

Governor Beshear Extends Mask Mandate

FRANKFORT, Ky. (Aug. 6, 2020) – Gov. Andy Beshear on Thursday extended the state’s mandate requiring face coverings in some situations for another 30 days, citing its success and continued importance in flattening the curve of novel coronavirus 2019 (COVID-19) cases in the commonwealth. For complete press release click on the link below:

<https://kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prId=296>

DOL: OEM Incentive Payments to Dealership Employees Count Toward Minimum Wage

The U.S. Department of Labor said in a [recent opinion letter](#) that dealerships may be able to count manufacturer incentive payments against their obligation to pay employees applicable minimum wage.

DOL’s decision hinges on whether the third-party payments are an explicit or implied part of the employment agreement, saying that if “employees know of the specific incentive program terms, which are established by the sponsoring manufacturers and communicated by the dealerships to their sales consultants in advance of performing their sales work ... given these facts, the incentive payments will be considered part of the employment agreement and count toward minimum wage obligations by the employing automobile dealership.”

DOL opinion letters serve as a useful guide for employers on federal and state wage and hour compliance issues. For example, relying on an opinion letter can bolster an employer’s defense in a court action that it acted in good faith. Given state-by-state variations on wage and hour law, dealers should consult their labor counsel on application of the DOL’s opinion letter to their operations. See also NADA’s [Dealer Guide to Federal Wage and Hour, Child Labor and Wage Discrimination Compliance](#).

Manufacturer payments to dealership employees vary widely by the manufacturer, program and products involved. The DOL opinion letter doesn’t address the pros and cons of such payments, only whether they may count towards a dealer’s minimum wage obligations. Source: NADA, Mike Alford, Chairman, Regulatory Affairs Committee.