



NEWS • REPORT

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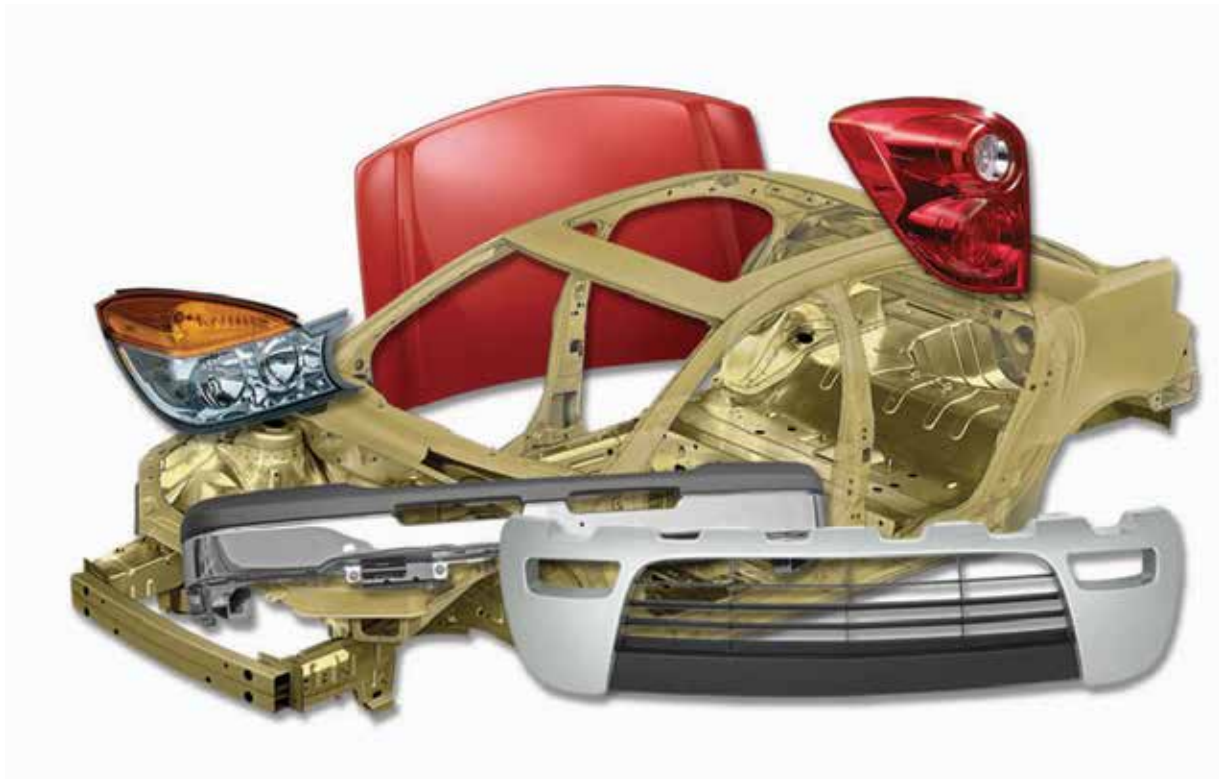
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Thank You!!!!

Issues for NDABA News Report

Issue	Copy Deadline	Printing Date
February-March	Mar. 1	Mar. 15
<i>(Note: Dates for the pre-convention issue may vary.)</i>		
May-June	June 1	June 15
August-September	Sept. 1	Sept. 15
November-December	Dec. 1	Dec. 15

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5. *To use only proven merchandise of high quality sold by reputable firms.*
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7. *To retain all replaced parts for the customer's inspection.*
8. *To uphold the high standards of our profession, always seeking to correct any and all abuses within the automotive service industry.*
9. *To uphold the integrity of all members of the North Dakota Auto Body Association.*

PRESIDENT'S LETTER



Not sure if Spring is here to stay, or just come and go. This past winter was one to remember. From late season blizzards in the west to flooding in the east, it has been a wild ride. This past winter created a surplus of work for shops statewide and many shops scheduling many weeks out. Hopefully our industry suppliers can keep providing us with parts and supplies to keep up with the increased workflow.

June 1st marked the end of an era at Fargo Bumper. After 43 years of dedication to our industry, Torm Seaug has retired. For those of you that have never placed orders with Torm missed out on dealing with a great guy. His knowledge of the aftermarket parts world was unmatched. Torm, you will be greatly missed by your customers! Enjoy your retirement, you earned it.

Scott Heintzman, NDABA President

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A disconnect on labor rates and the cost of doing business

By Dave LaChance on March 3, 2022

Reprinted with permission from SCRS Repairer Driven News

Insurance companies have cited the significant effects of inflation and other expenses on their cost of doing business in their filings with state insurance departments, and, as Allstate recently put it, see no reason why regulators should not approve their “justifiable and supportable” premium increases.

Rate increases are “less a political issue than it is a reality issue of looking at the numbers and what is the justifiable and supportable rate increase,” Allstate CEO Tom Wilson told investors last month. “We’ll have pushback in places, and we’ll have discussions and give and take. But overall, we’re getting the rates that we need, and we’re going to continue to do that.”

And yet the insurance industry has worked to suppress auto body labor rates, characterizing the action as part of its efforts to control costs for those same consumers whose premiums it has raised.

For example, Allstate has told investors it is “broadening strategic partnerships with part suppliers and repair facilities to mitigate repair costs” as a way to “mitigate loss cost pressure for our customers.”

The creation of a special commission to examine auto body labor rates in Massachusetts has thrown a spotlight on the insurance industry’s perspective on labor rates. Christopher Stark, the executive director of the Massachusetts Insurance Federation, told state lawmakers that market “supply and demand” is responsible for holding the labor rate there unchanged over the past 30 years.

Since 2000, “we have had a decrease in 22% in the number of our accidents, but we’ve only seen a decrease of about 5% in our total number of shops in the state,” Stark told legislators. He reasoned that an increase in competition had led more shops to accept direct repair program (DRP) agreements with insurers, suppressing the average labor rate.

Pressed on whether he believes that it “makes sense” that the labor rate in Massachusetts has increased by just \$10

since 1988, Stark refused to give a yes or no answer. Instead, he turned repeatedly to the concept of “total labor cost” per repair bill, arguing that Massachusetts’ numbers were in line with the rest of New England’s.

“Statistics don’t put food on the table, pay for people’s rent, pay for their health care,” said Evangelos “Lucky” Papageorg, the executive director of the Alliance of Automotive Service Providers of Massachusetts (AASP-MA). “We have to look at it from a commonsense standpoint.”

“The argument that there’s too many shops in Massachusetts has no bearing on what it costs to run the business in Massachusetts. If there were fewer shops, the cost to run those businesses, heat, insurance, property taxes, everything else making Massachusetts be the fifth highest in the country to run a business would not change. We would still need to have a fair and equitable rate of reimbursement that would allow for being compensated enough to cover those costs and the increase associated with them.”

The effects of inflation have been well documented. Nationally, consumer prices are up 7.5% over the year ended January 2022, putting the squeeze on businesses and households everywhere. According to the federal Bureau of Labor Statistics, this was the biggest jump in a 12-month period since February 1982, with food prices rising 7.0%, and energy prices up 27.0%.

These higher costs affect all businesses, regardless of scale. Asked about indications that it had adjusted its posted rates in major metropolitan markets, Caliber Collision issued this statement to RDN:

“The entire collision repair industry is facing unprecedented challenges

including substantial skilled labor shortages, double-digit inflationary pressures and supply chain difficulties. These factors are in addition to the continuing industry trend of increased repair complexity and the need for our industry to evolve. Consistent with our purpose to Restore The Rhythm of Our

(Continued on next page)



CHRISTOPHER STARK
Executive Director of the
Massachusetts Insurance
Federation



**EVANGELOS “LUCKY”
PAPAGEORG**
Executive Director of the Alliance
of Automotive Service Providers of
Massachusetts

A Disconnect...

(Continued from page 5)

Customers' Lives, Caliber is closely working with our valued carriers and other industry partners to successfully navigate these challenges together to ensure the sustainability of our industry."

In California, the CPI has risen by 11.3% over three years, according to the state's Department of Industrial Relations. "Costs everywhere are increasing, while shops in many cases are being limited to what they can charge by insurer's labor rate surveys," notes the California Autobody Association. "This in turn is causing collision workers to seek employment in other industries where their wage is not as limited. More than ever before, it is an 'employee's market.'"

CAA provided its members with a link to the state's CPI calculator, at www.dir.ca.gov/OPRL/CPI/CPICalculator/CpiCalculator.aspx.

"Labor rates can be a very simple topic, or you can get your Ph.D. in labor rates and just go a mile deep because it's really a mess," said Sam Valenzuela, president of National AutoBody Research (NABR), which

runs the LaborRateHero site, www.laborratehero.com.

LaborRateHero conducts an ongoing survey of collision repair shops, asking them to fill in their labor rates and other information. The results are searchable by ZIP code and provided at no charge.

"We are really the only company in the country that's an independent third party company doing a nationwide labor rate survey. So we don't come from insurance and we don't come from the collision repair world," Valenzuela said.

"One thing we're trying to do here is to help the industry with proving out that market rate, because we know from our experience and observation insurance companies don't really pay market rates, they pay discounted rates," he said. "Some of those might be by a legitimate business contract from a DRP or direct repair program, but oftentimes what we see is the insurers are essentially trying to impose that rate on everybody else that they don't have a contract with.

"When an insurance company says the prevailing rate is \$50, or whatever they say, that's probably a lot closer to their DRP rate, or their discounted contracted rate, than it is to a true market rate that customers will pay."

Valenzuela cited Massachusetts as

an example. "I mean, there's not a clear logic where you can explain why the state is getting paid \$40 [the lowest rate in the U.S.] when they're the highest cost-of-living state in the United States. That's a really big inconsistency.


"From an index perspective, if you look at the cost of living index, or a state-by-state or market-by-market basis, labor rates don't follow that. So my conclusion is insurance companies are not using that," he said. "Ultimately, my only conclusion is, after doing this [data collection] for many years, insurers are just trying to pay the rates that they want to. I'm not sure it's really more sophisticated than that."

Some in the repair industry believe the insurers have it right — at least when it comes to figuring out their own rates, and adjusting them when costs rise, as any well-run business might.

"I think the biggest misconception in this industry is that collision shop owners think they need to wait for someone to approve their new rate," said John Mosley, owner of Clinton Body Shop and Clinton Body Shop of Richland, Mississippi.

Mosley's approach is to "come up with a fair labor rate," based on his shop's unique financial picture, and to


LaborRateHero conducts an ongoing survey of collision repair shops, asking them to fill in their labor rates and other information. The results are searchable by ZIP code and provided at no charge.



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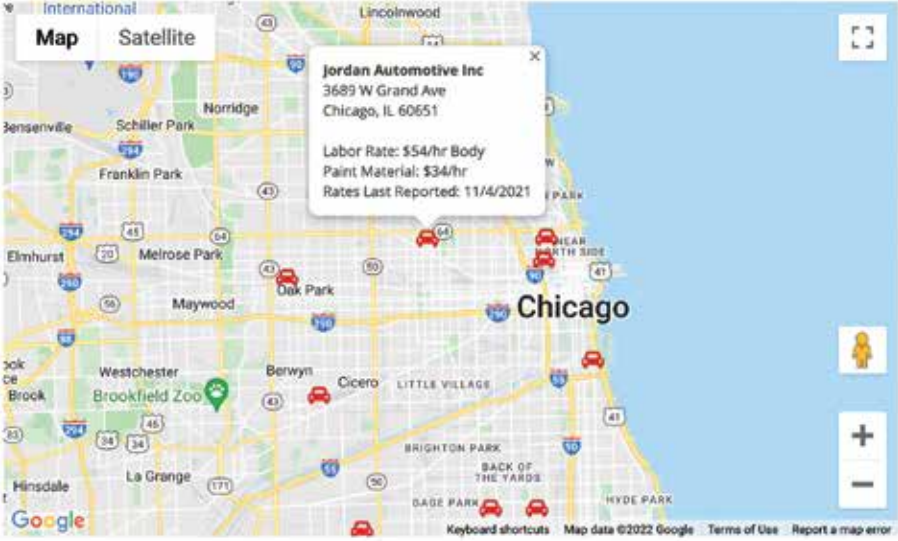
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Take the LaborRateHero Survey



John Mosley, owner of Clinton Body Shop and Clinton Body Shop of Richland, Mississippi, said part of his approach in calculating his rates is to write down the goals for his shop, which certifications he might want the shop to pursue, the equipment and training costs, and associated return, and then “make the decision from there.”



inform the insurers he works with and his customers in the marketplace.

“They know. They all get a raise once a year,” he said.

With increasingly complex vehicles, labor shortages, and other challenges, “every insurance company knows what we’re facing.”

In fact, Mosley shared with Repairer Driven News an email exchange he had with an insurance representative, notifying them of Clinton Body Shop’s new, higher rates. (RDN has chosen not to identify the appraiser or the insurer, at Mosley’s request.)

“Attached are our current labor and material rates (effective 1/10/2022) along with several facilities in the surrounding area (found at laborratehero.com). You can see the dates that the rates were updated and it shows we weren’t the first and we are not the highest in our area,” the email reads.

“The last rate increase that we had was April 2014, 8 years ago. Insurance premiums have gone up every year, the cost of materials increased, the cost of living increased, cost of supplies, cost of gas, etc. We told everyone that we were raising our rates in April of 2020, but we postponed that rate increase because of Covid/Coronavirus and everything caused by that. We cannot postpone it any longer. The insurance industry raises premiums across the board every year even though the price of repair labor has not increased, yet we always hear the same thing ‘we (shops/labor rates) are the reason for premiums increasing’, we are the ‘only ones’, we are the ‘highest in the country...’, or ‘it will total everything’, etc. These attachments will show that we are not the only ones, we are not the highest, we aren’t the first (look at the dates that these rates were posted), and since our rate increase 5 weeks ago nothing has totaled because of the rate increase.

“If you would like, we have rates from all over the country that show the same

thing, we aren’t the first, we aren’t the highest, and we aren’t the only ones. Most of the repair facilities that we checked have very few certifications, if any, and most of these places are also in rural areas, the labor rates range from \$76–\$130.00 across the country. Repair facility labor rates should actually be a little different because of certifications, training, equipment, insurance, cost, etc.. All insurance companies don’t have the same premiums yet they all offer the same service...”

The insurance representative replied, “Completely understandable. Your documentation was sufficient for me to be able to justify the rate increase. Thank you for providing that.... Going forward, on my claims, just let me know you’ve added your rate documentation and I’ll know to approve those rates for you.”

Mosley said part of his approach in calculating his rates is to write down the goals for his shop, which certifications he might want the shop to pursue, the equipment and training costs, and associated return, and then “make the decision from there.”

He said Clinton informs its customers of its rates — in fact, the shop takes out ads when it changes them — and is upfront about its use of only OEM parts and OEM repair procedures, and why it does so. Insurers will not always agree to pay his labor rate, which results either in the customer being billed for the balance or the loss of a job.

“We tell them to ask their insurance company, ‘Why are you not willing to pay them to repair my vehicle properly?’” Mosley said. “We are not

afraid to go to court with a customer.”

“You can’t be afraid to run your business like a business,” he said.

“In this in this industry, it’s really just quite messy, but I do think the solutions are quite simple. They’re just not easy,” Valenzuela said.

“In the end, there’s only three people that can really pay for the repair: the customer, the insurance company, or the body shop,” he said. “Well, if the insurer is not going to pay, and if the customer doesn’t want to pay, and if the shop doesn’t collect from the customer, the only person left is the shop.”

Valenzuela acknowledged that forcing owners to dig into their own pockets to make up for underpayment by insurers may cause them some economic pain, but might also lead to complaints to insurers, regulators, and legislators. “And now all of a sudden you have a lot of people getting a lot of complaints from customers, that their insurers are not covering them properly. That tends to be how things get noticed,” he said.

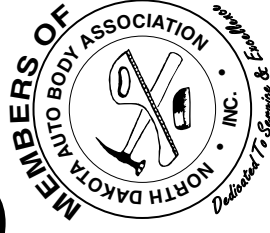
The Society of Collision Repair Specialists (SCRS), in its “Member Guide to Antitrust Law Compliance,” suggests that shops “compete vigorously, but fairly and honestly by avoiding any conduct that could be perceived as having the purpose or effect of raising prices or limiting consumer choice.”

Both Mosley and Valenzuela maintained that a shop setting its own rate, using sound business practices, is the antithesis of antitrust because it will result in different rates for each shop. “It’s just a business making the right decision for their own individual business,” Valenzuela said.

“In the end, there’s only three people that can really pay for the repair: the customer, the insurance company, or the body shop.”

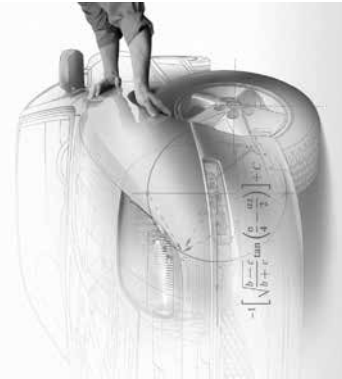
— Sam Valenzuela, president of National AutoBody Research (NABR)

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Data security experts share protection tips for repair shops

By Lurah Lowery on February 18, 2022

Reprinted with permission from SCRS Repairer Driven News

As data breach threats continue to grow, CCI Global Technologies shared some data privacy and security tips Thursday during a Collision Industry Electronic Commerce Association (CIECA) webinar that can be applied in the collision repair industry.

Ransomware attacks are a huge problem for the collision industry right now, according to CCI Business Development and Client Experience Vice President Brandon Laur. Many centers are being frozen out of their systems, and over the last year logistics companies in the parts supply chain have been impacted as well leading to delivery delays, he said.

"...there are so many different SaaS [software as a service] organizations and industry stakeholders sharing data right now that if one of us drops the ball, we all drop the ball. And that really comes from the evolution of body shops to collision centers as well. We try to be the trusted industry and sometimes we're looked [at] as a dirty industry or one

that's not as sophisticated, but we've seen the industry grow and develop into this sophisticated collision ecosystem from all of us doing our part to repair vehicles properly. We need to carry that onwards in ensuring we're doing that with data security and making sure we're protecting data."

CCI Chief Information Security Officer Steve Driz said ransomware has recently become more sophisticated. Attackers are making a copy of the data they gain access to and are threatening to publish and/or sell it. He and Laur noted that no one in a business should be given full administrative control and access to data because if they become compromised, everyone will be. It can also be detrimental if an employee isn't

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(Left to right) CCI Global Technologies Chief Information Security Officer Steve Driz and Business Development and Client Experience Vice President Brandon Laur (Webinar screenshot)

“Breaches are going to happen. Readiness is a choice. ... What are we doing before and what are we doing afterward?”

— Brandon Laur

happy with their job and decides to harm the company by abusing the access they have to data or, for example, could be an issue if an employee is working from home and someone in the household accidentally publicly releases trade secrets.

Most importantly, they said the best practice is to only gather data that’s necessary and authorized for use rather than consuming all of it just because it’s easy. However, if a business decides to pull all of the data, they need to have a data destruction process to get rid of what they don’t need.

Policies and procedures need to be in place for how to prevent attacks and what to do if one. “We know it will happen,” Driz said. “We don’t know when, but we know it will.”

The establishment of a cybersecurity framework is a must, according to CCI. They recommended downloading free frameworks on the U.S. Department of Commerce’s National Institute of Standards and Technology (NIST) website.

Because of the likelihood that an attack could happen, employers need to make sure their employees not only understand the policies and procedures, but why they’re important, what they should and shouldn’t do, and complete security updates on their computers and systems, he said. Policies

should be backed by preventative controls, such as end-point protection software that incorporates anti-virus protection against malware and web threat protection – many of which cost \$50 or less a year. An incident response plan should also be in place and practiced often.

“We can implement all the frameworks we want – policies and say we’re following these guidelines, but ultimately it starts with the people,” Laur said. “It’s not the technology that’s the risk. It’s always the people in following those processes. ... We know how to prevent fires – we know not to leave matches lying around. We have to start taking that same approach with data security and our technology solutions.”

Driz recommended monitoring of

everything employees do when they’re connected to the business’ network by using an Extended Detection and Response (XDR) platform. “We need to be very, very granular and implement in zero trust, meaning that we know even if I’m on the network and it seems like it’s me it could be malicious,” he said, adding that over 50% of all attacks today are email phishing attacks where malicious links are clicked on.

And it doesn’t matter what size your business is, Laur said. Everyone is at risk because the goal is to gain access to data, which can be everything from names to Vehicle Identification Numbers (VIN), known as Personal Identifiable Information (PII) or machine-to-machine data, that are carried out by software and program bots. Machine-to-machine data are, for example, information that is shared between a spray booth and tools, tools and systems, and between estimating systems and management systems, Laur said.

“We are custodians of the data,” he said. “We all owe it to ourselves to protect the best interest of the data and who it may or may not represent because we’re all connected through it. ... Breaches are going to happen. Readiness is a choice. ... What are we doing before and what are we doing afterward?”

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CIECAST February 2022 Information Privacy and the Impacts to the Collision Industry Customers

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On the other hand, we want to reach every possible person we can that is part of the Auto Body profession. We include owners, service technicians, brokers, distributors and suppliers. So, if you know of someone that is not receiving the *News Report*, please provide us with their name and address below. Thank you!!

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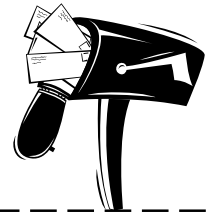
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Sheila Loftus's Facebook profile photo.

Sheila Loftus, 79, recalled as fearless, determined advocate for the collision repair industry

By Dave LaChance on May 13, 2022

Reprinted with permission from SCRS Repairer Driven News

Friends and colleagues are remembering Sheila Loftus as a smart, courageous, and determined advocate for the collision repair industry, and a pioneer who led the way for other women to enter the field.

Loftus, the former executive director of the Washington Metropolitan Auto Body Association (WMABA), publisher of Hammer & Dolly magazine, founder of CRASH Network, and co-founder of the Women's Industry Network (WIN), died this week after a stroke. Her death

was reported by her friend Gigi Walker (Walker's Auto Body and Fleet Repair) in a post on social media. She was 79.

Those who knew her described Loftus as a professional journalist who never shied away from asking difficult questions, but always treated others with honesty and respect.

Jordan Hendler, who succeeded Loftus as executive director of WMABA, called her "a relentless advocate" for the repair industry.

"She was one of the first really vocal

women, and was behind the founding of virtually every acronym there is in the industry," Hendler told Repairer Driven News.

She said Loftus was a mentor to countless people, herself included. "She encouraged me to speak my mind and opinion and thoughts," she said. "She was inspirational and instrumental to my entire career. She was an equal-opportunity encourager for people to be engaged, to make a difference, to get

(Continued on next page)

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Sheila Loftus...

(Continued from previous page)

the facts, and not to just go with the flow.”

Loftus “had the dirt” on anyone who she viewed as an opponent of the industry, Hendler said. “A lot of people can sleep with both eyes shut now,” she said.

John Yoswick, who took on CRASH Network when Loftus retired in 2008, said, “I’ve long felt that few people worked harder on the industry’s behalf than Sheila.”

“Sheila had the fearlessness and endless curiosity to be a successful reporter in this industry even without formal journalism training,” he said. “She never shied away from asking the tough questions or fiercely advocating for collision repairers.”

“You were never really sure what she was going to say when she stepped to the microphone at an industry event,

“She was an equal-opportunity encourager for people to be engaged, to make a difference, to get the facts, and not to just go with the flow.” — Jordan Hendler

but it was not uncommon for it to be something others in the room were no doubt thinking or wondering about, but perhaps didn’t have Sheila’s courage and willingness to put it out there,” Yoswick said. “She didn’t mind stirring up a little trouble, and sometimes that proved to be a way to move things forward.”

Tony Lombardozi, president of the Coalition for Collision Repair Excellence (CCRE), called Loftus “the First Lady of the collision repair industry.”

“I’ve always said one thing about Sheila: She was a real journalist. She was always asking the right questions. This is why sometimes she may have rubbed some people the wrong way,” Lombardozi said.

“When she was in a CIC [Collision Industry Conference meeting] and she got to the microphone, everybody would cringe,” he said with a chuckle. “If you did a good job, she’d let you know. If you didn’t, in her opinion, she would tell you what you did wrong. And we in the industry appreciated that.”

“She was very strong in her convictions, but she had this industry at heart,” he said. “She was a fighter for this industry.”

Loftus’s point of view, Lombardozi said, was that “we can be an independent business controlled only by the business owners, that would collect a fair price for our goods and services. She always felt that we should be like other businesses, and we should be entitled to a profitable return on our investment.”

Advocating for that belief put her at odds with a variety of interests, and also carried her on more than one occasion to Washington, D.C., to testify before congressional committees on behalf of the industry.

“She never shied away from asking the tough questions or fiercely advocating for collision repairers.” — John Yoswick

The views expressed in articles throughout this issue are those of the writers, and do not necessarily reflect views of NDABA.

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Sheila Loftus, then executive director of the Washington Metropolitan Auto Body Association, testifies before a congressional committee on the cost of collision repair on June 17, 1988.

(Screen capture via C-SPAN)



She also devoted her energies to the creation of the Women's Industry Network, helping other women build their own careers in collision repair. "Sheila made inroads for many of the females that are in this business today. From technicians to management to ownership, we have much more participation from the female side, and I attribute some of that to her, because she broke the ice," Lombardozzi said.

Aaron Schulenburg, executive director of the Society of Collision Repair Specialists (SCRS), called Loftus "a fearless trailblazer."

"Sheila was a critical part of this industry's history, and while she has

Friends and colleagues posted their appreciation of Loftus on social media.

"Apart from being a friend, a colleague and a contributor to our magazines, Sheila was a friend. A gentle yet quite fierce person when fighting for justice. And fight for justice in our industry she did," wrote Michel A. Malik, CEO and

with grace," said Tony Molla, former Vice President, Industry Relations for the Automotive Service Association (ASA). "I am honored to have had the opportunity to benefit from her kindness, wisdom and advice over the years. She was a friend, mentor, critic and counselor, often at the same time. As a fellow journalist, Sheila taught me to not believe anything I hear and only half of what I see. Her work to help establish WIN and her support and encouragement of women in the collision industry qualifies Sheila as one of the giants, and we are diminished by her passing."

"I have to say that those who didn't get to know Sheila personally missed out," Yoswick told RDN. "While we were always cordial during the time we were both working in the industry, it was really only in the last 10 or 12 years that I developed a real friendship and appreciation for her as a person.

"She continued to look for ways to stir up trouble – and fun. She was exceedingly generous. She cared so deeply about her family (including her cats). She remained ever-curious, and always kind to her friends – and really anyone she encountered," he said.

"She was very strong in her convictions, but she had this industry at heart. She was a fighter for this industry."

— Tony Lombardozzi

been long retired, her work and legacy have made a lasting impact on those operating in the collision industry today. We should all be so lucky to leave behind a contribution like that," Schulenburg said.

"The industry looked up to WMABA, and Hammer & Dolly – they still do – but back then Sheila created visibility for the issues in a time where that was much harder to do. She believed in giving the industry a voice, in fighting for the underrepresented, and she did it with tenacity. I know that the industry wouldn't be what it is today, without people like Sheila."

When Loftus founded CRASH Network in 1994, it was the first industry publication distributed more frequently than once a month, Yoswick said. "I know many of her subscribers, association members and colleagues were sorry to have her involvement in the industry come to an end."

Group Publisher at BodyShop News International.

"She was a pioneer due to her journalistic approach to our industry. Her steering of the association was ground breaking. She always dug into stories to get to the truth based on credible facts. She loved the body shop industry and was an advocate for doing things right. I will remember her as a friend with integrity and grace," said Steve Trapp, Strategic Accounts Manager for Axalta Coating Systems.

"I first met Sheila back in the '90s and, to me, she epitomized tenacity

"Her work to help establish WIN (Women's Industry Network) and her support and encouragement of women in the collision industry qualifies Sheila as one of the giants..."

— Tony Molla

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