

EQUIPMENTdealer

RESOURCES FOR SUCCESSFUL DEALERS

magazine

EDM SPOTLIGHT

Reflecting on NADC 2024

Knowledge, networking and insights come together for another successful conference. PAGE 2

FEATURES

INSURANCE DESIGNED FOR YOUR DEALERSHIP

Get to know Federated Insurance - NAEDA's preferred partner p 8

RIGHT TO REPAIR LEGISLATION

Local equipment dealers Join NAEDA in defeating Right to Repair legislation in Prince Edward Island p 16





WE'RE COMMITTED TO NAEDA

Work with a dedicated agent and risk management team that understands equipment dealers and are committed to helping you protect your business.

[Learn more at federated.ca](https://federated.ca)

EQUIPMENTdealer magazine

RESOURCES FOR SUCCESSFUL DEALERS



ON OUR COVER Revisiting highlights from the 2024 North American Dealer Conference held in Dallas, Texas.

NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION

CANADA HEAD OFFICE
2435 Pegasus Road NE
Calgary, Alberta T2E 8C3
Phone 403.250.7581
Fax 403.291.5138
info@naeda.com
www.naeda.com

PUBLISHER NAEDA

MANAGING EDITOR Joanne Olson
LAYOUT AND DESIGN Angela Mosco

Equipment Dealer Magazine is printed by Mountain View Printing & Graphics Ltd.
3656 - 60 Avenue SE
Calgary, Alberta T2C 2C7
Toll Free 1.800.262.4863

PUBLICATION INFORMATION

Equipment Dealer Magazine is published and distributed four times a year. Please contact NAEDA for advertising rates and service charges. NAEDA reserves the right to refuse any material, either for distribution, or for printing in *Equipment Dealer Magazine*. Acceptance of any advertising does not imply endorsement by the Association. No part of this publication may be reproduced, stored in a retrieval system or transmitted, in any form without prior written consent from the publisher. The views expressed in this magazine are those of the contributors and do not necessarily reflect those of the officers or members of NAEDA.

Canadian Publications
Mail Agreement #41386549
Return Undeliverable Addresses to:
NAEDA, 2435 Pegasus Road NE
Calgary, Alberta T2E 8C3

Equipment Dealer Magazine would like to thank its valuable advertisers that help to make this publication possible. An Index of Advertisers can be found on page 32 of this issue.

EDMspotlight

2 Reflecting on the 2024 North American Equipment Dealers Conference

IN THIS ISSUE

EDM partner profile

- 8 Insurance designed for your dealership**
Get to know Federated Insurance – NAEDA's preferred partner.
by CHRIS LEAHEY, Federated Insurance

EDM features

- 10 NAEDA's Dealer Institute**
Pushing 10,000.
by MICHAEL PIERCY
- 16 Right to Repair Legislation**
Local equipment dealers join NAEDA in defeating Right to Repair legislation in Prince Edward Island.
by JOANNE OLSON
- 17 NDP Introduces Right to Repair Bill in Ontario**
by JOANNE OLSON

industry insights

- 12 Farmers brace for another tough year:**
Iron Solutions stands ready to empower dealers.
by JON WOMMACK, Iron Solutions
- 14 Farm Safety**
The safe handling of large farm equipment tires.
by GERARD ZENTNER, The TireGrabber

EDM legal notes

- 20 An overview of Canada's modernized competition/antitrust laws**
by DENES ROTHSCILD & MOHIT SETHI, BLG
- 26 Financially-challenged manufacturers can create unexpected risks for dealers**
by LANCE FORMWALT

columns

- 18 MNP Knowledge Centre**
A guide to selling your dealership
How to make the process and transition as smooth as possible.
by BRETT FRANKLIN, MNP
- 24 HR Solutions**
Equipment Jobs & Hiring Trend Report
by BONNIE JOHNSON, AgCareers.com
- 28 People-Smart Leadership Principles**
What dogs tell us about interpersonal skills.
by DR. LARRY COLE

NAEDA events

- 30 2024 Golf Tournaments Registration Now Open!**
Join us for our 25th season on the links at the 2024 CEDF Golf Tournaments!
- 32 Here's What You Sold - AEM**
Grandpa's Farm Colouring Book
Order yours today!

Reflecting on the 2024 North American Equipment Dealers Conference

by JOANNE OLSON



The North American Equipment Dealers Conference (NADC) is an annual event eagerly anticipated by dealers and their management teams. This year, from January 29 -31, NADC2024 started with an opening cocktail reception at the Renaissance Dallas Hotel in Dallas, Texas. Here's a recap of some of the notable sessions and speakers from this year's conference.

Opening Keynote by Sid Miller

The conference commenced with an enlightening keynote address by the Texas Agriculture Commissioner, Sid Miller. With his deep roots in agriculture and extensive experience as a farmer, rancher, and 12-time world champion cowboy, Miller provided valuable insights into the current state of agriculture in Texas and the broader United States.

OPE Manufacturer Panel

A panel discussion featuring leading Outdoor Power Equipment (OPE) manufacturer representatives – Nick Moore (Briggs and Stratton), Ross Hawley (Toro), and Danny Mesik (Stanley Black & Decker) - delved into the future of the industry. Topics included the latest advancements in battery technology and their impact on dealers, and a forecast of industry trends for the next 3-5 years. This session provided crucial insights for dealers striving to stay ahead in an ever-evolving market.

Enhancing Dealership Success Through Interdepartmental Cooperation

Kelly Mathison from NAEDA's Dealer Institute emphasized the importance of collaboration across parts, service, and wholegoods departments in equipment dealerships. By

aligning these departments, dealers can enhance customer satisfaction, streamline operations, and drive profitability, setting the stage for sustainable growth.

Ag Manufacturer Panel

Moderated by NAEDA CEO Kim Rominger, this special panel session brought together top-level management representatives from leading agricultural manufacturers, including Ruchir Patel (AGCO), Kurt Coffey (CaseIH), Eric Raby (CLAAS), Joel Dawson (John Deere), Todd Stucke (Kubota Tractor Corp.), and Mark Lowery (New Holland). Dealers had the opportunity to hear from their suppliers and gain insights from the industry experts, enriching their knowledge and strategic outlook.

Marketing Your Story to Increase Brand Loyalty

Grace Vest, marketing manager at Sunshine Quality Solutions, a 17-store John Deere dealership based in Louisiana, stressed the power of storytelling in marketing. By crafting compelling narratives that resonate with their audience, equipment dealers can foster deeper engagement, influence purchasing decisions, and solidify brand identity and reputation.





Understanding Your Labor Budget

Scott Bridges of NAEDA's Dealer Institute delved into the strategic significance of labor budgeting in equipment dealerships. By identifying technician inventory, gaps, and available hours, dealers can ensure optimal staffing levels and build versatile teams capable of effectively meeting customer needs.

The Mechanics of Recruiting Technicians Abroad

Byrne Luft of Arch Staffing and Consulting and Brian Coughlin of Fisher & Phillips LLC explored innovative strategies for recruiting skilled technicians from around the world. In light of persistent technician shortages, dealerships must embrace creative approaches to address staffing challenges and ensure operational continuity.

Avoiding Another Used Equipment Crisis

Moderated by Michael Piercy, NAEDA Vice President of Dealer Development, this panel discussion examined the impacts of new equipment influxes on used machinery markets. Featured panelists Colin Hlavinka (Hlavinka Equipment Company), Joe Jones (Parallel Ag), and Russell Ball (21st Century Equipment) explored strategies to navigate supply chain dynamics and mitigate potential challenges associated with both new and used equipment management.

U.S. Ag Economy: What Are Farmers Telling Us

Dr. James Mintert, Purdue University, offered a comprehensive overview that shed light on the crucial factors shaping the agricultural landscape in the United States.



Unlocking After Sales Opportunities: Using Process and Technology to Protect Customers and Improve Dealer Performance

In this session, Ted Wagner of Specialty Equipment Insurance Services, covered successful strategies for increasing the number of customers purchasing protection products and the dealer absorption rate through optimization of sales processes, strategic sales approaches, and empowerment through technology.

Insights from Dealers: Navigating the Legislative Battle of Right to Repair

Moderated by NAEDA's Senior Vice President of Government Affairs, Eric Wareham, this session featured experienced dealers sharing insights and strategies in the ongoing battle surrounding Right to Repair legislation. Panelists Tom Nobbe (Sydenstricker Nobbe Partners), Terry Hlavinka (Hlavinka Equipment Company), and Jeff Oldham, (GreenMark Equipment), shared their experiences, providing valuable perspectives on engaging with lawmakers and advocating for industry interests.

Estate and Business Succession Planning

Stewart Van Duzer of Federated Mutual Insurance and Landon Long of Evans & Davis addressed the critical aspects of estate and business succession planning for equipment dealers. Dealers can ensure smooth transitions and long-term business sustainability by outlining essential components and navigating complex legal considerations.

The Crucial Role of Basic Financial Understanding

NAEDA's Dealer Institute trainer, Kelly Mathison, underscored the importance of financial literacy for all dealership team members. By fostering a culture of financial understanding, dealers can drive growth, optimize operations, and enhance overall business sustainability.

Solution Selling is Critical to Customer Satisfaction

Scott Bridgen of NAEDA's Dealer Institute highlighted the significance of solution-oriented selling approaches in enhancing customer satisfaction. By asking the right questions and offering tailored solutions, dealers can deepen customer relationships and drive long-term loyalty.

KEYNOTE SPEAKER: Matt Mayberry

The conference culminated with a keynote address by Matt Mayberry, former Chicago Bears linebacker and internationally acclaimed leadership development and culture expert. Mayberry's insights on building an organizational culture for speed, impact, and excellence resonated with attendees, offering actionable strategies for driving success in today's competitive landscape.



CONT. ON PG 4

Overall, the 2024 North American Dealers Conference provided a wealth of knowledge, networking opportunities, and actionable insights for industry professionals. By embracing innovation, collaboration, and strategic planning, dealers can navigate challenges, seize opportunities, and thrive in an ever-evolving market environment.

NADC 2024

WHAT ATTENDEES HAD TO SAY...

- *The kick off session and the grand finale was exceptional with all the pertaining info in-between.*
- *Brilliant organization of speakers.*
- *Great topics and panelists.*
- *The best part of every dealer conference is being able to have discussions with other dealers. Thank you to the Association staff for putting this all together. I would attend all over again!*
- *The event as a whole was very informative and inviting.*
- *I think there should be more people from the dealership attending. This was my first time. Will try to bring more next time.*
- *Absolutely fantastic.*
- *The line-up of speakers were probably the best we have had at a meeting in a long time.*
- *Great event and a lot of fun.*
- *Very well done. Greatly organized.*



The conference concluded with attendees stepping into the World of Chance with Casino Night. Testing their luck and skill at authentic casino tables featuring blackjack, poker, roulette, and more, attendees enjoyed a fun-filled evening of friendly competition along with the chance to win some great prizes while playing with "conference cash."



NADC 2024 AWARDS

Merit Award Dealer of the Year

NAEDA's Merit Award recognizes an individual dealer member for their leadership within the industry, their dedication to growing their business into a successful entity, and their commitment and legacy to their community. This is the highest recognition that our association provides to an outstanding and respected member.

Requests for nominations are sent out to Association members each year, and like every year, our office receives several worthy nominations to choose from. All the nominations come from dealer competitors, peers, and industry colleagues. We appreciate all NAEDA members who took the time to nominate a fellow dealer.

This year's winner of the prestigious Merit Award – Dealer of the Year, is David Meyer of Titan Machinery.

From humble beginnings to building an empire

David Meyer is the Board Chair and CEO, as well as founder of Titan Machinery, headquartered in West Fargo, North Dakota. David has been described as a leader, a visionary, insightful, and humble. He is respected by his colleagues and known as an entrepreneur and people person with a great work ethic. He helped build an empire among equipment dealers by having a vision, taking care of the customer and an almost



David (l) and Kandi Meyer of Titan Machinery accept the Merit Award - Dealer of the Year presented by NAEDA director Steve Hunt at the North American Dealer Conference in Dallas, Texas.

50-year track-record of being able to execute and deliver.

While he started his career with a tractor manufacturer, his ambition, love of the farm and rural America and ability to connect with people led him through the journey of a retail equipment dealership. He enjoys collaborating with people, giving back and supporting his local community, which is evident through the number of boards and committees he has been involved with over the years. The list includes serving as a Trustee on the University of Minnesota Foundation, two-term chairman and board member



of the North Dakota Implement Dealers Association, Case Construction and CaseIH Agriculture Dealer Advisory Boards, Lisbon School Board, CHI Lisbon Health Board, FCSN Foundation Board, ASI Board of Directors, St Aloysius Church Trustee and North Dakota Community Foundation Board Member. David is also an honorary FFA member and received the “Friend of 4-H” award.

It can be said that his willingness to invest in his employees is one of many keys to the success of Titan Machinery. He knew that a great company revolves around great people. He spared no expense making sure that he trained, worked with, and mentored his employees enabling them to achieve both personal and business successes and industry achievement. He once used the metaphors, “If you want better furniture, you better start off with a good piece of wood.” And “make sure you ‘Feed the Stallions’”. A perfect explanation of how he invested in his employees.

His understanding of others and communities is what led him and his team to go from a single dealership with three employees including himself in 1977, to an operation of over 147 locations today. While Titan has proven to grow both organically and through acquisitions, he worked hard to preserve the respect and legacy of retiring dealers and went to great lengths to insure employee onboarding was done right with focus on bringing value to the customer with ongoing investment in people, tools and facilities. With a win-win mind set, David has been honest to a fault, kept his promises with employees and customers and has been instrumental in making Titan Machinery a great place to work.

David started his equipment dealer journey shortly after graduating from the University of Minnesota working for JI Case company as a four-wheel drive product specialist. In 1976, he became a minority partner in a

JI Case and New Holland dealership located in Wahpeton, North Dakota which expanded to Lisbon, a year later. In 1980, David and partner, Darell Larson, purchased the Wahpeton and Lisbon dealerships from their majority owners to create what is now known as Titan Machinery. In 1985, David and Darell amicably split their partnership with David acquiring the stock and a few years later became an early consolidator of farm equipment dealerships. Going down the road to be a serious company, he joined forces with Tony Christianson and Peter Christianson in 2003 and a few years later, in 2007 became a publicly traded company on the NASDAQ exchange. They expanded their footprint internationally to Europe in 2012 and Australia this past year – making them the largest global distributor of the aggregated CNH Industrial brands.

David was a 2009 Ernst and Young Entrepreneur of the Year Regional Award winner and was recipient of the 2009 Venture Capital Award of Excellence. He was the 2018 recipient of the University of Minnesota Carlson School of Business Gary S. Holmes Entrepreneur of the Year Award. Additionally, Meyer recently joined several dealers honored as part of the inaugural 2024 Farm Equipment Dealer Hall of Fame.

David has also been a long-time supporter of the North American Equipment Dealers Association and our mission and mandate.

The award was presented to Meyer at the North American Dealer Conference, held in Dallas, Texas on January 30, 2024. In his acceptance speech, Meyer reflected on his personal journey from building a single store to an operation of over 147 locations today; starting a small business that eventually became a publicly traded company that not only has locations in the U.S. but in Bulgaria, Romania, Ukraine, and Germany.

He commented that in the early years, he worked in the dealership by day and delivered equipment in the evening with his then girlfriend Kandi by his side. While the early years were challenging as the industry was cyclical,

he continued to invest for the future growth of the company, to make it what it is today.

Congratulations to David Meyer for his vision and many contributions to the agricultural industry he’s served and for being named this year’s recipient of the prestigious Merit Award - Dealer of the Year.

Dealer Advocate of the Year Award

One of NAEDA's priorities is federal and state/provincial government affairs. However, most advocacy efforts are successful when equipment dealers testify before committees and share how proposed legislation can be either harmful or helpful to the industry.

The Dealer Advocacy Award is presented each year to a dealer whose efforts contributed to positive policy outcomes benefiting the equipment dealer industry. The award recognizes not only those who engage in our association’s government affairs advocacy, but those that go above and beyond.

That is certainly the case with this year’s recipient, Russell Ball of 21st Century Equipment, who exemplifies that commitment.

In 2023, Ball took on even more than he probably expected. When Colorado introduced a Right to Repair bill, he was at the forefront of the fight. He attended and testified in every legislative hearing, including a marathon seven-hour Senate committee session on the bill. He even took the meaning of equipment demonstrations to a new level,

CONT. ON PG 6

CONT. FROM PG 5

bringing a tractor to the Capitol lawn on a snowy, freezing day to help educate legislators. His efforts were instrumental in getting the language in the Colorado bill amended to protect equipment dealers.

Ball also brought that valuable experience to bear in another Capitol when he attended NAEDA's Washington D.C. Fly-In in March 2023. He was instrumental in educating Congressional members about the dealers' perspective on the Right to Repair issue.

Ball has been with 21st Century Equipment for nearly 31 years. In addition to his dedication to the company, Ball has given back to the industry and his community in numerous ways. He is a former director and Chairman of a regional equipment dealer association, served 30 years as a volunteer firefighter for his rural fire district, and is the voice of his local high school football team announcing games for the Cheyenne Wells Tigers.

Congratulations to Russell Ball for being named NAEDA's Dealer Advocate of the Year.

2023 Federated Insurance Company of Canada Safety & Loss Award

Federated Insurance Company of Canada has announced that Connect Equipment is the 2023 winner of the Safety & Loss Award. The award was presented to Connect Equipment at NAEDA's North American Dealer Conference Awards Banquet that was held in Dallas, Texas on January 30, 2024.

This award is given to a Canadian equipment dealer who has made an investment in people, safety, and training. They must demonstrate a commitment to Risk Management and Loss Prevention plans, processes, and procedures while also participating in and supporting their community.

Connect Equipment's year over year low loss ratio, commitment to investing in their facilities and making them to be a safe place to work for their employees were the deciding factors in the award. Connect Equipment was nominated by



Federated Insurance's team of marketing representatives and risk services specialists.

"We are grateful to have been recognized with such a prestigious award," said Mary-Lynne Benninger, VP Finance for Connect Equipment. "It is an honour to receive this acknowledgement from NAEDA and Federated Insurance."

Connect Equipment is a four store AGCO dealership network in southwestern Ontario. In February 2010, some of the largest AGCO dealerships in Ontario joined forces to create this new multi-store complex. Their customer base is mixed, serving large scale farm operations, hobby farms, estate management companies, landscapers, municipalities, government agencies as well as small and large homeowners. Because of this diverse customer base, Connect Equipment has 18 differ-



Russell Ball (r) of 21st Century Equipment accepts the NAEDA Dealer Advocate of the Year award, presented by NAEDA's Senior Vice President of Government Affairs Eric Wareham (l) at the North American Dealer Conference in Dallas, Texas.

ent equipment brands as part of their product offering.

"We appreciate the opportunity to work with both organizations, and their support has been instrumental in enabling us to implement effective safety measures that minimize the risks and improve the health and safety of our employees and customers," added Benninger.

Named the Bill Armstrong Safety & Loss Control Award, it was created by the former Canada West Equipment Dealers Association to honour Bill Armstrong, who was the manager for the Alberta/British Columbia Farm Equipment Dealer Association from 1970 – 1984. It was presented to Connect Equipment by Chris Leahey, Federated Insurance Company of Canada's Regional Association Manager.

Congratulations to Connect Equipment on this impressive achievement. EDM



JOANNE OLSON is managing editor of publications for the North American Equipment Dealers Association, and manages the Canadian Head Office in Calgary, Alberta.

JOANNE OLSON joined the association in 1999 as executive assistant. She currently serves as corporate secretary and managing editor of the association's U.S. and Canadian editions of *Equipment Dealer Magazine*. Additionally, she is manager of the association's Canadian office in Calgary, Alberta. Olson is involved in board governance, event planning and organization of golf tournaments, board meetings, and conferences. She writes articles for the magazines and provides copy editing for corporate communications. Olson also oversees database management, the CEDF Scholarship program, billing, and invoicing; member requests, and assists with website management.



DEALER FINANCING PROGRAM



Learn more about our
Indigenous financing.

fcc.ca/Indigenous

Progressive
Aboriginal
RELATIONS

COMMITTED

Canadian Council for
Aboriginal Business 



INSURANCE DESIGNED FOR YOUR DEALERSHIP

Get to know Federated Insurance – NAEDA's preferred partner

by CHRIS LEAHEY, Regional Association Manager, Federated Insurance

At Federated Insurance, we believe that knowing your equipment business matters because no two dealers are alike.

That's why we'll take the time to get to know yours, so our industry experts can help you better understand your risks and build an insurance solution tailored to your specific needs.

Working with a dedicated agent and risk management team means you get personalized service, advice you can trust, and the right protection for your business. It's this personal approach that has set us apart for over 100 years and why NAEDA has endorsed us as their exclusive insurance partner.

A long-standing history built on relationships

Our roots trace back to the 1890s, when a group of Minnesota farmers formed an association to reduce insurance costs. Thirty years later, in 1920, the Canadian division was born, and the company became 100% Canadian-owned after being purchased by Fairfax Financial Holdings in 1990. We've grown to become a leading direct commercial insurer, offering national coverage with local service so you're covered no matter where your business is located, and exceptional customer satisfaction¹:

- **97%** of our new customers said they were likely or very likely to recommend us to a business colleague based on their recent buying experience.
- **92%** of new customers said their buying experience with a Federated agent was easy.
- **95%** of new customers said they trusted their new Federated agent because they understand their business needs.
- **Our Net Promoter Score**, which is a key measure of customer loyalty, ranks within the top 25% of all North American B2B financial services companies.

Federated's partnership with NAEDA began in 1973 with the creation of an insurance program designed for equipment dealers. For over 50 years, we've worked with the Association to enhance the service and value we provide to members like you. Our business is based on strong relationships, so we're very proud of this long-standing partnership and are committed to meeting your needs today and tomorrow.



Federated Insurance offers coverage specific to your needs – they have one of the most comprehensive and specialized programs for equipment dealers in Canada.

Customized insurance solutions for equipment dealers

The risks you face are unique, and Federated offers one of the most comprehensive and specialized insurance programs for equipment dealers in Canada. In addition to core coverages, we offer the ability for you to personalize your limits and deductibles, and even add-on additional protection as needed. A Federated agent can work with you to assess your unique needs and then build a customized solution for your dealership.

Available coverages include the following, and more:

- **BUSINESS INTERRUPTION**
Helps protect from an unexpected loss of income associated with a pause in operations.
- **COMMERCIAL PROPERTY**
Provides coverage for your building, equipment, inventory, and supplies, with specific protection for flood, earthquake, and sewer back-up, if needed.
- **CRIME**
Insures against theft by your employees and others.
- **COMPANY VEHICLES**
We can provide coverage for company vehicles, whether it's for just one or an entire fleet.
- **CYBER**
Helps support your cost of recovering from a cyber incident and for loss of business income as a result of interruption in services from a cyber-attack.
- **LIABILITY**
We can provide both General Liability and Pollution Liability coverage.
- **MANUFACTURER'S FLOOR PLAN**
Provides coverage to floor-planned property and protects the value of enhancements (additional parts and accessories) you add to floor plan equipment.

- Dedicated advisors providing expert advice and support
- Customized insurance solutions and services tailored to your business
- Expanded insurance coverage options
- Flexible payment and deductible options
- Complimentary loss prevention programs
- Superior claims service to get you back up and running quickly
- Financial stability – Rated “A” (Excellent) by A.M. Best and “A” (Strong) by S&P



• MECHANIC'S WARRANTY OF WORK

Covers Installation, Labour, and Dealer Errors and Omissions, and includes coverage for corrections from mistakes made through the installation of defective parts or as a result of faulty work on customers' equipment.

• TOOLS & EQUIPMENT

We offer Equipment Coverage for you and your employees, as well as Rental Reimbursement, which covers the cost of renting regular and computerized equipment if yours is damaged.

Complimentary loss prevention support

While a Federated policy can help protect your dealership in the event of a loss, our goal is to help you prevent claims from happening in the first place. We offer complimentary risk management programs and services² to help you understand your business risks and the steps you can take to help enhance workplace and employee safety. When you choose us as your insurance partner, you gain direct access to our team of almost 70 risk management professionals who can provide tailored loss prevention training and support.

As a leading insurer of equipment businesses, two of the most common claims we see from dealerships are equipment theft and faulty work. When it comes to theft, crime prevention through environmental design – or the use of security cameras, alarm systems, and enhanced locking systems – can be an effective deterrent. And the risk of faulty work can be reduced by having your supervisors work with employees to review, report, and thoroughly document all repairs – steps that can also assist you in the event you need to file a claim.³

Another area where we're seeing growing risk is cybersecurity. While big company breaches make headlines, criminals target businesses of all sizes and across all industries – including dealerships like yours. Recovering can be costly, time consuming, and even threaten your business' reputation, so you should consider taking preventative measures³ such as:

- Hiring a cybersecurity consultant to help assess potential areas of exposure
- Regularly backing up your data and systems
- Always protecting passwords and using multi-factor authentication (MFA) whenever possible
- Training employees on cyber fraud awareness, recognition, and prevention best practices

- Always confirming suspicious digital communications before acting – criminals are becoming more sophisticated when it comes to impersonating decision makers, even using voice and facial recognition taken from social media, to request the transfer of funds, make changes to financial accounts, or authorize fraudulent payments
- Augmenting your risk management efforts with the purchase of cyber risk insurance

There for you in the event of the unexpected

Sometimes, if your business is complex, insurance companies may divvy up your coverage amongst a few different providers. This can get messy if you suffer a claim due to multiple deductibles and different procedures, ultimately leading to longer resolution timelines. As a direct insurance provider, Federated offers one-stop service and added peace of mind by keeping everything under one roof.

While we hope you never experience a loss, our claims experts will be there for you if you do and support you during every step of the process. They'll work to get you back to business quickly, with personalized support, clear communication, and a thorough understanding of your policy and operations.

GET A QUOTE TODAY!

As a business owner, we know you have a lot on your plate and navigating your insurance needs can be daunting – but you don't have to go it alone. As NAEDA's exclusive and trusted insurance partner, Federated can help. To learn more, visit our website at www.federated.ca or call 1.844.628.6800. One of our agents will get to know your business, answer any questions, and help you design a customized insurance and risk management plan for your dealership. **EDM**

Federated and **Federated Insurance** are registered trademarks of Federated Mutual Insurance Company. Used under license. **Federated Insurance Company of Canada** is the insurer of Federated Insurance policies. Terms, conditions, and exclusions apply. See policy for details.

¹Based on Federated new customer survey respondents who indicated 9 or higher on a scale 0-10 when asked how likely they would be to recommend us to a business colleague, or 8 and higher on a scale of 0-10 on other survey questions. Responses are from January 1 – December 31, 2023.

²Services provided by our Risk Services specialists are intended to augment your internal safety, compliance, and risk management practices, and are not a substitute for professional advice. Services are not an insurance policy or legal advice.

³These resources are provided for information only and are not a substitute for professional advice. We make no representations or warranties regarding the accuracy or completeness of the information and will not be responsible for any loss arising out of reliance on the information.

NAEDA's Dealer Institute - Pushing 10,000

by MICHAEL PIERCY

Since its inception, Dealer Institute (DI) has been on a mission to revolutionize the landscape of dealer training, education, and consulting services within the equipment industry.

Unlike traditional approaches that relied on third-party entities, DI took a bold step by directly offering premium services to its dealer members, thus charting a new course for dealer associations.

The primary objective was clear: to provide top-notch services to dealer members at affordable rates, with contributions supporting crucial endeavors in government affairs and manufacturer relations. Initially focusing on three key areas of industry need, DI aimed to set standards and expand its offerings as it gained proficiency in delivering services.

So, in 2015, we tackled the urgent challenges stemming from issues related to used iron, service inefficiencies, and the need for strong leadership bench strength among dealers. Over the course of the initial two years, we dedicated significant resources to addressing these critical areas, culminating in the development of our flagship program, the Dealer Management Course. This comprehensive initiative was designed to equip dealership leaders with the essential skills, knowledge, and strategies to navigate the industry's complexities successfully.

In addition to the Dealer Management Course, we also introduced specialized programs such as Iron Management and Service Management courses. These targeted initiatives aimed to provide dealers and their teams with specialized training tailored to effectively manage the unique challenges associated with used iron inventory and service operations. By honing in on these specific areas, we aimed to enhance operational efficiency, im-



The transformation of DI over the years is remarkable. While our team of specialists plays a pivotal role with their expertise and delivery, our dealers and students have truly propelled us forward. Their feedback, challenges, and aspirations have pushed us to continually evolve, innovate, and strive for excellence.

prove customer satisfaction, and drive overall dealership performance.

Throughout this period of intense focus and development, our goal remained clear: to empower dealerships with the tools and expertise necessary to overcome their most pressing challenges and thrive in a competitive market environment. The culmination of our efforts during these first couple of years laid the groundwork for a comprehensive training curriculum that continues to evolve and expand, ensuring that dealerships are equipped to succeed both now and in the future.

Fast forward nine years, and DI has not only succeeded in delivering its core services but has also significantly expanded its portfolio to cater to a broader range of industry needs. Dealer Institute facilitates over 50 training and consulting initiatives, including performance groups, offering dealers a comprehensive platform to develop their teams and drive business growth.

It's inspiring to see Dealer Institute evolve into a comprehensive platform offering dealers a wide array of training and consulting initiatives. What's even more inspiring is that training is now seen as an investment rather than

an expense for many dealers, which speaks volumes about the value it brings to dealerships and their growth plans.

For example, some of our more progressive dealers are embracing multi-year, comprehensive training and consulting programs aimed at enhancing the entire organization. Rather than constantly reacting to problems, they proactively address deficiencies, inefficiencies, outdated practices, and cultural issues. This proactive approach is aimed at fortifying their dealership, ensuring it's well-prepared to tackle any future challenges head-on.

The transformation of DI over the years is remarkable. While our team of specialists plays a pivotal role with their expertise and delivery, our dealers and students have truly propelled us forward. Their feedback, challenges, and aspirations have pushed us to continually evolve, innovate, and strive for excellence.

Today, Dealer Institute stands as a testament to its journey of growth and impact. After nine years of dedication, with hundreds of public classes, webinars, onsite courses, consulting initiatives, and virtual classes, we are proud

MICHAEL PIERCY is the vice president of dealer development for NAEDA. He has over 20 years' experience in organizational leadership training and development and succession planning. Piercy joined the association in 2015 to help build the Dealer Institute as a complete solution for industry training and consulting needs. Along with DI Trainers, Piercy was instrumental in developing the library of training and consulting opportunities DI offers dealer organizations today. His current role, leading NAEDA's Dealer Institute, allows him and his team to guide dealer organizations through training and consultative initiatives, as well as merger, acquisition, and succession planning.



MICHAEL PIERCY is the vice president of dealer development for NAEDA.



to announce that we are pushing 10,000 students! This milestone holds immense significance for the Dealer Institute and the North American Equipment Dealers Association (NAEDA) for two primary reasons.

Firstly, it signifies our members' confidence in our services and the value we bring to their businesses. Secondly, it underscores the tangible impact Dealer Institute is making on organizations across North America.

The impact of our training and consult-

ing services is palpable. Dealer locations that have undergone our Service Management Installation have reported an average return of \$267,000 to their service departments. Similarly, dealers have experienced substantial increases in parts sales and profitability following our Parts Counter Sales training courses.

However, beyond the numbers, it's the testimonials from our students that truly reflect the impact of Dealer Institute.

Owen Palm, CEO of 21st Century Equipment, emphasizes the importance of talent development and the effectiveness of our management training programs. "The farm equipment business is unique, regardless of your OEM. Developing the talent to fill entry-level management positions, such as parts and service managers, is vital to growing our business. We have found that utilizing the 6-module management training program provided by the North American Equipment Dealers Association's Dealer Institute exposes our emerging leadership team to industry experts across the entire range of dealership operations. We found the training to be flexible and when we have brought it onsite, it was especially effective."

Steven Dyck, CEO of Western Tractor, commends the caliber of instruction and the measurable return on investment. "Over the last number of years, we have engaged the Dealer Institute in targeted onsite training for our leadership team and targeted employee groups. We have been impressed with the caliber of instruction and the intimate knowledge these instructors have of our business and our industry. Our investment in Dealer Institute has provided us with a measurable return on our investment, and I would not hesitate to recommend them to any of our peers in the industry."

Shawn Skaggs, CEO of Parallel Ag, highlights the actionable knowledge gained from our training programs. "The Dealer Institute has become a critical part of our personnel development program. It's training that our people come back from with actionable knowledge that they're excited to put to work in the dealership."

One of our Dealer Management students shares their success story, achieving and surpassing their gross margin goals, resulting in record-breaking performance. "My gross margin was sitting at 29.87% and my goal was to get to and maintain a gross parts margin of 33%. My gross margin sits at 33.5%, and June has turned out to be my largest single month ever. My margins for June were very good as well, at 34.24%."

It's inspiring to see Dealer Institute (DI) evolve into a comprehensive platform offering dealers a wide array of training and consulting initiatives.

What's even more inspiring is that training is now seen as an investment rather than an expense for many dealers, which speaks volumes about the value it brings to dealerships and their growth plans.

As Dealer Institute celebrates this milestone, pushing 10,000 students, we remain committed to our mission of empowering dealerships, fostering growth, and driving excellence in the equipment industry. With gratitude to our students, partners, and stakeholders, we look forward to continuing this journey of impact and innovation in the years to come. EDM

Farmers Brace for Another Tough Year: Iron Solutions Stands Ready to Empower Dealers

by JON WOMMACK, IRON SOLUTIONS

In a report just released by Kiplinger, author Matthew Housiaux states: “farmers have another tough year ahead. Farm income is expected to decline for the second consecutive year after a record 2022.”¹

As the agricultural sector braces for another challenging period, the importance of effective lead management for equipment sales is more critical than ever. With the landscape evolving rapidly, the ability to identify equipment opportunities can mean the difference between stagnation and prosperity.

With profitability being squeezed from every side, ag equipment dealers might find some respite on the used equipment side. “Over two-thirds of agricultural equipment dealers anticipate flat or declining revenue in 2024, though demand for used tractors, combines, and sprayers will likely hold.”²

Dealers face the perpetual challenge of balancing risk and profit in a volatile market. Iron Solutions understands this struggle and arms dealers with real-time valuation data to navigate the labyrinth of pricing and inventory management. With access to up-to-the-day information on trade values, dealers can avoid inventory pitfalls that erode margins, thus safeguarding profitability.

JON WOMMACK is the Managing IronGuides Editor for Iron Solutions. He began his career in a John Deere dealership as a parts intern and worked his way up to becoming a large equipment and GPS salesman. For the past 7 years, Jon has overseen all IronGuides product processes and managed the collection and processing of its sales transaction data. Jon is a native of Rives, Missouri and graduated from the College of Agriculture at Arkansas State University with a degree in Agricultural Business Economics and Plant Science in 2014. When not talking to ag dealers and lenders about their views on market conditions, you can find Jon in the seat of a tractor or combine. You may also find him grilling up a few prime cuts for family and friends.



Dealers face the perpetual challenge of balancing risk and profit in a volatile market. **Iron Solutions understands this struggle and arms dealers with real-time valuation data to navigate the labyrinth of pricing and inventory management.**

Our suite of solutions provides dealers with more than just data—it offers actionable insights to inform marketing strategies, pricing decisions, and targeted promotions. With lead management tools, dealers can pinpoint the most promising prospects and cultivate enduring customer relationships, all while staying one step ahead of the competition.

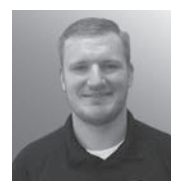
*“Honestly, our margin percentages have increased because of the ability to plug in all the related costs at the time of purchase. It makes sure we don’t miss that important data. The tight ag economy has hurt our margins, but it would definitely be worse if we didn’t have IronHQ,” so stated Scott Grundstad, Director of Sales for Plains Ag Group, upon implementation of IronHQ for the multiple locations of his dealerships.*³

In an era defined by uncertainty, data solutions like IronHQ can be your steadfast ally, arming dealers with the tools needed to navigate turbulent waters and emerge stronger on the other side. With IronHQ as their cornerstone, dealers can seize opportunities and chart a course toward lasting success. **EDM**

¹ Farmers Face Another Tough Year As Costs Continue to Climb

² Farmers Face Another Tough Year As Costs Continue to Climb

³ How an Ag Dealer Merged Its Way into IronHQ*



JON WOMMACK is the Managing IronGuides Editor for Iron Solutions.



We look good together.®

We're invested in how you look, providing products and services that enhance your business image and your bottom line. That's because if you don't look good, we don't look good. And when you look good, customers take notice.

- Customized uniform programs
- Flame Resistant (FR) and visibility garments
- Restroom and facility services
- Industry leading service and value
- 300,000-plus business customers

UniFirst is an Endorsed Vendor for the NAEDA network.

UniFirst
Uniforms Services Solutions

UniFirst.com | 800.934.8641
Alan_Pipe@UniFirst.com

FARM SAFETY

The Safe Handling of Large Farm Equipment Tires

by GERARD ZENTNER, THE TIREGRABBER

Growing up in rural Saskatchewan afforded me a firsthand look at farming.

Both my father and my uncle owned Massey Ferguson dealerships. Many relatives in the area owned large farms. From an early age, I would help out on the farms and in the dealerships.

Once my father and I were involved in an accident while hauling a very heavy rock picker behind our pickup truck. As we were crossing train tracks, the truck inadvertently connected with the tracks. While the truck and hitch suffered significant damage, the end result could have been much worse.

Subconsciously, I think I always knew that one must be careful around big agricultural equipment. Yet after all those years of working in agriculture, not once was safety part of the discussion.

Who wants to talk about safety? No one - until there is an accident or a near miss, then it's all-hands-on-deck to figure out what went wrong, how to fix "the problem" and how to prevent it from happening again.

This past winter, I spent a lot of time traveling to Ag shows through Western Canada and the American Midwest. At every show, I heard a similar story. "We had a bad accident on the farm." Or "We had a near miss while changing tires on the farm."

Often, the dealers or farmers I talked to couldn't justify the investment in safety equipment to change tires. Some said, "The young guys can do it." Some said they hire the job out and let others worry about potential injuries.

Fatal injury stats are staggering

While many farm-related accidents go unreported, the number of recorded accidents

resulting in fatalities tell a grim story alone.

In the United States, the mortality rate is 23.1 deaths per 100,000 which, based on the US latest census data of 1.89 million farms (USDA Feb 2024), works out to 436 farmers killed every year on the farm in the United States.

In Canada, the Canadian Agricultural Safety Association (CASA) reports that on average, there are 84 fatalities per year. These numbers are staggering.

So, how can we fix it?

Taking proactive steps can help minimize the risk of injuries related to agricultural tasks such as changing large-scale tires on farm equipment.

- Start with a safety program that includes specific steps and procedures.
- Train all workers on the correct procedure for changing tires.
- Always use personal protective equipment (PPE).
- Discourage short-cuts.
- Review possible risks and take action to prevent injury.
- Always use equipment that is purpose-built for the task.

The growth of the farm tire

Historically, farm equipment and, consequently, farm tires were much smaller. Tires could be changed by hand or with the use of front-end loaders, skid steers or forklifts. Jacking up equipment with cribbing and bottle jacks was the norm. With the help of chains and a lot of grunt work, almost anyone could do it.



Everyone has the right to work in a place that protects their wellbeing so they can return home to their families every day.
The safe handling of large farm equipment tires is a vital part of farm safety.

As agricultural equipment became more sophisticated—designed to work more ground in less time, streamline operations and help farmers grow their business—the tires that kept things rolling also grew. Eventually, the practice of using chains, skids and a few strong workers to change a 4,000 lb tire came into question. Is this really safe? The answer is "no".

The safe way to change tires on agricultural giants

Changing oversized tires on sprayers, tractors and large ag trailers, safely and effectively really boils down to the right equipment.

Let's look at today's high clearance sprayers for example. These high-tech machines are so tall that a person well over 6 feet in height can walk underneath them! With that in mind, the old way of jacking them up becomes onerous.

The safest way is to use a wide-based, high jack such as the TG Equipment Jack system that can lift the entire end of the sprayer off the ground and hold it stable. The TG Equipment Jack is remote-operated and has a built-in 12V battery and hydraulic pump system that can lift up to 30,000 lbs! The jack is wide enough to lift both sides of the sprayer at the same time, and it rises high enough to safely lift any sprayer (with the right options including lifts and risers) - no matter how tall it is.

With the sprayer lifted and the tires off the ground, how do you get the wheel/tire combo off and the new set on? This mammoth task is often accomplished by hand using front end loaders,



GERARD ZENTNER,
CEO, The TireGrabber

GERARD ZENTNER started from the ground up, building successful businesses from his kitchen table. Now, with over 40 years of experience under his belt, Gerard is CEO of the TireGrabber - a patented device that makes changing large equipment tires safer, faster and easier. The ingenious invention of a farmer who had a need and a vision, the TireGrabber mission aligns with Gerard's drive to deliver smart solutions for real-world problems.

THE TIREGRABBER IN ACTION...

WWW.THETIREGRABBER.CA



JD Spray changeover and the proper way to stack tires on a skid.



The TireGrabber mounted on a skid steer.



The TG Equipment Jack is designed specifically for the large Sprayers.

skid steers or forklifts and a team of workers. Once the tire/wheel is disconnected from the sprayer, it is leaned against the machine (and sometimes chained) or set against a building for storage. This method of changing tires is fraught with danger. The tire/wheel combination can weigh more than 2,000 lbs, which is far beyond the ability of most workers to handle.

An easy, effective solution is to use the TireGrabber tire handler. It simply mounts to most loaders, skid steers, telehandlers, cranes, and forklifts and can be used to lift, stack and move tires up to 95" diameter and 4,000 lbs. The patented, engineered TireGrabber has a three-arm grabber that provides secure gripping, allowing the operator to support the weight while the nuts or studs are taken out. After the tire is off the machine, it can then be stacked on a skid for safe and easy storage.

To put new tires on, the opposite occurs. You pick the tire up off the skid with the TireGrabber and bring it to the machine. The operator can easily rotate the tire to line up with the studs. Instead of a team of workers, two people can change tires, safely and efficiently. I've been told a story about two farmers

changing a set of tires on a sprayer using the TireGrabber system in under 30 minutes - and they had fun doing it!

Once the old tires are off, rather than store them upright leaning against a wall, the safer way is to stack them on a pallet using the TireGrabber. Then the pallet can be stored safely and easily. It is recommended that tires be stored out of direct sunlight and away from ozone created by welders, electric motors and transformers. They should be stored at the proper inflation and, if stacked, kept mounted on the wheels and inflated. (Titan 2024)

From a management perspective, the TireGrabber system ensures that all employees and/or workers will be safe handling sprayer, tractor and other tires whether on the farm or in a tire dealership. But also important in this discussion is the ROI. The number of hours saved is significant using the TireGrabber system versus other methods, which is important



The TG Equipment Jack changing a JD Sprayer tire with The TireGrabber on a skid steer.

when it comes to productivity. Another important point is that not only will service departments be happier but using the TireGrabber system in the field also improves customer satisfaction as the changeover of tires is done in a fast, efficient and safe manner.

Everyone has the right to work in a place that protects their wellbeing so they can return home to their families every day. The safe handling of large farm equipment tires is a vital part of farm safety. It is important to be aware of the risks involved, and to take precautions to reduce the risk of injury for everyone.

EDM

Local Equipment Dealers Join NAEDA in Defeating Right to Repair Legislation in Prince Edward Island

by JOANNE OLSON

The introduction of a right to repair bill in Prince Edward Island (Bill 110) and the proposed amendments to the *Farm Machinery Dealers and Vendors Act*, sparked significant concerns from equipment dealers on the Island, the North American Equipment Dealers Association, as well as within the entire equipment industry.

But ultimately, the Bill did not proceed any further after a Committee of the Whole vote on April 17th, where further progress on the Bill was defeated by a vote of 17-6. All members of the Progressive Conservative Party who were present voted against the Bill, whereas the Liberal and Green opposition members accounted for the 6 yes votes.

“Unfortunately, both NAEDA and our equipment dealers on the Island were not consulted prior to this bill being introduced by the sponsor, Robert Henderson (O’Leary – Inverness)”, stated NAEDA Canada President John Schmeiser. “Had NAEDA been given the opportunity to meet with Mr. Henderson, and consult with the industry, he would have known that since 2021 there has been a solid industry commitment that provides customers access to the special tools, diagnostic equipment, parts, service manuals and repair training, that this Bill was trying to grant access to.”

But even more concerning to NAEDA and the equipment dealers on the Island, Bill 110 went beyond right to repair provisions and got into price fixing as well. “This Bill contains some of the worst language that we have seen in any right to repair bill in North America,” added Schmeiser. “Therefore, it wasn’t difficult to get the P.E.I. dealers behind NAEDA’s efforts to kill this Bill.”



Although small in size, P.E.I. has a unique but strong and vibrant agricultural industry. Detrimental legislation like this would have placed an unfair burden on equipment dealers and threaten their business to the point of existence.

Specific concerns that NAEDA had with Bill 110 included:

- The bill referenced “fair price” but did not define it. Requiring the same or fair price for everyone would eliminate volume discounts and other contractual agreements that in some instances benefit independent repair shops.
- The bill introduced a concept of net profit percentage, which is unworkable because it would place a burden on the dealer to show they are making a “fair” profit margin and potentially subjects dealers to opening their books up to show their margins. NAEDA could not find any other such legislation that was in place in P.E.I. that requires a business to show the government its books in this manner.
- There was language in the Bill that if a dealer and manufacturer cannot provide a part in a reasonable amount of time, the customer would be entitled to replacement of their equipment at no cost. NAEDA viewed this as completely unreasonable, as there was no limitation on how old the equipment can be and it didn’t account for the depreciation of the equipment. A recommendation came forward during debate that there be a time limit of 25 years, but that too was viewed as unworkable and was ultimately defeated. NAEDA could foresee the problems dealers would face if customers tried to return equipment for payment from the dealer due

to an unreasonable delay that was out of the dealer’s control.

- Bill 110 had a provision that if a dealer sold a part at a markup that was arbitrarily considered unfair, they would have to replace the tractor (or other equipment) at no cost or refund the purchase price. This places an unfair burden on the dealer. The mechanism that was in place, which would consider the price being unfair, was dominated by farmers and had no dealer or manufacturer representation.

Although there are a small number of dealers in P.E.I., NAEDA felt it was important that this bill not set a precedent that could be adopted elsewhere in Canada. With the federal right to repair consultations taking place, we believe it is more critical for that process to play out than for this bill to proceed.

Advocacy Efforts

On numerous occasions NAEDA reached out to each of the 27 MLAs in Prince Edward Island to state opposition to this bill. Contact with the Premier’s office was also made, and fortunately, they were very receptive to NAEDA’s concerns.

“We made a formal request to appear before the Standing Committee on Natural Resources and Environmental Sustainability to state our opposition,” added Schmeiser. “However, we were perplexed when MLA Henderson did not grant us the opportunity to formally present our concerns, instead we were advised to submit a written position, which we did.”

But most importantly, our dealer mem-

bers in P.E.I. played an important role by also reaching out to their MLAs and expressing their concerns. This was the turning point in the advocacy effort.

John Reddin, president and chief executive officer at Green Diamond Equipment, a 15-store John Deere dealership with locations in P.E.I. and neighbouring provinces, was on the frontlines with NAEDA on the fight and was one of the dealers who repeatedly expressed concerns to Bill 110.

In his letter to the Standing Committee on Natural Resources and Environmental Sustainability, Reddin stated, "We wish to emphasize the potential risks associated with allowing end-users to reprogram machines, particularly in bypassing DEF systems mandated by government legislation for cleaner engine burning. Unauthorized modifications could have adverse effects on our climate and

environmental sustainability. Additionally, there could be significant safety concerns with modifications. We had witness to such circumstances."

Another concern of Reddin's is cybersecurity. "With increasing connectivity, potential security issues could arise if customers attempt to undertake repairs independently."

Although small in size, P.E.I. has a unique but strong and vibrant agricultural industry. Detrimental legislation like this would have placed an unfair burden on equipment dealers and threaten their business to the point of existence.

"We are committed to finding a balanced approach that ensures the well-being of both farmers and the environment while maintaining the integrity of our products and services."

- John Reddin, Green Diamond Equipment

NAEDA believes Reddin's comments set the right tone. Dealers can take care of the customer through the industry commitment and legislation is not needed. Therefore, with that in mind, NAEDA intends to host a "Right to Repair" demonstration at their dealership later this summer, to back up our position that this legislation was not necessary.

"We will invite all 27 MLAs, department officials, producer groups and other stakeholders to reinforce our commitment to the customer to provide them with the tools they need to repair their own equipment," added Schmeiser. "We are looking forward to this demonstration as we know it will be impactful." **EDM**

EDM FEATURE

NDP Introduces Right to Repair Bill in Ontario

by JOANNE OLSON

On April 16th, NDP Opposition MPP Tom Rakocevic (Humber River – Black Creek) introduced a Private Members' Bill on Right to Repair at Queen's Park Legislative Assembly.

Bill 187, *An Act to Amend the Consumer Protection Act*, is quite broad in scope, as it has provisions to give rights to consumers to repair their own consumer electronic products, household appliances, wheelchairs, motor vehicles and heavy farm equipment.

NAEDA has reviewed the language contained in Bill 187 and notes that it includes several similar provisions to the recent Right to Repair Bill that was defeated in Prince Edward Island. The NDP Opposition faces significant hurdles in pushing forward this bill, given the party's limited influence in the Ontario legislature. Regardless, as a prominent opponent to Bill 187, NAEDA Canada is vigorously fighting this bill as it contains language that is one-sided and unacceptable to

the industry. NAEDA does not want this bill to pass and potentially set a precedent in other parts of the country.

In response to the proposed legislation, NAEDA Canada has reached out to Drew Spoelstra, President of the Ontario Federation of Agriculture (OFA), and Mr. Rakocevic to outline the industry commitment that shows how equipment dealers support a customer's repair. The OFA provided public support to this bill when it was introduced.

NAEDA Canada strongly argues that Bill 187, if passed, would be highly detrimental to equipment dealers and to the equipment industry. This legislation would significantly impact dealers' operations by undermining the industry's commitment to providing customers with access to special tools, diagnostic equipment, and repair manuals. It's worth noting that other jurisdictions have recognized the industry's commitment, rendering Right to Repair legislation unnecessary.



NAEDA Canada has a proven track record of successfully thwarting similar right to repair bills at the provincial level.

Here is where you can help.

If you have a personal relationship with an MPP, your voice can make a significant difference. We encourage you to reach out to them and express that this bill is unnecessary given the existing measures in place. Furthermore, stress that this bill would be harmful to your businesses and the equipment industry as a whole.

NAEDA Canada has a proven track record of successfully thwarting similar right to repair bills at the provincial level. Notably, in addition to the bill in PEI, similar bills in Ontario and Manitoba were effectively stopped in the past.

As this bill moves through the legislative process, NAEDA will continue to keep dealer members informed with updates. **EDM**

A guide to selling your dealership

How to make the process and transition as smooth as possible

by BRETT FRANKLIN, MNP

Selling your business is a decision and process fraught with financial implications and emotional impact.

Whether you've decided to sell to an employee group, a third-party, or a member of your family, taking a thoughtful approach will ensure you have control over the issues that matter to you, and give you peace of mind knowing you've worked hard to reach your goals.

Between the planning, gathering legal documentation, and understanding the tax implications, there is a lot that goes into selling a dealership.

Though it may be a complicated and lengthy process, it doesn't have to be overwhelming.

By knowing your goals, managing your expectations, and having the right team by your side, selling your dealership can go much smoother than you'd think.

Getting ready to sell

Before you begin any formal proceedings, such as marketing the business or speaking with the person or people you intend to sell to, there are a few things you must do to get the process off on the right track.

Get your house in order

Regardless of who you sell to, they are all going to be looking for the same information: financial statements, lease agreements, franchise agreement, employment agreements, asset and liability reports and descriptions, insurance information, banking agreements, and tax returns, to name a few. By having your financial documentation up to date and ready to go, the sale will go faster, and the buyer will appreciate your due diligence. It's also important to separate any passive assets from the business. It will help to speak with a trusted business advisor in these early stages to know what information a seller will need and want to see before moving forward.

Determine your path

If your only goal right now is to sell but you don't know who you want to sell to, now is the time to start thinking about that choice. Depend-

BRETT FRANKLIN, CPA, CA, is President, MNP Corporate Finance Inc. Based in Winnipeg, Brett develops and implements creative business strategies for clients in all industry sectors and in all stages of the business life cycle.

Brett's primary role is facilitating the sale of companies, but he also provides support with business acquisitions, corporate restructuring and transactional due diligence.



By knowing your goals, managing your expectations, and having the right team by your side, **selling your dealership can go much smoother than you'd think.**

ing on whether that's a third-party, family member, or employee group, the next steps in the process will vary. Mapping out what you want to achieve from a sale may help you decide which is the right option for you. If you're hoping to support your family on a longer-term basis and don't mind getting a bit less from the sale, a family member might be the right call. If you're looking to maximize profit and walk away from the business altogether, a third-party could be your best bet. If you have an employee or group of employees who have expressed interest and you're willing to advise and train them for the owner's role, then this could be a viable option. Ultimately, what you want to do after your business is sold, your transition expectations, and financial objectives, will help shape your path forward.

On the path to implementation

Once you're confident with the path you've chosen and your house is in order, you'll be ready to get to work on the actual sale of the business. This might be a years-long, ongoing process or a simple hand the keys over and walk away situation, either way, you'll want to ensure it runs smoothly.

While your choices are vital to the process, it's important to note that the Original Equipment Manufacturer (OEM) have some input in the sale. Market territories may influence the potential buyer pool.

Given the complexity of an undertaking like this, there are a few things to keep in mind to help you maintain control where you can and stay focussed on the desired outcome.

Prepare for the unexpected

A lot can change in a short period of time. You may have the best intentions to follow through with one plan but if another opportunity comes up, give yourself the flexibility to learn more about what that would look like. Emergencies and unexpected medical situations may also arise, making having your house in order at the earliest possible time a very important step. Planning for succession early can be helpful in having a say over your future and that of your



BRETT FRANKLIN, CPA, CA, is President, MNP Corporate Finance Inc.

**MNP**

IF YOU'RE THINKING ABOUT SELLING YOUR DEALERSHIP, IT'S BEST TO GET STARTED SOONER RATHER THAN LATER.

For more information and to begin building your team of experts, contact:

Brett Franklin, President | MNP Corporate Finance
Brett.Franklin@mnp.ca | 204.336.6190

Chris Schaufele, CPA, CA | National Leader, Dealerships
Chris.Schaufele@mnp.ca | 604.542.6768

Sean Kosior, Partner | SK Provincial Dealership Leader
Sean.Kosior@mnp.ca | 306.790.7939

business. Working closely with a trusted advisor, you'll be able to understand the possibilities, risks, and opportunities to help paint a clearer picture.

Build your team

Coming into the sale process with a strong team of advisors is essential. This includes your sell-side advisors, accountant, lawyer, financial advisor, and possibly others, who are there for you to help guide you through the process and answer any questions you have along the way. This also applies to the team of people who work for you. If you have solid employees who wish to remain on after the sale, make sure you take the time to review or renew their contracts so they don't get forgotten.

Other considerations

There are a lot of things to consider when selling the business you've worked years, or decades to make the successful operation it is today.

Aside from the formalities of the process, you may need to be frequently assessing your priorities. As opportunities present themselves, such as multiple buyers expressing interest, be flexible to changing, or at least adjusting, your goals.

Have you considered how involved you want to be in the operations after you've sold? Depending on which route you choose, you'll have more freedom to act as a consultant or mentor with some than with others. If this is something you want, make sure to weigh that against the choices available to you.

When it comes to implementation, knowing your role will be key to keeping the process smooth. If you've done your due diligence and settled on the right buyer or sale process to implement, have faith that you've made the right choice that you've done what's right for you.

Throughout it all, having a financial advisor at your side will relieve you of the burden of having to do everything on your own. **EDM**



**DEVELOPING
PEOPLE TO**
GROW YOUR BUSINESS



U.S. (800) 762-5616 | CANADA (800) 661-2452
DEALERINSTITUTE.ORG



FEATURED SERVICES

- ✓ Custom on-site consulting
- ✓ Custom on-site training
- ✓ Public classroom & virtual training
- ✓ Performance groups
- ✓ Learning management system

An Overview of Canada's Modernized Competition/Antitrust Laws

by DENES ROTHSCCHILD and MOHIT SETHI, BLG

Canada has introduced significant changes to its antitrust/competition laws.

While some have not been finalized yet, the changes proposed have the potential to significantly impact businesses across the economy, and to impose standards that meaningfully differ from those that apply in other countries.

Following the release of the government's Fall Economic Statement promising major changes to the *Competition Act* ("Act"), the changes were introduced in Parliament on November 30, 2023 (via Bill C-59). These supplemented other changes (via Bill C-56) to the Act that became law on December 15, 2023.

While every business will react to and be impacted by these changes differently, virtually every business will be affected. New risks and considerations will apply to existing business practices, and new opportunities may arise in certain sectors. Below, we highlight some of the key changes that members of the North American Equipment Dealers Association ("NAEDA") should be aware of.

Amendments Passed by Parliament Civil Agreements

For the first time, agreements that do not include any competitors or potential competitors can be challenged under the Act's provision allowing respecting civil agreements that are likely to substantially lessen or prevent competition, if a significant purpose of any part of the agreement is to prevent or lessen competition. Currently, the only remedy if such a challenge is successful is an order to cease enforcement of the offending agreement/portion of an agreement. However, as discussed below, monetary penalties and/or civil monetary recovery by private parties will be available if further proposed amendments to the Act become law.

This change already made to the Act is a response to public concern about restrictive

covenants included in some retailers' lease agreements that restrict property owners' ability to lease to the retailer lessors' competitors. The impact of this change remains unclear, but at a minimum, businesses will need to consider these provisions when structuring their arrangements with other businesses, including at different levels of the supply chain. Notably, these changes will come into force on December 15, 2024.

For NAEDA members, this change could have implications for agreements between equipment dealers and manufacturers or suppliers. For example, if a dealer enters into an agreement with a manufacturer that includes provisions limiting the dealer's ability to sell or service competing brands, such an agreement – and the parties to that agreement – could potentially be subject to enforcement if it is found to have a significant purpose of preventing or lessening competition.

NAEDA members should carefully review their existing agreements with manufacturers, suppliers, and other businesses to identify any provisions that might be interpreted as having an anticompetitive purpose. When negotiating new agreements, dealers should be cautious about including clauses that restrict their ability to do business with competitors or that could be seen as limiting competition in the market.

In many cases equipment dealers are presented with the manufacturer's dealer contract in an "as is" basis. Therefore, several provinces have put in place legislation that prevents a dealer contract from being terminated if they carry a competitive product in the same facility. Bill C-56 may provide equipment dealers with another level of pro-



While every business will react to and be impacted by these changes differently, virtually every business will be affected. **New risks and considerations will apply to existing business practices, and new opportunities may arise in certain sectors.**

tection for their right to carry any brand that they feel will serve their market.

Abuse of Dominance

The test for abuse of dominance will be amended to make it significantly easier for a claim to succeed. The amendment will remove the requirement for the Commissioner of Competition ("Commissioner") or private parties to prove that a dominant player's conduct caused a substantial lessening or prevention of competition in a market, which has always been an essential element of the test. Instead, it will be possible for a dominant party to be found liable solely because it engaged in anticompetitive acts, irrespective of effects. The non-exhaustive list of examples of anticompetitive acts will also now include "directly or indirectly imposing excessive and unfair selling prices." However, what constitutes "excessive" or "unfair" selling prices is not defined and will have to be established through case law.

In tandem with this change, minimum monetary penalties ("AMPs") will also increase to C\$25 million for a first violation and C\$35 million for subsequent violations. However, penalties can be higher – specifically, three times the value of the benefit derived from the conduct or 3% of annual worldwide revenues (if benefit cannot be reasonably determined).

The primary relevance of this change to NAEDA members is that if any of them have a market share in any market of greater than 35% (generally considered to be the minimum required to establish "dominance"), they need to be aware that conduct that could be considered to be predatory, exclusionary or



BLG | CANADA'S LAW FIRM

To speak to a BLG lawyer through the Canadian Dealer Hotline, call:

800.661.2452

We are BLG: Canada's Law Firm.

Our firm has a rich history that goes back to 1823. Building on our heritage and culture, we seize opportunities and overcome challenges.

Our culture is one of vigilance and curiosity, Firm-wide collaboration, unfailing mutual respect and dedication. We pride ourselves on having standout talent and delivering an exceptional client experience.

disciplinary toward any market participants may be more likely to be scrutinized and potentially challenged under the Act.

Amendments under consideration by Parliament Right to Repair

Specific provisions designed to support the “right to repair” of devices and products by consumers would be added to the Act for the first time if Bill C-59 passes. The refusal to deal provision of the Act will be updated to prohibit parties from refusing to provide a means of diagnosis or repair of a product, which includes diagnostic and repair information, technical updates, diagnostic software, or tools and any related documentation and service part.

Combined with the amendments described above to allow more private claims, monetary penalties and civil recovery, manufacturers of a variety of products, from tech to farm equipment, will need to carefully consider any limitations imposed on the right of consumers to repair their products. This change is particularly relevant for equipment dealers, as it may impact their relationships with manufacturers and their ability to provide repair services to customers.

This change is important for NAEDA members as it will directly impact the relationship between equipment dealers and manufacturers, as well as the ability of dealers

to provide repair services to their customers. Under the new provision, manufacturers will be required to provide dealers and consumers with the necessary means to diagnose and repair their products, including access to diagnostic and repair information, technical updates, software, tools, and service parts. This is consistent with the industry commitment that has been in place since January 1, 2021. However, these changes may also create challenges in the relationship between dealers and manufacturers who have not signed on to the industry commitment yet. Some manufacturers may be reluctant to share proprietary information or tools, which could lead to disputes or strained partnerships. NAEDA members will need to work closely with their manufacturers to ensure a smooth transition and compliance with the new regulations.

AMPs for Competitor Collaborations

If Bill C-59 is enacted by Parliament, AMPs will be available for conduct found to violate the Act's civil agreements provision, in an amount not exceeding the greater of: (i) C\$10 million for the first order and C\$15 million for each subsequent order; and, (ii) three times the value of the benefit derived from the conduct or 3% of annual worldwide revenues (if benefit cannot be reasonably determined). As noted above, currently the only remedy for violations of this provision is an order to cease the conduct.

Merger Control

The period during which mergers that are not subject to mandatory notification to the Competition Bureau (“Bureau”) can be challenged would be tripled under Bill C-59, from one year to three years after closing. This is likely a response to concerns about “killer acquisitions,” deals in which companies purchase likely future strong competitors before they can grow enough to be a competitive threat. Parties will have to consider whether it makes sense to voluntarily seek clearance of non-notifiable deals in certain cases to avoid this extended period.

Expanded Private Litigation

If Bill C-59 is enacted, private parties will be able to bring proceedings before the Competition Tribunal (“Tribunal”) seeking civil monetary recovery for non-criminal conduct such as abuse of dominance (similar to monopolization), violations of the civil agreements provision, refusal to deal, tied selling and non-criminal deceptive marketing. Additionally, it would be easier for private parties to obtain “leave” to bring such proceedings. The new right of action would also broaden remedies available for reviewable conduct to include: (i) civil monetary recovery for an amount up to “the value of the benefit derived from the conduct”; and (ii) an order prohibiting the challenged conduct.

This addresses criticism that recent

CONT. ON PG 24



DENES ROTHSCILD,
Partner, Borden Ladner
Gervais LLP



MOHIT SETHI,
Associate, Borden Ladner
Gervais LLP

DENES ROTHSCILD practices competition, marketing, international trade and foreign investment law. He also litigates class action claims against clients relating to alleged violations of the cartel and misleading advertising provisions of the *Competition Act*. Denes is also Co-Leader of the firms Public Policy and Government Relations Group. Making use of his dual Canadian and American law degrees, Denes regularly collaborates with attorneys in other jurisdictions to ensure consistent and outstanding representation for his large multinational clients. Denes recently spent a year seconded as corporate counsel to one of the world's largest information technology corporations. Contact Denes at drothschild@blg.com

MOHIT SETHI adopts a client-centered approach, delivering pragmatic and innovative solutions for optimal results. As an associate in the Competition/Antitrust and Foreign Investment Review group, Mohit advises clients across various industries on a range of legal issues. His expertise includes providing strategic guidance on compliance matters, pre-merger notifications, and inquiries under the *Competition Act*, as well as foreign investment issues under the *Investment Canada Act*. Mohit also has experience in civil and regulatory litigation, including competition and securities class actions. Contact Mohit at msethi@blg.com@blg.com

CONT. FROM PG 23

amendments enabling private parties to bring cases before the Tribunal did not lead to any significant number of such cases being brought, arguably because of the lack of ability to recover damages. This change may lead to a significant increase in private competition litigation in Canada.

A Refresher on Wage-Fixing and No-Poach Agreements

The criminalization of wage-fixing and certain no-poach agreements in Canada took effect in mid-2023. The Bureau has finalized its enforcement guidelines on wage-fixing and no-poaching agreements (“Guidelines”) that describe how it plans to enforce these new provisions (subsection 45(1.1)) of the Act that make wage-fixing and no-poaching agreements amongst any two or more unaffiliated employers criminal offences. This change has moved the Canadian approach to such matters closer to that taken in the U.S.

As of June 23, 2023, it is a criminal offence for two or more employers to agree to fix salaries/wages or terms and conditions of employment, or to agree not to poach each other’s employees. These agreements may remain legal under certain circumstances, specifically if they are ancillary restraints that are directly related to and reasonably necessary for achieving the objective of a broader, otherwise legal agreement, including legitimate collabora-

tions, strategic alliances, or joint ventures.

The Bureau states it is unlikely to find wage-fixing or no-poaching agreements problematic when parties take no steps to reaffirm or implement the restraint on or after June 23, 2023. At least two parties must reaffirm or implement the restraint for the Bureau to find the requisite intent or “meeting of the minds.”

Employers should review and update pre-existing company records and agreements to accurately reflect their policies and intentions regarding wage-fixing and no-poaching, avoiding any conduct that reaffirms or implements problematic terms.

The provisions do not mean that third parties, such as industry associations like the NAEDA, cannot collect information on wages, salaries, and terms of employment from various parties in a sector for purposes of disseminating reports on trends. While the Guidelines do not specifically reference this, the same principles outlined in the Bureau’s bulletin on trade associations that apply to sharing pricing information amongst such associations will apply.

This means that parties can share salary, wage, or terms of employment information with third parties for purposes of benchmarking reports provided that the following safeguards are observed:

- Information on any party’s salaries, wages and terms of employment may

only be shared with the third party conducting the survey, not with any other employer.

- Absent special circumstances, only past or present information should be shared – not information on future intentions.
- The third party must aggregate the information and anonymize it before disseminating a report on trends/benchmarks to the contributing parties.
- Enough parties’ information should be aggregated to prevent ensure that no party can link any data to a particular source.

Conclusion

The changes to Canada’s competition laws are significant and will impact businesses across various sectors, including equipment dealers. The NAEDA and its members should carefully review these changes, particularly those related to competitor collaborations, abuse of dominance, right to repair, and wage-fixing and no-poach agreements, to ensure compliance and adapt their business practices accordingly. **EDM**

EQUIPMENTdealer MAGAZINE

Online resources for successful dealers

Equipment Dealer Magazine is your one-stop shop for news updates from the association on policy, government regulations, manufacturer relations, dealership surveys, public awareness campaigns, CODB Study, North American Dealer Conference, and much more.

Check out the NAEDA Connect podcast series that explores all the hot topics affecting the equipment dealer industry. You’ll find featured webinars, Industry Insights, as well as insightful videos and training opportunities from Dealer Institute.

Also enjoy access to digital content of NAEDA’s flagship publication, *Equipment Dealer Magazine*, featuring some of the equipment industry’s most notable experts in dealership management.



Your online NAEDA Connection www.equipmentdealermagazine.com

Let us do the heavy lifting

Unlock the advantages of the Canada Digital Adoption Program with a \$15,000 grant and interest-free loan of up to \$100,000 to power your digital strategy. We can help you with a digital adoption plan — complete with costs, timelines, platform options, and a scalable long-term strategy aligned with your business goals.

To learn more, visit MNPdigital.ca/cdap

Equipment Jobs & Hiring Trend Report

by BONNIE JOHNSON, AgCareers.com

The North American agricultural industry not only provides daily necessities, but millions of stable, enriching careers.

AgCareers.com conducts an annual analysis of hiring trends to gain insights into career trends and candidate behavior within the sector. AgCareers.com recently released new Agriculture and Food Job Reports for the United States and Canada.

Equipment Industry Careers

When we examined all North American jobs posted on AgCareers.com by industry sector (25 different types), the “Equipment, Manufacturing and Technical” industry sector was in the top five overall. Looking at the jobs posted on AgCareers.com in the Equipment industry sector, the most frequently posted careers were in Sales, Skilled Trades, Technicians, Maintenance, and Operations. The following chart shows the top five career types of jobs posted on AgCareers.com in the Equipment, Manufacturing, and Technical Industry sectors in 2023 out of the 42 career types available on AgCareers.com.

TOP CAREER TYPES IN THE EQUIPMENT INDUSTRY

- 1 Sales/Retail
- 2 Skilled and Technical Trades
- 3 Technicians
- 4 Maintenance/Repair
- 5 Operations

By location, jobs in the United States’ equipment industry were most plentiful in the Midwest and South; narrowing in on states, North Carolina took the lead, followed by Nebraska. In Canada, employers posted equipment jobs most frequently in the Central and Prairies regions; when examining data by provinces, the leader was Ontario, followed by Saskatchewan.



The North American agricultural industry not only provides daily necessities, but millions of stable, enriching careers.

Applicants

Candidates actively seek careers in agriculture and use AgCareers.com as a valuable resource in their job search process to connect with potential employers. There was a 23% increase in applications processed in 2023. Over 8,000 candidates created new job seeker accounts on AgCareers.com last year. Candidates added over 3,700 unique resumes to the AgCareers.com database in 2023, an increase of nearly 20% from the previous year.

AgCareers.com draws applicant traffic from a range of occupations and educational backgrounds inside and outside of the agricultural industry; the largest segment of applicants had a bachelor’s degree (44%), while 14% had a college/associate diploma or certificate, and 18% had a high school diploma as their highest educational level.

Of those with a degree, 53% had an ag-based degree, with the most common being Ag Business Management. Just over half (51%) of applicants were most recently in an ag occupation. For those not currently employed in the agricultural industry, the highest percentage was in roles with transferable skills applicable to the industry, such as sales and marketing, or customer service. **EDM**



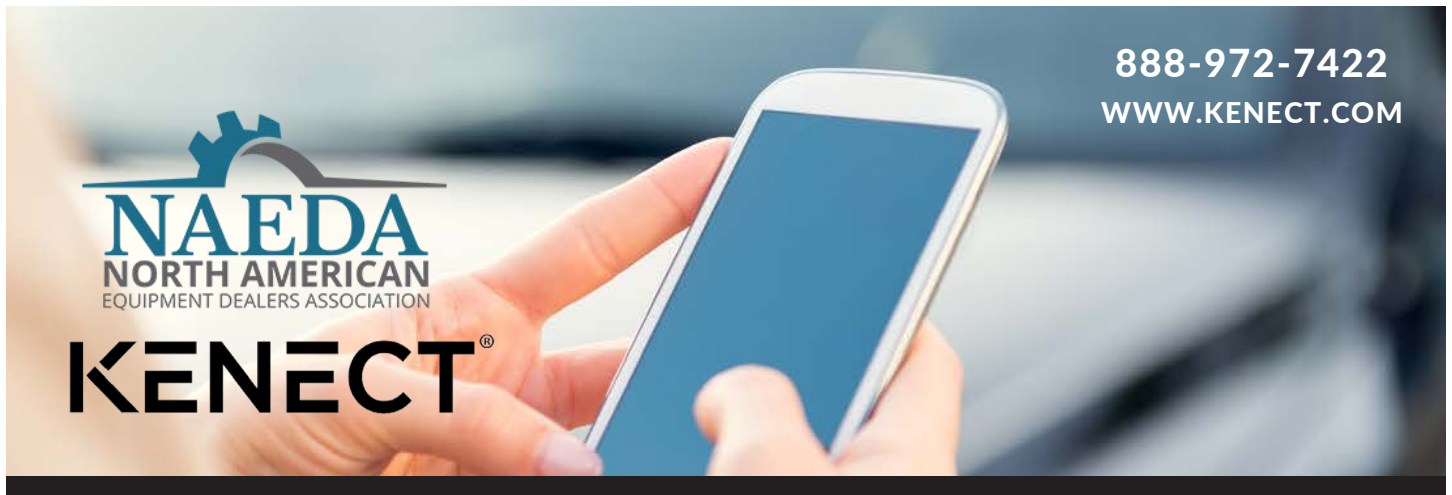
AgCareers.com is a valued resource for professionals with an established career history, as 47% of North American job seekers have more than five years of experience. The site is also a solid connector for students and young professionals; students comprise 11% of applications processed yearly.

Discover more hiring and candidate trends—download your free copies of the Job Reports here: <https://www.agcareers.com/reports.cfm>

BONNIE JOHNSON has more than twenty years of professional marketing experience, including nine years with AgCareers.com. As a marketing specialist, she supports the AgCareers.com team and brand through marketing and communications efforts. This includes internal and external communications, email marketing, company branding, market research, and data analysis. Please send questions and/or comments to bonnie.johnson@agcareers.com.



BONNIE JOHNSON is a professional marketing specialist. She supports the AgCareers.com team and brand through her extensive marketing and communications experience.



YOUR CUSTOMERS WANT TO TEXT YOU. LET THEM.



TEXT FROM MOBILE OR DESKTOP

Text from your existing dealership phone line instead of giving out your personal cell phone number.



SERVICE RUNS ON TEXT

Give service updates, coordinate pick-ups, and save loads of time. The voicemail days are over.



DOUBLE WEBSITE LEADS

Install the Kenect 'Text Us' widget on your website and see your leads double in volume.



COLLECT PAYMENTS VIA TEXT

Get paid faster by sending payment requests over text message. Customers can make a payment in 3 clicks.



VIDEO CHAT WITH CUSTOMERS

Show service updates, upsell parts, give walk-arounds, or share your screen--all with a quick link via text.



ONLINE REVIEW GENERATION

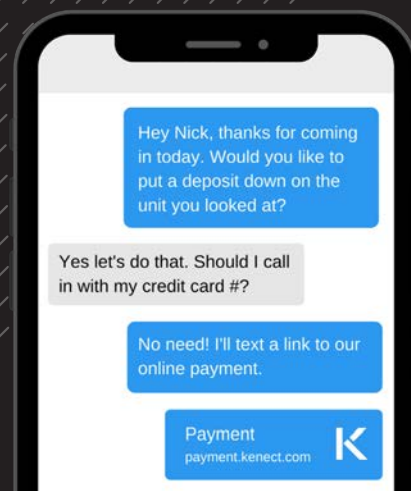
Right now about 1% of your customers leave reviews. Let's increase that to 35% with Kenect.

“An email might sit for a day or two before someone gets back to you, but with Kenect you get a quick response. That efficiency leads to more revenue.”

Mike Souza, BD Manager
F&W Equipment

Schedule a Demo:
<https://smart.kenect.com/naeda>

↑ **6% in units sold** ↑ **35x in reviews** ↑ **260% in New Leads**



Financially-Challenged Manufacturers Can Create Unexpected Risks for Dealers

by LANCE FORMWALT



Although you can't eliminate risk in your business, being aware of the potential landmines will put you in a better chance to reduce your exposure.

Despite persistent supply chain challenges impacting equipment availability, the equipment industry has generally performed well in the last few years, leading to positive results for most in the industry.

But with high interest rates impacting demand and, in certain situations, excess inventory availability, you need to be aware of some of the unexpected risks that are more likely to pop up in your relationships with suppliers during a potential downturn.

One category of risk that is often overlooked relates to the inventory you obtain from suppliers experiencing financial difficulties. These situations typically arise with smaller or under-capitalized suppliers that may include short line suppliers, producers of specialty equipment, or international suppliers seeking to establish a presence in a new market. While many of these suppliers are very well run and have been great partners with dealers, we see more risk in these relationships for three primary reasons: (i) a limited product line can make a suppliers more susceptible in a downturn; (ii) equipment is often sold to dealers using a third party floor plan program (see second bullet point below for more information on this risk); and (iii) it is more difficult for you to determine the financial strength (or weakness) of a smaller, privately-owned supplier.

The following is a list of some of inventory-related risks that we see for dealers:

- **Prepaying for Inventory**

Some manufacturers require dealers to pay cash for inventory before it is produced. Dealers often elect to do this in exchange for discounts in the price. However, you should proceed with caution when taking this approach because your prepayment is the equivalent of an unsecured loan. This means that if a manufacturer goes under before you receive your order, there is very little chance of being repaid.

- **Storing Inventory on Your Lot**

Suppliers will ask dealers to temporarily put inventory on the dealer's lot. This often occurs when another dealer is selling or closing out. If you accept the inventory with the understanding that you are not taking ownership, you need to monitor your floor plan statement very carefully to make sure that the inventory does not appear. If it does appear on your statement, your floor plan lender will often have a legal claim against you for this amount, regardless of the deal that you think you have with the supplier. This situation can occur because agreements in supplier-sponsored floor plans often say that inventory can be placed on your statement through a communication from the supplier. To help limit your risk in these situations, be sure to document in writing with the supplier that you are not taking ownership of the inventory and that the supplier is not authorized to put it on your floor plan. You should also immediately send a written notice to your floor plan provider informing it of the improper charge.

- **Transfers from Other Dealers**

When dealers sell or close a location, suppliers

frequently try to move inventory to another dealer to avoid taking it back on their books. If you are accepting a transfer in this situation, you should make sure that there is written documentation showing the transfer of inventory from the supplier to you. This is important because the buy-back laws generally require suppliers to repurchase only inventory that was purchased from the supplier. As a result, if your transfer documentation indicates that you purchased the inventory from the other dealer, a supplier may try to use this to get out of complying with a buy-back obligation if you later decide to terminate the dealer agreement.

- **Buy-Back Compliance**

A supplier in financial trouble may refuse to comply with the buy-back obligations under the dealer laws. Unfortunately, the refusal by the supplier will not get you off the hook with your third-party floor plan lender. The prospect of immediately repaying the floor plan lender when combined with the obvious challenges of trying to sell off inventory produced by a defunct supplier can jeopardize the financial standing of otherwise solid dealer organizations.

The sky is definitely not falling. But it will pay for you to be aware of these risks in times that may get a bit challenging for you and your suppliers. Although you can't eliminate risk in your business, being aware of the potential landmines will put you in a better chance to reduce your exposure. **EDM**



LANCE FORMWALT is the leader of the Equipment Dealer Group at Seigfried Bingham, P.C.

LANCE FORMWALT is the leader of the Equipment Dealer Group at Seigfried Bingham, P.C. The firm serves as legal counsel to the North American Equipment Dealers Association and many individual equipment dealers. Lance may be contacted at lancef@sb-kc.com or 816-265-4106. Also see www.sb-kc.com. This article is intended to provide general recommendations and is not intended to be legal advice. You should always consult your attorney for advice unique to you and your business.



INTERNATIONAL RECRUITMENT PROGRAM

Arch Staffing – Canada



Our program is designed to recruit experienced **Service Technicians** to Canada and the U.S. from South Africa and other countries as the program evolves. This is a full-service program that offers a variety of services to support end-to-end recruiting solutions for dealers. The program is supported by an experienced team of professionals, including on-the-ground recruiters who understand the South African market. Arch Staffing & Consulting also has global experience with on-the-ground recruiters in several geographies across the world.

PROGRAM PHASES:

• PHASE 1

Pre-Recruitment

Government Applications: Obtaining government approvals to recruit internationally.

Marketing Materials: Developing materials to profile your Dealer and job opportunities effectively.

• PHASE 2

Recruitment

Partner with Dealers: Develop candidate requirements, interview process, and assessment tools to manage expectations.

• PHASE 3

Immigration

Fulfilling Requirements: Getting work visas and determining fixed costs associated with bringing new hire and their families to Canada or U.S.

• PHASE 4

Post Hire

Employee Settlement: Design settlement package for relocation.

Cultural Awareness Training: Mandatory training for new hires and optional training for Dealers.



CONTACT US:

Dale Hindmarsh

403.519.0669

dale.hindmarsh@archstaffing.ca

What Dogs Tell Us About Interpersonal Skills

by DR. LARRY COLE

I've been asked by a reader of this magazine to write an article about people getting along.

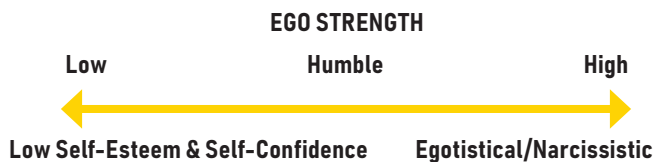
The reader said — *there are so many different personalities, and sometimes people don't click, but they can still get along. Just need to be reminded that it's not rocket science getting along with people...and to not be the "problem"!*

I'm sure you agree with the reader, there are many personalities. Yes, there are multiple assessments to learn about different interpersonal styles. But we're not going to address the different styles; instead, I'm going to attempt to get into your brain, but as the reader said, *this is not rocket science.*

Have you noticed the friendliness of your pet dog? All a dog wants to do is express and receive affection. We can show our frustration with the dog, and in the next second, the dog returns to wanting to give and receive friendliness. Of course, if we continue to psychologically or physically abuse the animal, we will teach it to avoid us.

Like dogs, we're hardwired to be social animals. This means that we need to be both physically and psychologically touched by another human, who, in turn, needs to be physically and psychologically touched by us. Given these facts leads to the question, "Why" do some people act in ways that interfere with interpersonal relationships? The complex answer lies within our psyche. That is, the environment in which we grew up impacted our mindset, resulting in some ineffective, or should I say, crazy biases stamped into both our conscious and unconscious minds.

Examine the following illustration of ego strength for a moment.



Let's define ego strength as a sense of our self-worth. All of us have one, and to my knowledge, we learn it rather than it being determined genetically. You can see the results should we fall at either end of this continuum. Humility is defined as being proud of who we are while at the same time recognizing we're in a state of development. Thus, our ego strength can be an asset when expressed through humility or a personal liability when expressed through the categories depicted at either end of the continuum.

The humble person will overall have the more effective interpersonal skills, as these individuals are confident, have positive self-esteem, and have no psychological need to impress, control others, or inflict physical or psychological pain upon others, to name a few examples.

Based on my experience working with people during my career, most people have not completed the self-analysis to identify the root causes of "why" they act this way. Yes, I would like to be able to tell you the specific reason(s) people use interpersonal skills that cause pain in other peo-



Like dogs, we're hardwired to be social animals... so why do some people act in ways that interfere with interpersonal relationships?

ple's lives. Doing so is impossible. Despite the amount of soul-searching I've done over the years, I don't even know all of my "whys" I am like I am.

As crazy as this may sound, the reason a particular behavior is repeated is the benefit the person derives from it. Yes, the employee who acts like a horse's butt continues that behavior because they receive a benefit from that action. And the benefit gets crazier because we're either getting something we like or avoiding/escaping from something we don't like.

Regardless of whether we have insight into what is driving our behaviors, most people can make the necessary decision to use highly effective interpersonal skills. The one exception might be the narcissist who believes everything they do is great. Study the following behavioral blueprint:

1. **The starting point is self-awareness when we are about to use ineffective interpersonal skills. Self-awareness is also a challenge, but with practice, we can become better at being aware of our emotions which drive our actions. As much as I hate to tell you this, without being self-aware, we will continue our journey to act like a jerk.**
2. **We exhibit control by telling ourselves to stop and think. Then ask, do I want to make a good choice or a bad one? Obviously the better of the two choices is a good one.**
3. **Now, being in control, the next step is to use more effective interpersonal skills.**

I am of the opinion that we all have the natural resources to be kind, say nice things, smile, etc. It's more a matter of doing than it is learning the skill sets to be the person with whom others like to work.

In closing I'll use myself as an example. I grew up shy and introverted which are not the most effective interpersonal skills. When I started college, I watched people who acted friendly and mimicked their behaviors. Yes, I had to practice making eye contact and even telling people good morning! The point is, to improve the habit strength of that simple behavior required a lot of practice and I still practice that behavior when walking in stores and at the airport. Of course, I've made a few blunders during my practice sessions, but we learn from our mistakes.

I would recommend reading Christine Porath's books *Mastering Civility* and *The Cost of Bad Behavior*, where you will learn the impact of acting like a jerk within your dealership. Also, Google and read *The Two Wolves Inside of You*, a one-paragraph description of a Native American grandfather's advice to his grandson. **EDM**



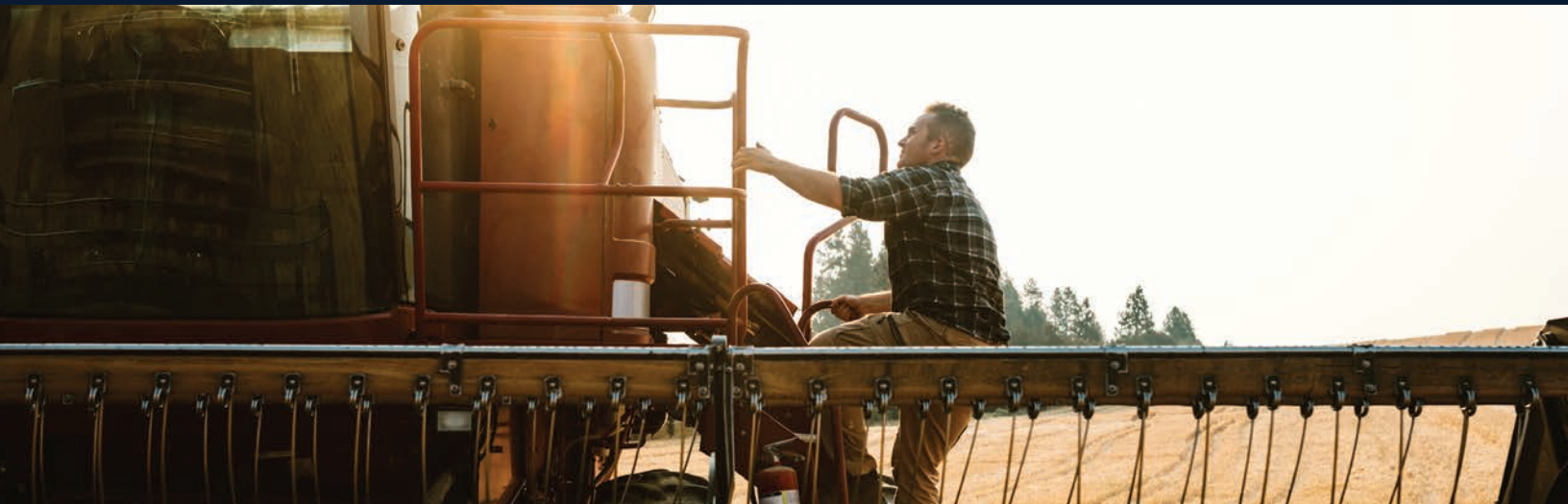
DR. LARRY COLE
is a lead trainer for the
North American Equipment
Dealers Association's
Dealer Institute.

LARRY COLE, PH.D., is a lead trainer for and consultant to the North American Equipment Dealers Association's Dealer Institute. He provides onsite training and public courses to improve business leadership effectiveness and internal and external customer service. Please send questions and / or comments to Larry at teammax100@gmail.com



Preferred rates for your business

Moneris is committed to providing a wide range of industry-leading payment solutions to NAEDA members.



Reliable

You work too hard to be held back by network downtime. Moneris' 99.9% system reliability* ensures a great customer experience.



Secure

All debit and credit card payments are protected by industry-leading security standards.



Advanced

We're constantly working to bring you innovative new business tools to empower your business.



Take advantage of your NAEDA membership today to receive preferred rates from Moneris.

Call **1-888-552-0341** or visit **moneris.com/associations**.

*The Moneris service is available if the Moneris host system processing platform is operational. Service availability is measured by Moneris each calendar quarter and is subject to certain exclusions as determined by Moneris.

MONERIS and MONERIS & Design are registered trademarks of Moneris Solutions Corporation. All other marks or registered trademarks are the property of their respective owners.



2024 CEDF GOLF TOURNAMENTS *Registration Now Open!*



*See you on the links
for our 25th season!*



2024 TOURNAMENT DATES

MANITOBA

Thursday, June 13, 2024

Bridges Golf Course | Starbuck, MB

Dealers Only Meeting at 9:30 am

Tee-off at 11:00 am

ALBERTA

Tuesday, June 18, 2024

Alberta Springs Golf Club | Red Deer, AB

Dealers Only Meeting at 9:00 am

Shot Gun at 10:30 am

SASKATCHEWAN

Tuesday, June 25, 2024

Harbor Golf Club | Elbow, SK

Dealers Only Meeting at 9:30 am

Shot Gun at 11:00 am

Enjoy a relaxing day of networking and golf while supporting the Canada Equipment Dealers Foundation. All proceeds raised go directly to the CEDF.

ONE FREE MULLIGAN

included in each player's registration fee.

Our always popular Orange Ball Contest, String Thing and Raffle Prize tickets will be available for purchase at this year's tournaments too!

Each Tournament Includes: 18 holes green fee, power cart, lunch, swag bag, drink tickets, dinner, plus... many prizes to be won! EDM



Corpay[^]

The Power to Make Smarter Cross-Border Payments and Manage Currency Risk with Ease

- Award-winning service and customizable solutions, including strong, simple online trading technology, access to 145+ currencies, plus in-country and same day delivery
- Take advantage of currency fluctuations, manage your exposure to FX volatility, and execute hedging solutions
- Confidence-inspiring experts to keep you informed of trends, allowing you to stay on top of markets

Cross-Border.Corpay.com/NAEDA

Cambridge Global Payments and *AFEX* are trading names that may be used for the international payment solutions and risk management solutions provided by certain affiliated entities using the brand "Corpay". Please refer to <http://cross-border.corpay.com/brochure-disclaimers> for important terms and information.

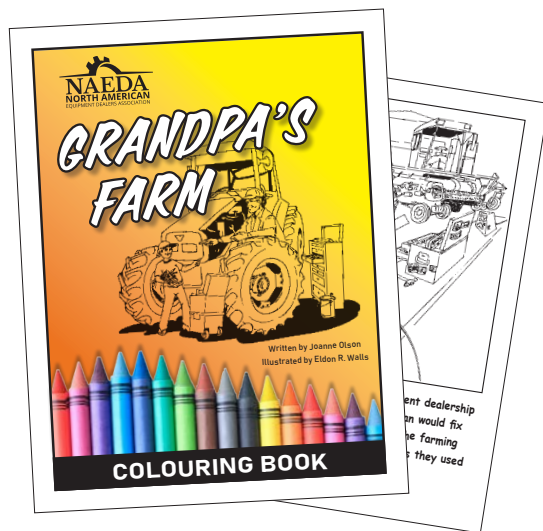
HERE'S WHAT YOU SOLD

Equipment Retail Sales In Units



DATA PROVIDED BY THE ASSOCIATION OF EQUIPMENT MANUFACTURERS

Canada - FEBRUARY 2024 Ag Tractor and Combine Report	FEBRUARY			Y-T-D FEBRUARY			FEBRUARY 2024
	2024	2023	%CHG	2024	2023	%CHG	BEGINNING INVENTORY
2WD < 40 HP	669	878	-23.8	1,459	2,008	-27.3	11,482
2WD < 100 HP	268	410	-34.6	581	868	-33.1	4,228
2WD 100+ HP	162	235	-31.1	350	485	-27.8	2,256
TOTAL 2WD FARM TRACTORS	1,099	1,523	-27.8	2,390	3,361	-28.9	17,966
TOTAL 4WD FARM TRACTORS	37	40	-7.5	86	89	-3.4	141
TOTAL FARM TRACTORS	1,136	1,563	-27.3	2,476	3,450	-28.2	18,107
SELF-PROPELLED COMBINES	131	103	27.2	255	240	6.3	342



Grandpa's Farm Colouring Book

To date, NAEDA dealer members have received over 300,000 "Grandpa's Farm" Colouring Books to distribute to their farmer customers to promote the value of a technician to a farmer's operations. The colouring books are free, all you pay is shipping – contact our office to place your order.

EQUIPMENTdealer

RESOURCES FOR SUCCESSFUL DEALERS

magazine

We hope you have found this issue of *Equipment Dealer Magazine* both informative and educational. We welcome your feedback and invite you to submit any ideas you have for upcoming issues. Feel free to contact us at...



info@naeda.com | www.naeda.com
www.equipmentdealermagazine.com
Managing Editor: Joanne Olson

Equipment Dealer Magazine is the official publication of the North American Equipment Dealers Association.

ADVERTISER INDEX

ARCH STAFFING & CONSULTING	27
CORPAY	31
DEALER INSTITUTE	19
EQUIPMENT DEALER MAGAZINE	22
FARM CREDIT CANADA	7
FEDERATED INSURANCE	IFC
IRON SOLUTIONS HQ	OBC
KENECT	25
MNP	23
MONERIS	29
RITCHIE BROS.	IBC
UNIFIRST	13

The Global Marketplace for Insights, Services, and Transaction Solutions

- Buy assets with confidence
- Sell assets with flexible solutions
- Make smart decisions with data-driven insights
- Manage assets with cutting-edge tools



Innovative tools, services, and solutions to help you buy, manage, and sell commercial assets.

Learn more at rbauction.com or contact us today: 866-897-0292

96% of the
Farm Equipment Top 100™ use
 **Iron Solutions®**
BY RANDALL REILLY



Know what your
equipment is worth.



Find a buyer for
your equipment.



BY RANDALL REILLY

checks that box.

Combine the accurate data valuations you trust from Iron Solutions
with EDA to find in-market buyers of specific ag equipment.
Get a 15 minute demo.

ironsolutions.com/findbuyers | (855) 603-5513

