talking Politics



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**COMING** next month

The November issue will take a look at the use of color in the publishing industry and the impact and changes it affords advertisers and publishers. As always, we will continue to examine the people, publishers and businesses that make up the community publication industry.

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*Dave Neuharth*

DAVE NEUHARTH  
**EDITOR**

# A Little Election History

**IN THIS ISSUE OF FREE PAPER INK** we are taking a look at the elections in November. A lot is on the line, especially in the presidential election.

Will it be Hillary Clinton, who will mostly carry on the agenda of current President Obama? Or will it be Donald Trump, who advocates change?

In the Senate, the Republications need to keep control – then in case Clinton wins, they will have some control over the liberal spending.

We have several article in this issue on the election. We have featured Joe Nicastro, a successful New Jersey publisher, who is also involved in politics in his community.

Will it be a close presidential election? Probably. If we look back at history, there were some real nail-biters.

Another Clinton (no, not Bill) was involved in a close election in 1813. Dewitt Clinton lost by less than four thousand votes to James Madison. Maybe this is a good omen for Mr. Trump.

Another close election took place in 1880 when Ohio Senator James Garfield scored a 2,000-vote victory over Winfield Hancock, a distinguished Civil War General. Unfortunately he soon was the second president killed when he was shot in the chest by a deranged officer seeker.

In 1884 New York's Democratic Governor Grover Cleveland managed to defeat a popular Republican, James Blaine. He squeaked out a 25,000-vote win over the favorite from Maine.

Four years later it was a different story. Benjamin Harrison, the grandson of the country's eleventh president, William Henry Harrison, lost the popular vote by 100,000 votes but won the electoral vote to defeat Cleveland.

Moving up closer to our time, in 1960 the first close race of modern time took place when Democrat John F. Kennedy defeated Republican Richard Nixon by 112,000 votes. That year over 69 million

votes were cast and it was one of the first elections in which television ads and debates played a huge part in the campaign. Eight years later Nixon returned and won the election.

In 1997 Democrat Jimmy Carter, a Georgia peanut farmer, defeated a Michigan congressman turned president, Gerald Ford, by 57 electoral votes. The votes were counted until wee hours of the morning. Many speculated that the Carter vote was the result of the prior four years when Republican Richard "Tricky Dick" Nixon was forced to resign over the Watergate scandal.

Then there was the closest and most controversial election in history. In 2000, Republican George W. Bush took on Democrat Al Gore in the closest election ever. Even the television networks were at odds trying to determine who won. Gore won the popular vote by half a million votes. Hanging chads in Broward County, Florida were not considered real votes and Bush ended up winning by default. The decision was made after considerable time and action in Tallahassee.

It took five weeks to determine the winner. Bush's official margin was by 537 votes. Lawsuits were filed. Recounts were ordered. Bitter disputes centered on confusing ballots, missing names from voting rolls, and subjecting minority voters to multiple requests for identification. The punch card ballots were vulnerable to voter error. The Florida Supreme Court ordered a recount.

In a late night decision, the U.S. Supreme Court halted the Florida recount. A narrow majority of the Justices said that the recount violated the principle that "all votes must be treated equally." It also ruled that there was not enough time to conduct a new recount that would meet constitutional muster.

Who will win in 2016? If it takes chads for Trump to win, then I am all for it. Not everyone is going to agree with that. But this is America and Trump is my choice. **INK**

# Who is fooling Who?

by Dennis Wade, Trainer – Speaker – Publisher



**I REMEMBER WHEN NOT EVERYONE IN** college passed. I remember when there were fewer really good grades than the other kind. I remember a time when you had to really push hard in college to make excellent grades and the accomplishments were really special, because there were fewer people making A's than the other letter-grades that, by design, represented a lower level of accomplishment.

Today it just ain't so. A study conducted by professors Stuart Rojstaczer and Christopher Healy revealed that in 1960, the most common grade in college given nationwide was a C. In fact D's and F's accounted for more grades combined than A's, which were given at a rate of 15%. Today the largest percentage of grades across a wide range of schools are A's. The reality is not real. 73% of all college grades are either A or B (43% are A's). Are we to assume that the students of today are really that much smarter than those of days past? Should we surmise that the college students of today are really buckling down, not wed to their smart phones and taking no academic prisoners? I don't think so.

What this says about higher learning on a massive scale is that these students are living in a bubble that someone designed.

Who knows what the intention is but it will be painfully obvious what the results are once the veil of academia is lifted and the application of the knowledge acquired is necessary to thrive or just survive.

Once these coddled young adults get in the business world, a rude awakening likely awaits. Because these students were excelling in their previous protected environment according to the grades they were given, and they watched in admiration and awe as the grass grew greener right under their studious feet, the new reality may be hard to accept. They will find that the business world is a bit more demanding. Out here, if you don't really produce you really fail – and nothing is going to stop that from happening except the focused efforts that produce at the required levels of expectations.

To those who are making really good grades because you earned them, stay the course because the disciplined behavioral foundations you are utilizing to make the grade now will pay off later in your professional endeavors. There are many schools to choose from that do grade students well and fairly and they produce the type of prepared individual that will be in a position to make positive contributions. **INK**



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# Little Fish Big Ocean gives small businesses an **ADVANTAGE**

by Chris Sedlak

**LITTLE FISH BIG OCEAN INC.** WAS FOUNDED in early 2008. The company was created to help small businesses compete with the big guys through the use of business management software. Big business has always had huge budgets to invest in innovative software which makes them tough to compete with. Our mission was to give that same advantage to small business at a fraction of the cost.

My name is Chris Sedlak and I've been in the publishing industry since 1998. I got my start working as a production manager for a community paper in southwest Orlando. After a few years, I decided that general manager was my next move. So I approached the owner and spoke to him about my goal. He told me that a GM is accountable for improving sales and I needed to find a way to increase sales in order to earn that title.

So I took this new direction and sat down with the sales manager. I watched what he did and asked what slowed him down the most. It didn't take me long to realize that inefficiencies were taking a lot of time away from making sales. So I created a simple database to pull his information together and eliminate wasted time. His calls immediately doubled and as you can imagine, his sales went up.

I took this new success back to the owner, who then asked me to do the same for the rest of the sales department. Once that was completed, he then asked me to see what I could do with the billing department, then production, and well – you see where this is heading.

It took me a while, but I realized a few years later that the GM position had been filled – by my program.

It was about that time that I decided I could help other publishers improve sales using the same techniques. That's when Little Fish Big Ocean Inc. was formed. We created a unique system for publishers where they could log in from anywhere. Remote salespeople could easily communicate with the rest of the office. And we added plenty of "smart" features that take the work out of things, such as managing sales territories




Chris Sedlak

and creating a credit scoring system for advertisers that automatically warns of problems.

MaxPro Publishing was introduced in July of 2009. MaxPro, or Max, as we refer to it, is like having an assistant for each one of your staff members that can be remotely accessed from anywhere. It's centered around MAXimizing PROductivity by tying each department together, eliminating repetition and reducing errors. But it's the centralization of your company's data that is most critical. You as the publisher actually "own" your information, instead of it being on your sales staff's phone. Imagine if your best sales person walked out the door. Did you just lose his

contact list? Are you going to lose time and money trying to figure out where they left off? The answer without a doubt is "YES!"

While we continue to work with other industries, publishing is our passion. There is just a warmth there that a lot of other industries lack, and that's why we're so thankful to be involved with such a good group of people.

I can be reached anytime at 406-656-2777 or by email at: [chris@maxpropublishing.com](mailto:chris@maxpropublishing.com). 

**"MaxPro is like having an assistant for each one of your staff members that can be remotely accessed from anywhere. It's centered around MAXimizing PROductivity by tying each department together, eliminating repetition and reducing errors."**

**– Chris Sedlak**







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# Meet the magic behind Denton Publications

**DAN ALEXANDER IS THE PUBLISHER AND** president of Denton Publications, Inc., a community newspaper publishing company and commercial printing operation based in Elizabethtown, N.Y.

Alexander is also the principle owner of New Market Press, Inc., a Vermont-based community newspaper company, and Community Media Group LLC, publishers of Eagle Newspaper Group in the Syracuse, N.Y., area and Spotlight Newspapers in the Capital District.

The family is involved in the business. "I fear I am seriously overrated when it comes to my contribution to the company. My wife Gayle, son DJ and now his wife Ashley are strong driving forces in the operation of Sun Community News & Printing," Alexander said.

After serving as general members of daily, weekly and free papers in New York, the company he worked for was sold to American Publishing Company. Alexander was named regional manager and soon hit the road looking for acquisitions.

One of the companies he looked at was a small group in Elizabethtown, but the company turned down his recommendation to make the purchase.

He got together with his mentor, George Sample, and son Scoop Sample, and purchased the publications. In 2000 he acquired the Sample family shares of the company and expanded into other markets.

Alexander serves on the Free Community Papers of New York (FCPNY) board of directors and has been its president. For his service to FCPNY he was honored with its very first Publisher of the Year award in 2001.

He is also a member of the Independent Free Papers of America (IFPA) and has been a board member of the New York Press Association.

Alexander currently serves on the Association of Free Community Papers (AFCP) board of directors and has taken an active role in committees. He is

also the chair of PaperChain.

Although he attended college, he said, "In the field of publishing, I learned by the school of hard knocks." In 2012 he was a graduate of The Leadership Institute.

Alexander is also active in community service. He served as the United Way campaign chair and as the four-county chairperson of the Work Force Investment Board. He is also a commissioned lay minister with the Catholic Church and a member of St. Elizabeth's Church.

His wife Gayle was in the newspaper business long before Alexander. She worked at the Corry Evening Journal and when they moved at Hanover Evening Sun in Pennsylvania back in the late 1970's serving as an assistant to the advertising directors.

Gayle has had a number of roles with the company over the years but currently oversees finances, including production of the monthly financial statements and closely monitoring the accounts receivable to ensure a sound cash flow to maintain the operation. She is the CVC audit point person for pulling together the driver manifests, postal

reports and web metrics accounting for distribution accuracy.

Gayle has expanded her responsibilities getting involved in community affairs with two community hospitals. She was also a United Way Campaign Chair several years after Alexander chaired the campaign, and assisted in fund raising for the building of a new SPCA facility in the county. She is also active in St. Elizabeth's Church.

Gayle's commitment to AFCP, assisting with the annual conference, is marked by the same passion she brings to all the organizations with which she engages. She has recently begun writing for the new North Country Living Magazine and provides a critical eye on demanding quality content. "She is the Matriarch of Sun Community News and the

**"I fear I am seriously overrated when it comes to my contribution to the company. My wife Gayle, son DJ and now his wife Ashley are strong driving forces in the operation of Sun Community News & Printing."**

**- Dan Alexander**



It's a family affair! The Alexander family (from left to right: DJ, Gayle, Ashley and Dan) works well together as a team to keep things running smoothly.

go-to person our employees look to when they need something non-technical," Alexander said.

DJ (Dan, Jr.) began helping out stuffing papers at the age of 12. He has worked in the press room, sales department and editorial department, and was a courier back when the company picked up flats at customer locations to print. He even drove a truck delivering papers to print customers. "He has seen it all and done it all," Alexander said.

DJ is the creative talent that gives the publishing company the WOW factor. His eye for design and his skills with the digital world really set the company apart from other publishing ventures. "He will simply not let us go to press until his eyes have gone through everything page by page. His leadership skills within the company continue to overshadow my input in many areas due to his in-depth knowledge of our digital networks, computers, programs, websites and personnel that rely on these tools everyday.


"The addition of our Ricoh Digital Press, the launch of a new website he designed and the expansion of the online print store at [www.sun-communityprinting.com](http://www.sun-communityprinting.com) is all DJ. He put these expansion projects on his back and continues to be personally involved in every aspect of these new of-

ferings," Alexander said.

DJ was in the first AFCP Rising Stars class and was the inspiration behind several AFCP creative graphic award contest video productions.

Ashley joined the firm ten years ago and like the rest of the family, earned her wings coming up through the ranks learning every task along the way. Her strong work ethic, along with her many other quality assets, caught DJ's attention. They were married in 2010 and have two wonderful children, Daniel ("3D") and Gracie.

"How Ashley manages to juggle the family and her tasks here at the The Sun is an amazement to us all. She has the demanding function of heading the advertising department for our northern group. She not only manages the advertising schedules for nearly all national house accounts and agencies but is also the senior manager in the front office, making her the go-to person between production, accounting, editorial and sales. She keeps the production traffic in the office well organized and still finds time to be on the road helping sales reps and working with customers," Alexander said.

Ashley is an AFCP Rising Star and a graduate of TLI. 



# Elections: What's a FREE PAPER to do?

by Tiffany Gardner, Rising Star

**WE ARE FINALLY APPROACHING THE END OF** another election year. Soon we will no longer wake up to morning news filled with the latest presidential candidate scandal, or the constant political posts some of our friends cannot resist posting on Facebook. Yes, on November 8th we will be rushing to the polls (hopefully with a well-educated decision) to cast our votes.

Election years can cause great fluctuations on different components of our economy. The newspaper industry can use this to its advantage. In this industry, we hold an incredible power. We get messages to the masses. Election years are a great time to get that extra boost in ad sales.

With all the rumors and tabloid stories surfacing on social media, voters are trending towards papers for the facts. It is much easier to post a photo or article on a third-party website than to get your story in good old black-and-white ink. There is something about the permanency of a newspaper article, and the messages they convey, that people tend to have more faith in.

The Internet does not give someone a tangible resource to look back on. You can't scrapbook your Internet bookmarks, and many do not save their pages to look back on. Newspapers have the top-of-mind ability so members of the same household can read the same article. Even if it causes a debate, the source is there and it is clear where their information is coming from. How many times have you heard, "I saw it as I was scrolling through my newsfeed but can't find it now." Unless you're a magician, your newspaper doesn't disappear from the coffee table.

Demographically speaking, free papers got this. Statistically proven time and time again, senior citizens are the largest voting population. 70% of Seniors (Americans age 65 and older) voted in our last election, with the age group 45-64 trail-

ing them at 69%. Let's face it. With the advances in technology, many grandparents are not up to speed with Facebook, Twitter, or even Google. Newspapers are part of their history and they choose to find their facts in the ink. If not in the physical ink, they can utilize Google enough to the point that they have the ability to read their local paper online.


So, what's a free local paper to do?

Push your sales! I'm finding success utilizing my CVC audit results. In our market, we are the number one source for Americans age 45 and older, which is also the key voting target many candidates need to reach due to the fact that these

people always vote. But don't discount the voters ages 45 and younger! Looking further into my CVC Audit Report, the median income levels of weekly shopper readers are anywhere from \$25,000 – \$124,999. As you can see, this covers many people of varied lifestyles and age groups.

Did you also know that 81.1% of readers have or buy the products and service featured in a weekly shopper? That alone speaks volumes for the influence we can have on

a population. I'm finding the CVC Audit facts are a solid way to present my case when prospecting for political advertising dollars.

Whether you are Republican, Democrat or Independent, use this time to boost your ad sales and increase your bottom line. 

*Source: Campaigns & Elections, Tom Edmonds, International Association of Political Consultants. <http://www.campaignsandelections.com>, 2016.*

*Tiffany Gardner is a sales account executive with the Grant Iowa Lafayette Shopping News, a division of Woodward Communications, Inc.*

Push your sales!  
I'm finding success  
utilizing my CVC  
audit results.

- Tiffany Gardner

# Publisher **Joe Nicaastro** talks **POLITICS**

## **MOST OF US IN THE FREE PAPER INDUSTRY KNOW**

Joe Nicaastro as a successful publisher who has sold papers, purchased papers and led companies to success.

What you may not know is that Nicaastro started early in sales selling fruits and vegetables when he graduated from high school. He sold that business and at the age of 23 bought a bar and restaurant. He later sold that business and went back into the fruit and vegetable business. That is when he had the opportunity to sell newspaper advertising, which led him to the newspaper business.

"Sales is sales," said Nicaastro. He attributes his success to his sales ability.

In 1987 he started The Independent News in the northern New Jersey market. Under his leadership the business grew and was successful.

Around 1995 he started the company My Paper online which later became and still is known as CoolerAds. My Paper online was one of the first to publish newspapers display ads online back in 1997 and charge for them. "I used the system successfully for a few years before offering it to other publishers, which I still do to this day. I always like trying new technology. You have to experiment and try different things, otherwise you are standing still and get left behind," Nicaastro said.

Sales and Publishing was another publication that Nicaastro created as a product to help community newspapers with articles and ideas. He hopes to bring it back one day soon to help the industry with training and sales ideas.

After being involved in running and selling publications, in 2015 he and his wife Mary merged his publications with NJ Marketeer group which later became New View Media Group. The company has 17 titles and direct mails 155,000 in its market.

Now we know that Nicaastro is successful in the art of selling whether it's fruit and vegetables, operating a bar and restaurant, running a digital company, selling newspaper ads, publishing, or buying and selling companies.

So what's next?

Let's take a look at politics.

Over four years ago he was approached by a member of the Mt. Olive Council and asked if would like to run for Council in the upcoming election.

"It was something I always thought about, going back to my early years when it was suggested that I might want to



Joe Nicaastro is involved in local politics in Mt. Olive, New Jersey.

run for mayor in the town I lived in. At that time the kids were young and between the business and all else that was going on, I decided I would not have the time," he said.

He decided to get into the Mt. Olive race along with two others. He came in first out of the three he ran with but lost in his first try. The winner ended up getting transferred and with the next highest vote count, Nicaastro was selected to fill the seat. He finished that term and has since been reelected to another term.

On his thoughts about politics, Nicaastro said, "On the local level, I used to be one of those people who complained about taxes and how we have too many police and waste money. But like most, I never went to a meeting. Once elected and listening to the police and seeing the actual reports and numbers and what they deal with, I was in favor of adding more police if the budget allowed.

"I realized how the town's worst enemy is the State itself. The Department of Environmental Protection, the Department of Transportation – they just make it impossible for the governing body to do many things with all the red tape.

*Continued on page 14*

Continued from page 13

"I also realized that my town is very fortunate to have a council and administration that get along. We can disagree but we try to resolve all issues behind closed doors and not in public.

"Once you move up to the county level you see how things begin to change with campaigns and the money being spent to get elected, the votes on issues and how they are handled. Then you get to the state and it is worse. With each level of government you see how things change and why we are in the mess we are in nationally."

In the future Nicastro plans to run for mayor when the current one moves on. "I am not sure about county or state offices but as I was told when asked about running for mayor, the answer is always that it's something I would definitely consider," he said.

Since taking office he has helped get the Republican Club in town back up and running. He has been voted chair of the Mt. Olive County Committee and currently serves as president of the council.

The council had no municipal tax increases in three years, has built a great kids' playground and now a

splash pad. Nicastro was responsible for budgeting funds for a couple of mailboxes painted like the American flag for residents to use to dispose of their old flags. He recently attended the Republican Convention in Cleveland, something he always wanted to do.

When asked about politics in the publishing business, he said, "Regardless of being a Republican, as a businessman and an average citizen, I look at what is happening and ask myself, is my business better than it was eight years ago? Are my personal finances better off than eight years ago? To be honest, if the answers were 'yes' I might vote to keep things the way they are. But they are not. Business is OK, not great, and more and more small businesses are closing and whatever downtowns we have are virtually closed. Things are tough. There are many reasons for this but I have to look for something to change. My hope is that a new administration with new ideas and a pro-business attitude might turn things around."

In closing Nicastro said, "Whether I am serving the residents of Mt. Olive or helping small businesses grow, making a difference is very rewarding. When you see the appreciation from the residents and businesses, that is worth more than what it pays." **INK**

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# I voted for Anderson — kind of

by Shane Goodman

**IT WAS THE FALL OF 1988**, and our country was in the midst of a series of heated presidential debates between George H.W. Bush of Texas and

Michael Dukakis of Massachusetts. Bush was the incumbent vice president, and Dukakis was the governor of Massachusetts. I was a junior at Buena Vista College, and this was the first presidential election that I was eligible to vote in.

But I didn't.

Was I unpatriotic? Maybe, but uninterested, uninvolved and unimpressed are probably better descriptors.

I didn't really understand the issues, the differences between the candidates or the core values of the parties they represented. Honestly, I wasn't even sure where to go to vote if I wanted to. As it turned out, Dukakis could have used my vote, along with seven million or so more. Bush won the election in a landslide. Since 1988, no candidate has managed to equal or surpass the number of electoral votes Bush won or the popular vote percentage he garnered.

That was 28 years ago. I have voted in every presidential election since — 1992, 1996, 2000, 2004, 2008 and 2012. I have been a registered Democrat, and I have been a registered Republican. Like many of you in the publishing industry, some of my views don't align with either party. And, like approximately 40 percent of all American voters, I am now an independent. This may explain why I was the only one out of 300 students at O.B. Laing Middle School who cast a vote for John Anderson in our mock election that pitted Jimmy Carter against Ronald Reagan in 1980. Those of you who recall those times may remember Anderson's aggressive campaign proposal that suggested a 50-cent-per-gallon gas tax with a corresponding

50 percent reduction in Social Security taxes. At that age, I didn't know how to put gas in a car, and I certainly didn't understand Social Security, but I liked Anderson's non-traditional approach.

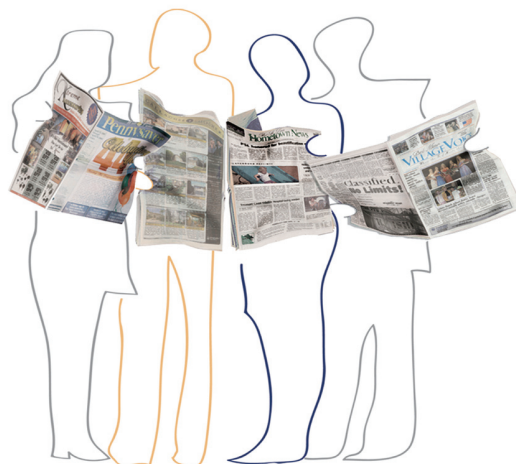
That connection is what every candidate seeks to make, and it underlines why it is important to not only vote in every presidential election, but in every other contest in which you are eligible. State governor races. City council elections. School boards. We should all do the necessary research and vote for candidates we most closely align with. Every election is important, and every vote does matter. Unfortunately, according to national averages, only 60 percent of the eligible population votes during presidential election years, and only 40 percent vote during midterm elections. Those numbers are much lower in local elections. We in the free paper industry have a responsibility to educate our readers on the importance of voting.

You have likely heard the often misquoted and frequently misattributed saying, "If you're not a liberal at 20, you have no heart; if you're not a conservative at 40, you have no brain." This quote annoys as many people as it amuses, but there is a hint of truth in there, too. Regardless, we still need to show up at the polls and we need to encourage others to do the same — liberals, conservatives and independents alike.

I am not sure why I didn't vote in 1988. Looking back, I wish I would have. I probably wouldn't have voted for Bush. I probably wouldn't have voted for Dukakis. But Ron Paul ran on the Libertarian ticket in 1988, and the free spirit that I was at the time might have given him consideration — had I known who he was.

Meanwhile, where was John Anderson when I needed him? **INK**

SHANE GOODMAN  
**AFCP PRESIDENT**  
CITYVIEW



# Major Changes in Employment Law

## *New Overtime Rules and New OSHA Reporting Requirements*

by Michael L. Dodd, Esq.

### NEW OVERTIME RULES

On May 18, 2016, the U.S. Department of Labor (DOL) published its long-awaited new rules governing who is exempt and non-exempt from receiving overtime under the Fair Labor Standards Act (FLSA). Since 2004, employees have been properly classified as exempt if they met three tests: 1) a salary level test; 2) a salary basis test; and 3) a duties test. The new rules only affect the salary level test. Under the old rules, an employee had to be paid at least \$455 per week to satisfy this test. The new rules, which will go into effect on December 1, 2016, will require that an employee be paid at least \$913 per week.

The DOL based this new salary threshold (which translates into \$47,476 per year) on the 40th percentile of weekly earnings for all full-time salaried workers in the lowest-wage Census Region of the country (which is currently the Southern U.S.). This level will be “updated” every three years (beginning on January 1, 2020) to maintain the threshold at that same 40th percentile level going forward. In other words, it is likely that the threshold level will increase every three years. Accordingly, employers with exempt employees earning at or near \$913 per week should be prepared to keep pace with these triennial adjustments or else be prepared to treat the employee as non-exempt (i.e., paying him/her overtime) following one of these adjustments.

Another significant difference between the old and new rules is that employers will be permitted to count a portion of nondiscretionary bonuses, incentives, and commissions paid to employees toward the new \$913 per week threshold. Specifically, these payments can make up (at most) 10% of the required salary level. The new regulations also require that these payments be made on a quarterly or more frequent basis in order to be counted toward that 10% cap. Nondiscretionary bonuses and incentives are those that are paid based on measurable factors, like a company’s productivity or profits. Unlike discretionary bonuses, an employee can calculate exactly how much he/she will receive if a particular goal is met.

By way of example, let’s say that an employer has an otherwise exempt employee whose base salary is \$900 per week. Technically, this would not satisfy the new \$913 salary threshold test. But, if that employer had a practice of giving the employee a \$50 per week bonus if a certain production goal is met, that nondiscretionary bonus could be counted toward satisfying the test. In fact, up to 10% of the \$913 (or \$91.30) could come from such a bonus program. If, however, the bonus is not paid

because the goal is not met, the employer would have to make a “catch-up” payment to ensure that the employee’s overall compensation meets the \$913 per week threshold. The new rules would allow employers to make these “catch-up” payments at the end of each quarter.

Employers have a few months to prepare for these changes. We recommend to our clients that they calculate the expense of giving additional overtime to any newly-classified non-exempt employees based on their current work schedules. Remember, anyone under the salary threshold will be entitled to overtime for all hours worked in excess of 40 per week. Compare those expenses to the expenses associated with increasing employee salary levels to \$913 per week or above, and make your decisions accordingly.

Employers should also develop strategies for containing overtime expenses. For example, an employer can adopt and enforce a personnel policy that prohibits working overtime unless authorized to do so by a supervisor. Employers must pay an employee for all hours worked (even when they violate such a policy), but an employer could still discipline an employee for working unauthorized overtime.

### NEW OSHA REGULATION – REASONABLE REPORTING PROCEDURE

In another recent development of particular interest to publishers of community papers, the Occupational Safety and Health Administration (OSHA) issued a final rule on recording and reporting workplace injuries and illnesses. The new rule, which takes effect January 1, 2017, requires certain employers to electronically submit injury and illness data to OSHA that they are already required to compile and keep under OSHA regulations. Specifically, if your company is already required to maintain OSHA 300, 300A and 301 forms, it will most likely be required to submit that information to OSHA electronically each year. (See more specific coverage description below.) This differs from the current rules which only require employers to maintain the information internally and submit it upon request.

This change is of particular interest because OSHA will publicize the injury and illness information it receives on its website. This means that anyone in the world will be able to search and download the data. OSHA’s website states that:

“OSHA believes that posting timely, establishment-specific injury and illness data will provide valuable information to employers, employees, employee representatives, and researchers.”



Critics have countered that such reports will lead to public shaming of businesses for incidents that in some cases are outside of their control.

The new rules cover establishments with 250 or more employees that are subject to OSHA's record keeping regulation to maintain a Log of Work-Related Injuries and Illnesses (OSHA Form 300), the Summary of Work-Related Injuries and Illnesses (OSHA Form 300A), and the Injury and Illness Incident Report (OSHA Form 301). In addition, establishments with 20-249 employees in certain high-risk industries must electronically submit to OSHA some of the information from the Summary of Work-Related Injuries and Illnesses (OSHA Form 300A). These "high-risk industries" include those establishments falling under the NAICS code 32311 (Printing). Please note that establishments with fewer than 20 employees at all times during the year do not have to routinely submit information electronically to OSHA.

The establishments with 250 or more employees will be required to submit information from their 2016 Form 300A by July 1, 2017. These same employers will be required to submit information from all 2017 forms (300A, 300, and 301) by July 1, 2018. Beginning in 2019 and every year thereafter, the information must be submitted by March 2. The smaller employers in the "high-risk industries" will be required to submit information from their 2016 Form 300A by July 1, 2017, and their 2017 Form 300A by July 1, 2018. Beginning in 2019 and every year thereafter, the information must be submitted by March 2.

OSHA's final rule also requires employers to inform employees of their right to report work-related injuries and illnesses free from retaliation. Specifically, employers must establish a reasonable procedure for its employees to report work-related injuries, and must inform employees of how to report a work-related illness or injury. The rule includes language stating: "[a] procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace illness or injury." 29 C.F.R. §1904.35(b)(1)(i). It also states: "Employers are prohibited from discharging or in any manner discriminating against employees for reporting work-related injuries or illnesses." 29 C.F.R. §1904.35(b)(1)(iii)(B). Enforcement of this requirement will begin November 1, 2016.

Employers have raised concerns regarding this new rule and the effect it will have on blanket post-accident mandatory drug-testing policies. Although not addressed in the language of the Rule itself, OSHA has interpreted the rule to include a prohibition from policies requiring



Michael L. Dodd

mandatory drug testing (or the mere threat of drug testing) as a form of adverse action against employees who report injuries or illnesses. OSHA's stance is that policies that require blanket mandatory post-accident drug testing may discourage employees from reporting work-related illnesses or injuries. OSHA has suggested that continued use of such policies could result in a citation.

However, this does not mean that employers must abandon all post-accident drug testing. On the contrary, OSHA condones post-accident drug testing in cases where there is a "reasonable possibility that drug use by the reporting employee was a contributing factor to the reported injury or illness." So, post-accident drug testing may be appropriate in a case where an employee displays symptoms of drug and/or alcohol use but probably not otherwise. Additionally, OSHA has stated that in cases where an employer is conducting post-accident drug testing to comply with a state law, that testing is reasonable; for example, in cases involving workers' compensation claims or vehicle and traffic laws and regulations.

In light of OSHA's final rule, affected employers should review their reporting procedures for workplace illnesses and injuries, including any mandatory post-accident drug testing procedures. Moreover, they must inform their employees of all reporting procedures and make it clear to the employees that there will be no retaliation or adverse consequences for reporting workplace illnesses or injuries. **INK**

*Michael L. Dodd is a partner with the law firm of Ferrara Fiorenza PC, located in Syracuse, New York. His practice focuses on defending both public and private sector employers in discrimination, wage and hour, labor relations and other employment-related claims. He is also a frequent author and speaker on these topics for both state-wide and nation-wide organizations.*

# Knock it Out of the Park!

## Our lineup is starting to take shape.

by Will Thomas, 2017 Conference Committee Chair

**WITH MAJOR LEAGUE BASEBALL POSTSEASON** play taking place in October, our 2017 conference theme of “Knock it Out of the Park” should feel right at home. Our conference team is hard at work putting the details together on the Louisville conference to assure that the program covers all the bases for attendees and that the overall experience is a home run!

As we all understand, managing a team in today’s ever-changing publishing industry presents new challenges as well as new opportunities. The Louisville program will focus on presenting ideas, resources and methods for dealing with the challenges and exploiting the opportunities to help make your team a success.

The opening keynote speaker, Michael Allosso, is a Vistage speaker who has presented to hundreds of CEO meetings including one I had the privilege of attending. Michael’s program centers around “You on Your Best Day” and being your best even on your worst day. You will find him both entertaining and informative, offering takeaways that you will be able to utilize right away.


The Leadership Institute (TLI) is working on a new set of curriculum to broaden its traditionally strong programming. In addition, they will revisit core classes for updates and freshness. TLI has proven to be one of AFCP’s best tools for publishers, and it isn’t limited to just AFCP conferences. Check out the online offerings at [www.afcp.org](http://www.afcp.org) and the podcasts found on YouTube, as these tools are available every day of the week for you and the crew.

Every business knows to look for resources from a variety of sources and to that end, AFCP has begun to fill up the industry’s largest trade show, a resource unlike any other. They have commitments from a variety of vendors and are currently identifying more merchants to help provide solutions to your business needs. If you have a vendor you feel would be a good resource for our publishing attendees, please introduce them to AFCP. If you have contact information you would like to pass along, we encourage you to send that to Loren at the AFCP office.



Will Thomas is the 2017 Conference Committee Chair.

The evening events will be huge with networking opportunities woven into the usual good times, great food and fun activities. The weekend we are in Louisville happens to be the “Thunder Over Louisville” celebration which serves as the opening ceremonies for the Kentucky Derby Festival. The planned events feature one of the nation’s top air shows Saturday afternoon and one of the largest firework shows in North America Saturday night. With the Galt House being our home base and being located in the heart of the downtown activities, we will experience all the best Louisville has to offer.

This lineup continues to develop; but the one thing I am sure of already is that this joint conference presented by AFCP and SAPA has all the components necessary to help you and your team “Knock it Out of the Park” in 2017. You need to start making plans for the April 20-22 events right away! 

# The LEADERSHIP Institute

by Jim Busch

The Leadership Institute is a structured sales and sales management training program sponsored by the Association of Free Community Papers.



To date, 1,814 free paper professionals have attended classes at the AFCP, state and regional conferences, earning over 10,935 class credits in 66 different course curriculums. A total of 81 people have completed all the requirements and been certified as Associate Advertising Executives (AAE) by the AFCP Board!

***"To succeed, it is necessary to accept the world as it is and rise above it."***

**– Michael Korda**

**SUCCESSFUL PEOPLE ARE SOMETIMES ACCUSED OF** "being out of touch with reality," blithely ignoring the problems and challenges they are facing. Nothing could be farther from the truth.

In my experience, winners are well aware of what is going on – good and bad – in their environment. What distinguishes them from their peers is where they choose to place their focus. Rather than wasting time and energy fretting over things that they can't change, they roll up their sleeves and focus on what they can do.

Early in my career, I worked with a World War II Navy veteran. Cliff had fought in the battle of the North Atlantic and had lost many shipmates to German subs and planes. His wartime experiences taught him that no matter what the world throws at you, the only way to survive and win is to keep fighting.

When someone in the office would start complaining about how "tough" things are "out there," Cliff would shake his head and say, "Noted in the log. Now what are we going to do about it?" This was his approach to life – he would assess the situation, consider the problem at hand, review his options and take what he believed was the most effective course of action given the facts available at the time. Like anyone else, sometimes Cliff would fail; but more often than not he would achieve his goals.

There is a long list of things which lie outside of our control. As individuals we have no control over the state of the economy, new technologies, the strategies pursued by our competitors and much, much more. Even though all of these things have a big impact on our businesses, we can do nothing about them.

What we can control is how we respond to these environmental factors. We can make changes to our products to enhance the value they offer to our customers and we can redouble our sales efforts. Like a sailor in a storm, we must "read" the clouds and adjust our sails to weather the "blow." We may even be able to use the storm's power to speed our progress toward our destination.

As Michael Korda advises, the truly successful person doesn't ignore the reality of the situation; they accept it and then through hard work and clear thinking, rise above it. **INK**





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*"The mission of AFCP is to help its members enhance their profitability and lead in strengthening the free publication industry."*

# Sound advice from fellow publishers...

## AFCP Peer Groups provide great value to members

**THERE IS NO HIGHER PURPOSE FOR A TRADE** association than to provide its members with the opportunity to facilitate the sharing of valuable trade resources and information between its members.

To that end, the membership committee of the Association of Free Community Papers launched an ambitious plan in 2015 to establish a network of Peer-to-Peer Groups, with the sole purpose aimed at connecting non-competing publishers.

With over 1,000 free publications made up of weekly shoppers, newspapers, specialty niche publications, and magazines including monthly and quarterly periodicals, AFCP's network of members reaches far and wide across the country from metropolitan cities to the tiniest hamlets.

Connecting publishers and skilled professionals into manageable, tight-knit groups of members willing to share skills, ideas, techniques and, most importantly, creative concepts, provides members with both cost-saving and revenue-producing knowledge.

At a time when large publishing firms appear to be shrinking, many free community publications are experiencing new-found optimism and growth as a result of current climate.

At the heart of most of these free publications is a local entrepreneur who is deeply rooted in community affairs and driven to produce results for the benefit of the communities he or she serves. As such, sound advice from a successful peer holds far more value and insight than advice from either a paid consultant or from the school of hard knocks, where success or failure takes time and money to surface.

Currently divided into four peer groups that meet monthly, the groups are facilitated by experienced publishers Greg Birkett of the Dubuque Advertiser in Iowa,

Greg Bruns of the Arcadia News in Arcadia, Arizona, Greg Ledford of Community Media First in Shelby, North Carolina, and Joe Nicastro of New View Media Group in northern New Jersey.

Their knowledge of the industry and familiarity with issues facing community publishers makes them ideal leaders to facilitate and encourage members to contribute ideas and solutions that are at the heart of what members want to grow their publishing companies and stimulate employee opportunities.

Trevor Slette, publisher of Citizens Publishing, recently made this comment about the Peer Participation. "To me, this is one of the best

benefits that AFCP offers – a

hidden gem. The ability to bounce ideas/problems

off of colleagues in similar-sized markets

pays for AFCP membership in one peer group call alone. I

have used ideas we have discussed on the calls in my own market. And to have them as a resource in how to implement those ideas – priceless."

Group leader Joe Nicastro added, "I have found the AFCP Publishers Peer

Group a huge asset to my business. Each month speaking with fellow publishers and discussing is-

suues, new ideas and business in general has been a huge benefit. I have found that these calls have helped me learn about new programs and ideas and enable me to better manage my business as well as allowing me to offer new services to my advertisers."

Lee Borkowski of the Richland Center Shopping News in Wisconsin looks at the peer groups this way. "The Peer calls have been a great way to get quick answers to any problems or challenges I may be running into. Our group

*Continued on page 22*



## AFCP Peer Groups provide great value to members

*Continued from page 21*

has also used them to review products/services that a group member may be considering for purchase. So far we've been able to solve or head off quite a few challenges. It's been well worth my time to participate in the monthly call."


And lastly, from Gregg Knowles of the Smart Shoppers in Carroll and Denison, Iowa, "The Peer Group experiment has been most enjoyable but more importantly, a great learning experience for me. I have made several new industry friends and all of us learn one or more new ideas from our sessions. I urge other publishers to take the time to join this outreach effort that rivals roundtable discussions at our conventions."

Peer groups routinely exchange copies of each others' papers as well as ideas on promotions, distribution methods, accounting software, sales and commission structures, vendor programs, and ideas to assist with

challenges facing a specific publisher. Each monthly call provides time for both solving problems and discussions on ways to enhance profitability.

AFCP is currently working to expand the program for industry professionals in the creative design field, newsrooms, and for publishers of monthly publications.

Loren Colburn, executive director of AFCP, recently commented during the organization's bi-annual strategic planning session, "I'm always impressed with the number of volunteers who actively engage through the association to support fellow members. The heart of this organization has always been member helping member, so the Peer Group concept was just a natural outreach with our members taking the lead and other members contributing during the calls."

For information on how to become involved in an AFCP Peer Group, contact the AFCP office at 877-203-2327 or email [loren@afcp.org](mailto:loren@afcp.org). 



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# Did the **dog** eat your **HOMEWORK?**

by John Foust

**IT'S NO SECRET THAT THE MORE** sales people know about their prospects – before they begin a sales presentation – the better their chances for successful outcomes. In advertising, this means learning prospects' business and marketing histories, identifying major competitors and analyzing what they want to accomplish in their advertising.

Since pre-presentation homework is such a crucial step in the sales process, why don't more sales people make it a top priority? There are several possible reasons:

1. **Impatience.** High-energy sales people thrive on the adrenaline of the pitch and are eager to get to the main event. After all, isn't that where their powers of persuasion come into play? And isn't that where decisions are made?

Impatience has a big downside. It sends a signal that sales people are (1) unprepared and (2) concerned only about themselves. That's a negative first impression that is difficult to overcome in a presentation.

2. **Overconfidence.** This is particularly common with experienced account executives; they feel like they can wing it, instead of spending time gathering information. They have dealt with so many widget dealers that they think they can skip the discovery step.

3. **Lack of knowledge and skills.** Sales people may skip this step because they don't know the techniques to gather information. They may not have learned how to ask open-ended questions to encourage prospects to talk. They may be poor listeners. They may not know where to find information (online research, networking, etc.).

4. **Research paralysis.** Some people are more comfortable with technology than they are with people. Rather than avoid gathering information, they overdo

it. You'll find them at their desks, basking in the glow of their computer monitors, poring over online and database research, surrounded by charts and graphs.

Their mantra is not, "Ready, aim, fire." It's "Ready, aim, aim." This approach creates the risk of losing relevant, usable information in a mountain of details.

5. **Poor time management.** You may be familiar with the time management grid which illustrates four categories: (1) Urgent and Important, (2) Urgent but not Important, (3) Important but not Urgent and (4) not Urgent and not Important. It's human nature to concentrate on the tasks which are in the urgent category, regardless of their importance. Something shouts "do this now," and we do it – often without asking ourselves if it can wait.

Good time managers discipline themselves to focus on tasks which are important but not urgent. Preparation time can easily be put on the back burner, but they don't let that happen.

6. **Lack of desire.** Every job has its most favorite and least favorite parts. Strong sales people persevere through the parts they don't like because they see how those duties fit into the big picture. Weak sales people simply avoid the things they don't like.

7. **Lack of perspective.** Too many sales people, veterans as well as rookies, simply don't realize the importance of research. The message here for them is: knowledge is power. That goes for knowledge of the sales process, as well as knowledge of their prospective advertisers. **INK**

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ASSOCIATION UPDATES

**THE INDEPENDENT FREE** Papers of America (IFPA) welcomes you to sign up for the Publisher and Manager's Summit scheduled in Las Vegas, Nevada, January 27 and 28, 2017 at the Flamingo Resort and Casino.

There is limited availability for this session. To register go to [www.freepaperconference.com](http://www.freepaperconference.com).

**ATTENDEES OF THE JOINT** conference of the Independent Free Papers of America (IFPA), the Southeastern Advertising Publishers Association (SAPA) and the Community Papers of Florida (CPF) will have an opportunity to attend a special Disney World event.

From Sept. 14 to Nov. 14, the annual Epcot International Food & Wine Festival will be held. It includes wine tasting and culinary creations from around the world. Information on attending and the savings offered will be provided at the conference.

**THE LEADERSHIP INSTITUTE (TLI)** IS providing training classes through its Online Learning Center for Association of Free Community Papers (AFCP) members.

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Current classes offered include Opening a Sales Dialogue, Effective Questioning, Communicating Through Listening, Making Recommendations Using Features & Benefits, Answering the Classic Sales Objections, Closing the Sale, and The Four Essentials of an Effective Advertising Campaign.

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**MOLINE, IL : OCTOBER 14, 2016**

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**BERN, SWITZERLAND :**  
**OCTOBER 19-21, 2016**

International Classified Marketplace Association (ICMA). Autumn Conference, Kursaal Hotel Bern, Bern, Switzerland. For additional information, email hannah@icma-online.org, or call +31 (0)615 067 378.

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Association of Free Community Papers (AFCP). Annual Conference & Trade Show, Gait House, downtown Louisville, Ky. For information contact Loren Colburn at loren@afcp.org.

**NEW YORK CITY, NY :**  
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Independent Free Papers of America (IFPA). Annual Conference, Westin Newport Hotel. For more information contact Douglas Fry at douglas@douglasfry.org.

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