



September 15, 2021

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## **Congress Proposes September Surprise - Raising Tobacco Related Taxes \$10 Billion- Your Help Needed to Defeat.**

US House Democrats have promised a \$3.5 billion “human stimulus” bill to compliment the roads, transportation and infrastructure bill that was agreed to earlier this year. The question all along has been how they will pay for the new entitlement programs. That answer became clearer Monday when a draft proposal was released calling for a tax increase on tobacco and related products in excess of **\$10 billion** per year. This will certainly increase prices at retail and exacerbate the trend away from cigarettes in the near term. Most readers will remember last year when Joe Biden promised that if he were elected, only those making more than \$400,000 would see their taxes increased. Unfortunately, taxing tobacco products is the most regressive tax that there is, and in addition to impacting store operations, it will disproportionately impact low-income consumers. Previous increases like those currently proposed, have increased black market sales substantially, depriving both storeowners of sales and government entities of an important source of tax revenue.

Fortunately there is a step you can take today to stop these tax increases. Four members of the Virginia delegation are among a handful of Congressmen and women who will decide the fate of \$10 billion in tobacco. They are:

Abigail Spanberger - Richmond Suburbs  
<https://spanbergerforms.house.gov/contact/?skin=blank>

Elaine Luria - Hampton Roads & Eastern Shore  
<https://luria.house.gov/zip-code-lookup?form=/contact/email-me>

Donald McEachin - Suffolk to Richmond  
<https://mceachin.house.gov/contact/email>

Bobby Scott - Hampton/ 64 Corridor  
<https://bobbyscott.house.gov/contact>

Their contact information is below each name. Please contact those where you have locations in their districts. The message is simple. You may either copy and paste the talking points from the draft letter (attached) or use your own version.

We are told that votes on the tobacco tax increase may come soon, so your contacts should

occur as soon as possible.

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## **5 Ways You Can Prepare for the Workplace Vaccine Mandate**

*From NACS*

Last Thursday, the Biden Administration announced that the Occupational Safety and Health Administration (OSHA) will soon issue a rule that will require all employers with 100 or more employees to either ensure their workers are vaccinated or require unvaccinated employees to produce a weekly negative test result before coming to work. It's estimated that 80 million workers, or two-thirds of the country's workforce, will be impacted by the rule, according to law firm Fisher-Phillips.

In light of the announcement, many employers are left unsure how to navigate these uncharted waters. Fisher-Phillips lays out a five-step action plan for employers to implement immediately.

1. Adopt procedures for determining employees' vaccination status: Employers should be ready to implement an organized, confidential process to determine vaccination status, and companies are OK to ask employees about COVID-19 vaccination status as indicated by the Equal Employment Opportunity Commission.
2. Determine if you will mandate the vaccine or allow unvaccinated employees to be tested weekly: Some employers may choose to not allow weekly testing, as it could be onerous to collect and keep track of test results.
3. Develop a plan for handling accommodation requests: Employers who plan to have a mandated vaccination policy must also have a detailed, crystal clear accommodation policy for any employee exempted from the vaccine for religious or disability reasons. Companies who implement weekly testing will also need an accommodation policy.
4. Have a plan for tracking test results: Employers who do decide to allow weekly testing will not only need to have a set plan to track the test results, but they also need to find out if they will have to cover the cost to test. Non-exempt workers also must get paid for time spent getting tested, according to FLSA.
5. Prepare for OSHA complaints and inspections: Any existing OSHA and CDC compliances in place at a company relating to the mitigation and prevention of COVID-19 will need to stay in place, as a mandated vaccine and/or weekly testing policy does not negate these compliances. OSHA could ask for an employer's COVID-19 response plan and training records if it receives a complaint or inspects a workplace. Employers should have a COVID-19 policy and communicate it to employees, and those in charge should be trained on how to handle an OSHA visit.

NACS has compiled resources to help the convenience retail community navigate the COVID-19 crisis. For news updates and guidance, visit our [coronavirus resources page](#).

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## **Rooms Still Available for the Annual Meeting**

Even though our hotel room block at the Marriott Oceanfront Virginia Beach for the 73rd VPCMA Annual Meeting September 26-28 has expired, at this time there are still rooms available at our group rate of \$189 Oceanview/\$239 Oceanfront (single or double). To receive

our special rate, you will need to email [elizabeth@vpcma.com](mailto:elizabeth@vpcma.com) directly to secure the room for you. If you have recently made a reservation outside of our block, please email us as well so we can have your rate adjusted. We have an excellent mix of educational offerings and networking opportunities planned for our first meeting in Virginia Beach in 23 years. Details follow:

Register to attend [here](#).

For more information on the annual meeting, [click here](#).