WHAT TO ADD, WHAT TO KEEP, AND WHAT TO DITCH
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Presidential elections are an important part of our democratic tradition. They also can generate tension and uncertainty for business owners, even after the votes are (finally) tallied and the results clear. This year certainly saw its share of turmoil before, during and in the immediate aftermath of the election. Now that it has passed, we can get back to business. And I foresee a positive environment for convenience services businesses, regardless of whether or not President-Elect Joe Biden got your vote.

Historically grounded optimism
You may find it difficult to believe that economic success and growth do not hinge on which political party is in the Oval Office or controls the Congress. I certainly did, until I saw historical data on market growth dating back to 1798. Fidelity Management & Research Company (FMRCo.) tracked composite indexes under different presidents and congressional mixes, finding that markets grew more than eight percent on average, regardless of which political party was in control and what other events were taking place in the broader economic, societal and business environment.

The Fidelity analysis covers centuries of economic conditions, including other significant periods of turmoil. Consider that in the 1800s, President Andrew Jackson abolished the U.S. National Bank despite bitter opposition and worry it would destroy our economic power. Our first Republican president, Abraham Lincoln, took over a divided union where the economic engine of the South was built on the untenable platform of slavery. We have made it through other public health crises, such as the 1918 Spanish Flu pandemic, and great financial catastrophes, like the Great Depression and 2008 Great Recession. All of this challenged the fundamental systems and functionality of our government and ensured that there are mechanisms in place that will ultimately allow the U.S. economy to prosper.

Looking forward
While it is difficult to forecast the economic impact of a Biden administration in the Executive Branch, it’s important to remember that we are playing the long game and there are plenty of areas where a Biden administration and a Republican-led Senate can come together. First and foremost is a stimulus package.

During his campaign, Biden supported Paycheck Protection Programs and providing money for small businesses. Many Republicans also have been vocal about this type of stimulus. In October nearly all Republican Senators, including Senate Majority Leader Mitch McConnell (R-KY), voted for a $500 billion stimulus bill that would have reinstated federal unemployment insurance, provided new small business loans and funds for schools. This is promising evidence...
that bipartisan economic relief could come in 2021.

Other areas of commonality include bolstering American manufacturing, with both Republicans and Democrats in support of more American-based manufacturing. Biden’s “Build Better Back” plan includes measures to ensure the future is made in America with a strong industrial base and the creation of many jobs, a long-held want of many Republicans.

Emphasis also will quickly return to public health and, thanks to several recent breakthroughs from the scientific community, toward widespread distribution of viable COVID-19 vaccines. This will directly benefit our frontline workers who deliver essential food and products and get America more fully back to work.

Even if a divided government creates a number of stalemates, the business game is far from over. Fidelity’s analysis posits that the long-term fundamentals of earnings and interest rates, labor growth and productivity, and the mean-reverting nature of an independent monetary policy, are the ultimate drivers of long-term gains and market returns.

“If you want to understand today, you have to search yesterday.” – Pearl Buck

Having broken past the temporary barrier of a presidential election, Washington DC and the nation can now get back on the road of preparing for the future of business and the success of the Convenience Services industry. NAMA is here to help with a good view of what has come before and strategically what needs to happen to pave the way forward.

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**The Presidential Cycle**

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<th>Years of a Presidential Term</th>
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<tr>
<td>1st</td>
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*Light blue bars in the right panel indicate returns during the first 2 years of a president’s term. The dark blue bars show the 4-year return. Monthly date since 1789 (mix of S&P 500, Dow Jones Industrial Average, & Cowles Commission). Source: FMRCo.*
Collaboration is essential
In my last column, I discussed some of the major changes happening in the industry right now, and what the future might look like if we are able to adapt and retain our golden real estate. Looking beyond the idea of what’s changed (or is changing), we also see some current core challenges that we’ve faced before. One example is labor. In our industry as a whole, we are seeing the rise in distribution labor where employees’ salary are having to come from multiple sources, and the Amazon effect, where the floor on wages is being driven up to a dollar amount that makes it difficult to recruit and retain talent.

To face these core challenges, we need to lean on each other. Our greatest ideas come from our past success and we can only develop these best practices when people working within the industry can put down their competitive minds and focus on how to evolve. One example is micro markets, an industry born idea that thrived and helped us weather the last down cycle.

Time to build community
Based on my experience at the TMVA, I propose this. Focus locally. Focus regionally. Pull your suppliers in, reach out to industry people you’ve befriended, email those you’ve sat on a panel with, ask to meet someone you’ve observed implementing a process you’d like to bring into your own business, etc. Let’s be willing to open our doors and support each other during this time as we all try to determine what the forced evolution of our companies will be and how to succeed.

Success from Within
Josh Rosenberg, NAMA Chair

In November, I attended a golf outing held by the Texas Merchandise Vending Association (TMVA). It was nearly cancelled, as was the case for the accompanying 2020 TMVA Annual Convention. However, at nearly the last minute, TMVA decided to host it in Austin.

The event looked different than in previous years. There were no prizes offered, and masks were given out in the event bag like a new product sample. Yet, it was the most well attended golf outing in the organization’s history. That is especially impressive considering it’s been a difficult year for many of our businesses financially, the turmoil of the election, and the continued COVID-19 pandemic. Why then was it so well attended? What I heard over and over again was that people wanted to see each other, connect and mine what their peers were doing to weather the market’s transformation, and ultimately rebuild the sense of community lost from trade shows.

NAMA will continue to bring tools, resources, and insights to drive business success, but it’s upon each one of us, absent our shows this year, to remember our community and continue to reach out. That may be offering support or asking for support, but ultimately, working together and sharing ideas will make the Convenience Services stronger for the future.
A MULTI-PRONGED APPROACH TO THE REFRIGERATION TRANSITION

By Mike Gosinski, NAMA’s Director of Federal & State Affairs
NAMA Government Affairs uses many different strategies to advocate on behalf of convenience services. Based on the issue, whether federal or state, legislative or regulatory, our team works to identify how the industry will be impacted, key players in the decision-making process, and the best messaging to achieve the desired goal. In some instances, the course of action is not clear cut, such as preparing and protecting the industry as state governments phase out the use of hydrofluorocarbons (HFCs) – the most used refrigerant in vending machines.

The work on this front began over two and a half years ago. After a federal court suspended an Obama-era regulation phasing out the use of HFCs due to their impact on the environment, the Trump administration declined the opportunity to reinstate a mandate prompting states like California to unilaterally ban the use of such refrigerants statewide. This caused NAMA to play “whack-a-mole,” going state by state to ensure the industry could comply with differing phase-out timelines throughout the country.

Since 2017, NAMA has engaged in 16 states that have enacted legislation or adopted new regulations to halt the use of HFCs. It has been our number one priority to ensure operators have adequate time to comply with new mandates – pushing for implementation deadlines of 2022. But the industry faced a unique hurdle in transitioning to an environment-friendly alternative that protects vending from needing to make additional changes in the future.

HC R-290 (propane) is the industry’s most viable coolant alternative due to its low environmental impact, excellent performance, and current utilization in vending machines throughout the world. Unfortunately, outdated national safety standards prohibited vending machines cooled with HC R-290 from being placed in hallways, lobbies, and areas of ingress and egress – eliminating its use in the U.S. marketplace.

NAMA has been steadfast in working with the American Society of Heating and Air-Conditioning Engineers (ASHRAE) and Underwriters Laboratories (UL) to amend these outdated standards, successfully completing the task in November. With this victory, operators can now comply with phase-out requirements and transition to an efficient alternative without fear of state governments mandating further environmental impact reductions in the future.

Our work now becomes proactive. NAMA Government Affairs is turning its attention to the next chapter – working with decision makers to obtain tax incentives for operators to make these upgrades and purchasing new eco-friendly machines while offsetting the financial burden. Additionally, the NAMA Foundation continues its two-year, $400,000 cooperative research and development agreement (CRADA) with the U.S. Department of Energy (DOE). This project seeks to develop machines and bottle coolers chilled with larger amounts of HC R-290 that are safe for use on a larger scale.

While not a simple, direct path, this weave of advocacy approaches has paved the way for a timely and business feasible transition and positions convenience services to be a leader in energy efficiency and environmental responsibility.
To Mandate COVID-19 Vaccines Or Not... That Is The Question!

With the FDA approved vaccine coming sooner rather than later, I have repeatedly been getting the question from my employers: “Will we be able to require our employees to get the COVID-19 vaccine? The answer to this question is not totally clear as I write this article today. But, we have guidance on how this may play out.

2020 has placed more focus on health care in the workplace and what employers can or should do (or not) to protect the health and safety of employees, clients and vendors. The Americans with Disabilities Act (ADA) generally prohibits employers from mandating that employees receive any vaccinations unless...
they are job-related, consistent with business necessity, and no more intrusive than necessary. This is ordinarily a difficult standard to meet when it comes to requiring vaccines in general workplaces, unless of course the employer is part of the healthcare field. However, due to the current circumstances of the COVID-19 pandemic and the fact that an individual with COVID-19 is considered to pose a direct threat to the health of others, it is possible the Equal Employment Opportunity Commission (EEOC) may allow mandatory COVID-19 vaccines in workplaces beyond healthcare. This assumption is supported by the fact that the EEOC has already given employers the go-ahead to screen employees for COVID-19 on this same basis (but rejecting the ability for an employer to require an employee get an antibody test). ¹

If the EEOC authorizes mandatory COVID-19 vaccines anywhere in the workplace (or even if the government should require such vaccines – which is a possibility), employers should likely assume that the same restrictions that apply to mandatory vaccines in the healthcare field now will apply to all workplaces. Currently, the EEOC requires healthcare employers to consider exemptions for employees who cannot receive vaccines for reasons related to disability, pregnancy, or religion. Employers analyze each request for exemption on a case-by-case basis, including reviewing the employee’s job position as well as the employee’s particular religious belief or medical documentation corroborating the disability at issue. ²

While employers may be permitted or able to require employees to get the COVID-19 vaccine, it does not mean they necessarily should. Employers should carefully consider the potential legal and employee morale implications and complications. A recent Gallup Poll ³ showed just half of Americans would be willing to get a COVID-19 vaccine that the FDA approved, which is less than were willing to do so this past summer. These poll results indicate that a large number of employees will likely be reluctant to get the vaccine – at least initially. Therefore, enforcing a vaccine mandate, i.e., telling workers they have to have the vaccine to work for you or be fired, could be difficult if a large number of employees refuse to comply. Then you are left with having to replace all of these employees. Moreover, there are union issues to consider with such a mandate. For example, the vaccine mandate may be subject to collective bargaining, if non-union employees protest and the employer takes adverse action there could be an unfair labor charge, or the vaccine requirement may cause non-union employees to go out and find a union to represent them.

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PRACTICE TIPS:
Until the concern for safety with the COVID-19 vaccine decreases and the receipt of guidance from the EEOC, I recommend the following Practice Tips in your workplaces:

- Operators would be wise to continue to require masking, proper hygiene, social distancing and other COVID-19 precautions such as employee training, temperature and symptom screening and re-vamping of offices and warehouses with plexiglass and social distancing signage reminders.

- Operators may also stress the importance of getting a flu shot and encourage employees to get one by subsidizing the cost, allowing paid time off to get one, or offering flu shots at the workplace to reduce any inconvenience.

- In the meantime, operators should make sure they have all their COVID-19 practices and procedures written and distributed to the employees (e.g., temperature screening requirements, adherence to local governmental COVID-19 orders such as travel bans and quarantining, protocol for employees to stay home when they are sick and not report to work, and any applicable paid time off when employees have COVID-19, are taking care of a sick family member or for childcare issues for closed schools and daycares (e.g., FFCRA).

- Once the vaccine becomes available, operators can try a Voluntary Vaccine Program by following the flu vaccine regime with low cost, easy access and then also lead by example by publicizing the C-Suite receiving the vaccine.

Heather A. Bailey, Esq., a partner with SmithAmundsen LLC and a NAMA Knowledge Source Partner for 18 years, focuses her practice on labor and employment law issues for employers. Did you know that all NAMA members receive 15-minutes of complimentary human resources consultations each quarter? Heather may be contacted directly at: Direct Dial: 312.894.3266, Email: hbailey@salawus.com. Join her firm’s FREE labor and employment blog at: www.laborandemploymentlawupdate.com and COVID Resource Center at: www.salawus.com/practices-covid19-task-force.html for the latest updates on issues affecting your vending operations.


2. For more about these exemptions and the analysis that goes with them, see this blog on this topic, “Navigating the Legal Risks of a Mandatory Vaccine Program.” https://laborandemploymentlawupdate.com/2019/11/12/navigating-the-legal-risks-of-a-mandatory-vaccine-program-for-employees/.

3. This Gallup Poll may be found at: https://news.gallup.com/poll/321839/readiness-covid-vaccine-falls-past-month.aspx.
NAMA’s Director of Education and Training, Ben White, began the webcast with an art history lesson. Onscreen was the painting, “Overboard,” by Sir Oswald Walters Brierly. The painting depicts a fleet of ships and a small boat attempting to rescue a single person in the water while everyone is trying to weather the storm. Relating the painting to the convenience services industry, Ben illustrated, “The purpose of this webinar is to help the one, to help the group, and to help the many by sharing our understandings and our insights.”

What to Add, What to Keep, and What to Ditch featured the expertise of Patrick Moran of Moran Refreshments and Dennis Thornton of VENDEDGE; operators whose companies have been tested by COVID. They were ready to share their knowledge about surviving these tough times and forging a new future.

The webcast started by asking the question, “what should we keep.” According to the speakers, the very first thing an operator should keep

“We do not let fear and panic control our actions.”
– Patrick Moran, Moran Refreshments
is her head and her wits. Dennis took a moment to remind the audience that convenience services have been in similar waters, citing the 2008 recession as an example, and noted that the industry emerged from it stronger than ever. Also considered a priority is keeping as many good people as possible. “It’s very expensive to retrain and restart with new people,” said Dennis, “If we can avoid that, it’s certainly a positive for our business.” Another thing to keep are the positive entry and cleaning protocols that have come about due to COVID. The idea of a cleaning rhythm described as “clean-service-clean.” was mentioned. “Clean-service-clean” describes a process whereby the delivery person cleans the machine you’re servicing upon arrival, services the account, then cleans high-touch surfaces again before departing. Lastly, keeping good accounts was mentioned. Protecting current business relationships while continually hunting for new ones is a classic survival strategy that has survived worse events than COVID.

Concerning things to add, the experts put tracking systems at the top of the list. Patrick described his tracking system of using a whiteboard to document the entry protocol of each account, and how Moran Refreshments updates it on a weekly basis. “These things are very fluid,” said Dennis in this regard, “The information is changing on a daily basis.” Additionally, Patrick discussed Moran Refreshments’ transition to cashless payments. This transition began partially due to the coin shortage. Moran Refreshments’ clients, who want their employees to have as few touchpoints as possible, were impressed by vending machines’ ability to take mobile payments.

Regarding what to ditch, the pandemic is a good opportunity to ditch underperforming assets and “right-size” the amount of equipment at client locations. Patrick noted clients have been very understanding of this due to the circumstances. Dennis described routes exclusive to specific business channels as something to ditch, and instead opted for mixed routes that restock vending, OCS, and micro market operations.

This is just a preview of the knowledge shared in this webcast. To watch this recording and other webcasts from NAMA’s Fall Festival of Knowledge, please visit namanow.org/fallfestival.
Side-By-Side in 2021
to safely present the largest and most rewarding one-stop experience for all segments of the unattended retail and convenience services industries.
How did you get into the convenience services industry?
I joined Minus Forty (Coldtech at the time) 20 years ago. I was a junior lab technician and was in charge of all the testing and assisted with proto-types. We were consistently developing new product requests that our customers came to us with from the convenience store industry.

Give us an overview of your role and key responsibilities.
Throughout my career at Minus Forty I have worked my way up to the role of VP of Manufacturing. I am responsible for all operational aspects pertaining to production, quality assurance, maintenance, and logistics. Developing and implementing strategies to increase production output and efficiency to meet daily, monthly, and annual company goals and objectives of delivering product that meets our motto of smart investment and better sales for our customers.

What are the skills you use most in your career?
Lean Six Sigma, Process Improvements, & Coaching Team Members. The goal of any company is to be more profitable. The pathway to success is through our people. Through consistent training and internal growth within our organization we’ve seen how strong, focused, energized team members can quickly contribute to the bottom line!

What do you believe are the biggest challenges you face in your business?
Our company as done an amazing job expanding its supply chain around the globe. Some of our biggest challenges lie in a consistent supply. We are starting to see a lot more disruptions in the supply chain around the globe caused by uncontrollable risk factors. Forcing us along with other manufactures to have a plan with more of a domestic supply chain in place.

What are the greatest opportunities?
What I love about LEAN is that there is ALWAYS opportunity. The goal line is constantly shifting and evolving with every improvement. The key is to train your staff to evolve with this change and to have a positive can-do attitude. We have an amazing team here at Minus Forty that consistently rallies to go above and beyond on a regular basis!

How has COVID-19 impacted your life and business? (i.e. did your company pivot in a unique way? Is there something special you accomplished during this time? What lessons have you learned?)
COVID-19 has been tough. As I’m sure for a lot of retailers and manufactures a like. There have been a lot of up and downs this past year. Being forced to ramp down and then later ramp back up. Nobody really knew how this was all going to play out in the beginning. We have been fortunate at Minus Forty as we are supplying refrigeration equipment to the food industry. For the team here that has endured it the longest, I believe it has brought us closer together, made us more of a family unit. Work is often referred to as your home away from home. Well your team is your family and that’s how we’ve grown together through this.

Moving forward, what are your personal/professional goals?
Professionally I really enjoy coaching and mentoring our team. Their success is my success. I love seeing people grow within our community!
Tell us about the most memorable work experience you’ve had.
October 2001. Our company was looking for a volunteer to drive a sales rep and work a trade show in downtown New York city. I was driving a big white box truck. Words cannot describe this trip as it took place only four weeks after 9/11. I’ll never forget the patriotism I witnessed, or the empty streets. The strength and the resilience of New Yorkers left a lifelong impression on my life.

What’s one thing - either industry-related or not - you learned in the last month?
The Social Dilemma. A Netflix documentary that talks about society’s dependency on technology, and how big tech companies are driven by profits and attention-grabbing algorithms. I’ve always tried to stay up-to-date (with technology) and be consciously “aware” of its effects.

What advice would you offer young people starting their careers in this industry?
You don’t have to know what you want to do or where you want to go right away. You DO need to have good work ethic and a can-do attitude. Looking back in my career it was a positive attitude, always volunteering when others wouldn’t, and good attendance, lol, that contributed to my growth. Make a goal for yourself each year. How am I going to be better, what am I going to learn this year? Continuing education has also contributed to my success both personally and professionally.

What’s a favorite piece of advice you’ve received that has helped you in your professional career?
Progress, not perfection! Don’t be as focused on how big each step is. Focus on the direction and keep moving forward.

What’s something about you (a fun fact) that not many people know?
I love spending most of my time with my family! Raising three little boys with my wife seems to fill in all the extra time, lol! Any other time you can find me at the range, practicing for a local sport shoot here and there.

Welcome!

TO OUR NEWEST MEMBERS

Brothers International
Phoenix Sales and Associates
Pepsi Bottling Ventures
Performance Sales and Marketing

Questions? Contact NAMA’s Membership Department at 888.337.8363 or members@namanow.org.

* This list includes companies that became members between May 28 - September 30, 2020
How did you get into the convenience services industry?
During the summer of 2011 I joined Refreshment Solutions in New Orleans. This was my introduction into vending, OCS and micro-markets. During my time with Refreshment Solutions I held the position of Key Account Manager and then moved into the Director of Sales role. For the last four years, I have enjoyed my role as National Account Manager with Twinings of London allowing me to work with NAMA members across the country.

Give us an overview of your role and key responsibilities.
My responsibilities encompass the away-from-home channel in the Eastern U.S. It allows me the opportunity to partner with distributors, operators, customers, brokers, and industry leaders.

What are the skills you use most in your career?
My approach is presenting data through a consultative style. Creating a sales story that Operators can then take to their customers is value Twinings brings to our partners. All of this creates a success story of delivering sales and growing margins for my partners.

What do you believe are the biggest challenges you face in your business?
COVID-19 presented unprecedented challenges for all of us. Prior to March I traveled over 90 percent of every week. As everything has closed, travel came to an abrupt halt. I have pivoted on how I am engaging with the industry. Utilizing video conference platforms as much as possible has certainly been a new way to communicate. Twinings offers products which speak directly to the concern employers and employees have regarding health and wellness. Without traveling, the challenge is getting those solutions in front of the Operators.

What are the greatest opportunities?
As hot tea consumption continues to grow, my greatest opportunity is to deliver solutions for my partners that grow their business in a meaningful way.

Health and wellness is driving consumer consumption trends. The Twinings Wellness Collection offers Operators solutions to capture that demand.

How has COVID-19 impacted your life and business? (i.e. did your company pivot in a unique way? Is there something special you accomplished during this time? What lessons have you learned?)
COVID-19, if nothing else, has forced us to face change in almost every aspect of our personal and professional life. We cannot always control the circumstances we find ourselves, but we can control our response to them. While we have all had our moments of frustration, the best of the human spirit has emerged as our support for each other spills out of every email, text, and phone call.

Moving forward, what are your personal/professional goals?
We must always look for what is new and what is next. We must answer the question of how do we do it “better”.

Kristin Overstreet
Twinings National Account Manager
Foodservice/OCS – Eastern U.S., Twinings North America

- Bachelor of Science, Business Management Louisiana State University
- 2013 NAMA’s Executive Development Program at Michigan State
- NAMA Coffee Committee Member
- WIN member
Tell us about the most memorable work experience you have had.

Traveling to London to meet the Twinings Master Tea Blenders and visiting the Twinings tea shop on the Strand, establish 1706, stands out as a lifetime memorable event. The trip was highlighted by meeting the 10th generation Twining, Stephen Twining. Having learned so much about the tea industry and the Twinings story, I have very much enjoyed sharing that with my customers and industry partners.

What is one thing - either industry-related or not - you learned in the last month?

Everyone is doing the best they can at balancing personal safety and health while keeping some sense of normalcy. It is ok to have a moment of pause during these unprecedented times. It is just as important to surround yourself with positive influences so you can in return be a positive influence for others.

What advice would you offer young people starting their careers in this industry?

There is a real sense of community comprised of people and families who have worked hard for generations. Yet there is a welcoming of new and innovative ideas to push the definition of what this industry will be going forward. My best advice would be to get comfortable being uncomfortable as forward progress requires it.

What is a favorite piece of advice you have received that has helped you in your professional career?

The Twinings sales team has a saying that can help us in many aspects of our professional and personal life. D.M.G.B. - Doesn’t Matter Get Better

As a WIN member, in your own words, what is the value of participating in group?

WIN offers the opportunity to connect with a great group of people from different backgrounds who all share the same focus of making this industry stronger. The connections and conversations I have enjoyed are invaluable.

What is something about you (a fun fact) that not many people know?

Though I reside in Virginia, I am from South Louisiana and thus Mardi Gras is my absolute favorite holiday. I am probably the only person in Roanoke, VA whose home is decorated for Mardi Gras. With the NAMA One Show and Coffee, Tea & Water set to take place in New Orleans August 2021, I am very much looking forward to sharing in the New Orleans hospitality!