

**UPMRA ANNOUNCES THE 2023 CONVENTION
KEYNOTE SPEAKER**

THURL BAILEY



On Thursday, October 26 in St. George, Utah, join UPMRA members in welcoming Jazz great, Thurl Bailey, to the UPMRA 2023 Convention & Trade Show at the Hilton Garden Inn.

At the keynote lunch, hear the inspiring words of Thurl Bailey on How to Win, Whatever the Odds or Disappointments.

Master storyteller, Thurl Bailey, #41 for eight years with the Utah Jazz, who twice led teams from far behind to win national championships, now helps companies and individuals focus on what matters most: to persevere, build winning teams, encourage peak performance, develop leadership and discover opportunity in change.

Book signings, autographs and photos will conclude his presentation.

Click [here](#) to register for the UPMRA Convention.



**RESOURCE INFORMATION FOR MAUI WILDFIRES ON HAWAII ENERGY
MARKETERS ASSOCIATION (HEMA) WEBPAGE**

It has been a heartbreaking time in Hawaii with the tragic loss of lives, homes, and businesses on Maui due to the devastating wildfires. As an organization, but also as individual citizens and operators in the communities, our thoughts will continue to be with all who have been affected by this tragedy.

HEMA is actively collaborating with our Member Companies to provide practical aid during this crisis. For those seeking to extend a helping hand, our resources page offers avenues to donate, along with crucial information for those directly affected by the wildfires. Together, we strive to rebuild and heal.

[CLICK HERE FOR THE HEMA RESOURCES](#)

The following information provided by:
EMA-Energy Marketers of America



OSHA TAKING NEXT STEPS IN EXTREME HEAT RULEMAKING

EMA continues to follow the Occupational Safety and Health Administration's (OSHA) efforts to develop a permanent standard related to heat illnesses and injuries for both outdoor and indoor workers. The Agency is convening a "small business advocacy review" ("SBAR") panel to advise it on potential regulatory options for the proposed rule expected later this year or in early 2024.

OSHA does not currently have in place a heat-related or heat stress standard. The Agency instead has enforced heat-related workplace hazards through its "General Duty Clause," which requires employers to provide a work environment that is free from recognized hazards that can cause death or serious physical harm. Since 2015, OSHA has stepped up its heat-related inspections, and the Agency launched a National Emphasis Program last year, targeting certain workplaces where injuries and illnesses are prevalent during high heat conditions. Additionally, California, Oregon and Washington have state heat standards for outdoor workers, while Minnesota regulations covers only indoor employees.

EMA has shared its concerns to the Small Business Administration with a regulatory approach by OSHA that imposes complicated requirements that are triggered when the heat index (temperature and relative humidity) exceeds 80 degrees. Wide swaths of the country exceed this threshold for many parts of the year. "Water, rest, and shade" are proactive measures used for years by energy marketers that EMA has said should be the backbone of any OSHA rulemaking.

UPDATE ON SWIPE FEE SETTLEMENT CASE

The last relevant event in the settlement of the \$5.5 billion dollar Visa/Mastercard Swipe Fee litigation occurred on March 16, 2022, when a federal Court of Appeals in New York heard argument on several appeals from the US District Court's earlier approval of the settlement. One of the appeals was joined by EMA, which challenged the approval of the settlement on the grounds that it may provide no settlement funds to branded marketers. EMA argued that the US District Court should have decided whether branded marketers would be entitled to receive any settlement funds before marketers had to choose whether to remain in the settlement class or opt out of the class to challenge the settlement. Many branded marketers chose to remain in the settlement class, thus giving up their right to challenge the settlement, even though their ability to share in the settlement proceeds has not yet been decided.

The decision on this issue will be decided by a special master appointed by the court, who will decide whether major oil companies or their branded wholesalers and retailers will be the ones entitled to funds based on sales of gasoline at branded sites. EMA and a number of other associations appealed the Court's approval of the settlement, and asked the Court of Appeals to supersede the lower court's special master decision with a ruling that branded retailers are eligible to collect from the settlement fund. After the Court of Appeals denied EMA's request, the lower court began considering a group of retired judges to serve as special master but, to date, no special master has been appointed. Once the special master has been appointed, EMA's counsel will make a presentation on behalf of branded retailers and their eligibility to participate in the settlement.

Please note that there should be no problem with respect to unbranded sales processed by World Pay, First Data or other commercial processing companies. The only issue relates to branded retailers who process card transactions through their major oil company branded suppliers.

URGE LAWMAKERS TO SUPPORT THE CREDIT CARD COMPETITION ACT

EMA encourages you to continue your outreach over August recess while members are at home to let them know that you want them to cosponsor/support this important legislation. The banks are using every single tool possible to prevent this important legislation from getting to the floor and threatening that credit card rewards will disappear. In a new research paper released recently, global payments consulting firm CMSPI estimated that credit card rewards would be reduced by less than one-tenth of 1 percent "at most" if the legislation becomes law.

[URGE LAWMAKERS TO COSPONSOR S. 1838/H.R. 3881](#)

EMA'S FALL MEETING AT THE NACS SHOW 2023 REGISTRATION IS NOW OPEN

EMA will hold its Fall Meeting in conjunction with the NACS Show on October 2-3 at Courtland Grand Hotel, Trademark Collection by Wyndham (formerly Sheraton). The EMA meeting will begin with a New Attendee Orientation mid-afternoon on October 2 followed by the Federal Legislative Update. NACS/EMA Reception Salute to State Association Executives (all EMA members are welcome) will follow at Georgia World Congress Center Hunter Club Lounge. On the morning of October 3, there will be a Buffet Breakfast followed by Region and Committee Meetings. The EMA Board of Directors meeting is scheduled after the Distinguished Service Award Luncheon honoring Arkansas Marketer Steve Turner exclusively sponsored by EMA Board of Directors Council Partner Federated Insurance.

[CLICK HERE FOR EMA FALL MEETING AT THE NACS SHOW INFORMATION!](#)

***Please note that the NACS Show registration is separate from EMA's Fall Meeting registration.*

EMA MEMBERS CODE FOR NACS SHOW 2023 REGISTRATION

Please register for the 2023 NACS Show in Atlanta, Georgia from October 3 – 6 and use the EMA NACS Show Registration Code below.

EMA Registration Code

EMANS2023

[CLICK HERE TO REGISTER FOR THE NACS SHOW!](#)

Questions registering? Contact NACS Show registration customer service at nacs@maritz.com or 469-513-9489, Monday-Friday, 9:00 a.m. – 5:00 p.m. EST, for assistance.

WEEKEND READS

[Shocking Candor on Fuel Standards - WSJ](#)

[Dealers Are Turning Away Electric Cars as Demand Cools \(businessinsider.com\)](#)

[Hawaiian Electric faces disaster as Maui wildfire, climate expose vulnerable grid \(axios.com\)](#)

[Hurricane season threatens to stir volatility for oil and gas prices | Morningstar](#)

[Chances of costly UAW strike extra high amid Biden's electric vehicle push \(axios.com\)](#)

[EVs have more problems with new tech than gas vehicles: J.D. Power](#)



**IT'S OUR BUSINESS
TO PROTECT YOURS**

**FEDERATED
INSURANCE**
Risk Management
ACADEMY

LEARN
to help prevent the losses chipping away at your bottom line.

CONNECT
with industry peers facing similar challenges and insurance professionals committed to helping your business thrive.

NOVEMBER 7-9, 2023

You are invited to attend an exclusive, complimentary Risk Management Academy session hosted by Federated Mutual Insurance Company.

1. Losses impacting your industry,
2. Connect with industry peers facing similar challenges, and
3. Apply risk management best practices that make a difference at your business.

KEY AGENDA ITEMS:

- Risk Managing Your Drivers
- Managing Your Workers Compensation
- Employment Practices Risk Management
- Claims Management
- Fire Prevention – Best Practices
- Family & Business Succession Planning
- Underwriting Your Business
- Employee Selection and Retention
- Cyber Risk Management
- mySHIELD® – Federated's Online Client Portal

Business owners are encouraged to attend.

REGISTER HERE



EMA JOURNAL - The Official Publication of the Energy Marketers of America

Check out the EMA Journal anytime online by clicking [here](#).

EMA Spring Journal is the current issue [online](#). EMA Journal's Fall issue can be retained as a reference guide year-round by our members and you can take [the digital edition](#) with you wherever you go. Scroll to select the articles that catch your eye, then share the content with the icons at the top of your screen. Archived covers are handy on the left side of your browser or use the convenient search feature to find a specific topic. If you prefer to read with pages that flip, select "page view" from the menu bar for a classic page-turner. The Journal recently adjusted to three issues per year.



CLICK HERE FOR THE CURRENT ISSUE OF THE WPMA NEWS MAGAZINE

The **WPMA NEWS** currently serves EIGHT independent petroleum and convenience store associations.

In this publication you will find WPMAEXPO highlights, along with reports on legislative issues, policies, state highlights and upcoming events. You'll get the latest on national issues and regulations, Scholarship updates, featured Associate articles, Associate listings and more.

Interested in a previous *WPMA News* issue? Click [HERE](#).



Jesse Watters currently serves as the host of *Jesse Watters Primetime* (weekdays, 7PM/ET) and co-host of *The Five* (weekdays, 5-6PM/ET) on *FOX News* and Author of the #1 New York Times Best Selling Book, "How I Saved The World."

He joined Fox News in 2002 as a production assistant. On *Jesse Watters Primetime*, Jesse takes on compelling guests and top newsmakers with his original style and fun personality. In March 2017, he aired an exclusive interview with President Donald Trump aboard Air Force One.

On *The Five*, Jesse is part of a roundtable ensemble of FNC personalities who discuss, debate and even debunk the hot news stories, controversies and issues of the day. In 2003, Jesse made his on-camera debut as a correspondent for *The O'Reilly Factor*.

While working with the program, he showcased his popular man-on-the-street interviews, traveling to different locations while quizzing individuals about politics, pop culture, and current events. Jesse graduated from Trinity College with a Bachelor of Arts in history.

PLEASE NOTE UPCOMING DATES FOR WPMA EVENTS

October 25-27, 2023 - UPMRA Utah Convention - Hilton Garden Inn - St. George, UT

February 20-22, 2024 - WPMAEXPO - Mirage/Hard Rock Resort - Las Vegas, NV

April 25-26, 2024 - Nevada (NPM&CSA) Big Dogs - Red Rock & Siena Golf Course - Las Vegas, NV

June 4-5, 2024 - Montana (MPMCSA) Convention - Fairmont Hot Springs Resort - Fairmont, MT

June 17-19, 2024 - Washington Energy Convention - Suncadia Lodge - Cle Elum, WA

August 7-9, 2024 - Idaho (IPM&CSA) Convention - Coeur d'Alene Resort, Coeur d'Alene, ID

REGISTRATION IS OPEN FOR THE FOLLOWING EVENT



UTAH CONVENTION

Click [here](#) to see Schedule of Events for the UPMRA Convention held October 25-27 at the Hilton Garden Inn, St. George, UT.

Choose your attendee type to register: [Attendee](#) or [Exhibitor](#)



Petro Pete: I can tell when people are being judgmental just by looking at them.

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