



— VIRGINIA SOCIETY of —  
ASSOCIATION EXECUTIVES

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August 2022



## No Seminar, Just Networking and FUN!

Join fellow VSAE members for a fun-filled End-of-Summer Celebration on **Thursday, September 1 from 12:00 to 4:00 pm** at the breathtaking **Independence Golf Club** in Midlothian, Virginia.

Enjoy a networking reception and luncheon followed by an assortment of fun activities, including a Par-3 course, Footgolf, Disc Golf, and other lawn games. In addition to enjoying time with fellow VSAE members, explore Independence’s unique meeting and event space options. Independence Golf Club is graciously sponsoring all activities free of charge.

### AGENDA

<b>Registration Opens</b>	11:30 am	<b>Luncheon</b>	12:30 - 1:30 pm
<b>Reception</b>	12:00 - 12:30 pm	<b>Activities</b>	1:30 - 4:00 pm

Learn more and register at [vsae.org/calendar](https://vsae.org/calendar)

## What New Research Is Saying About Today’s Workplace Models

It’s been more than two years since the pandemic shifted the way we work, and researchers are now offering deeper insights about what’s changed. Remote work is temporarily moderating wage growth and may increase diversity, equity, and inclusion. However, some workers—particularly Gen Z—want more in-office presence.

With the world of work having forever changed with the pandemic, association leaders are trying to find the right fit for their organization. But the right fit likely depends on a number of factors, including the characteristics of the employees at your workplace.

Researchers have been studying new workplace modalities and have released a variety of

findings that can guide associations still fleshing out remote and hybrid work policies.

### Remote Work Moderates Wages

The appetite for remote work among knowledge workers is high, according to the July 2022 Future Forum Pulse Summer Snapshot. “The number of knowledge workers

*continued on page 7 >*

### UPCOMING EVENTS

**THURSDAY, SEPTEMBER 1**  
**End-of-Summer Celebration**  
Independence Golf Club

**MONDAY, SEPTEMBER 12–**  
**TUESDAY, SEPTEMBER 13**  
**CEO & SENIOR STAFF RETREAT**  
The Cavalier Hotel

**THURSDAY, SEPTEMBER 22**  
**NOVA Seminar Series**  
Whiteford Taylor  
& Preston, LLP

**WEDNESDAY, OCTOBER 5–**  
**THURSDAY, OCTOBER 6**  
**Fall Conference & Expo**  
Hilton Richmond Downtown  
& Greater Richmond  
Convention Center

**FRIDAY, NOVEMBER 4**  
**Seminar with Lunch**  
Virginia Crossings, Tapestry  
Collection by Hilton

**FRIDAY, DECEMBER 2**  
**Awards Luncheon**  
**& Silent Auction**  
Hilton Richmond Hotel  
& Spa at Short Pump

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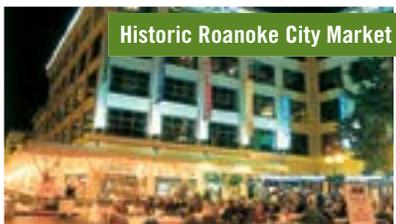
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# Leadership reflections



Terry Monroe, MBA, CAE  
VSAE Executive Director

Walking into a new situation and feeling like you're in over your head. Having an owner/board with their own agenda. Building respect and trust with employees and co-workers. A day in the life of an association executive? Maybe. In fact, these are themes from the hit TV series, *Ted Lasso*. Underlying the show's warmth and humor are multiple leadership lessons. Here are six of my favorites.

## Have Biscuits With the Boss

Each morning Ted brings his boss biscuits he's baked the night before. The biscuits are more than a kind gesture, they provide Ted an opportunity to spend time developing and strengthening their relationship. As Ted explains, "We can't be good partners unless we know each other."

You don't have to bake biscuits each morning to build your professional relationships (though it couldn't hurt!). Whether it's the boss, a co-worker, or a colleague, invest the time in creating honest and meaningful relationships.

## Avoid the Panic and Snooze Buttons

As leaders, we often deal with unexpected situations and must make decisions with imperfect information. After a series of ties (draws), a reporter asks Ted, "How many more matches do you think can end in a draw before you hit the panic button?" to which Ted responds, "There's two buttons I never like to hit, all right? And that's 'panic' and 'snooze.'"

Avoid the panic and snooze buttons. No matter the challenge or crisis, remain calm and clear headed. Also, don't sleep on changes happening around you. Ignoring change and hoping you can ride out the storm is often a recipe for failure.

## Be a Goldfish

Not all decisions work out for the best. That's ok provided you can learn from them and move on. Most importantly, don't dwell on what you should have done. Have a short-term memory.

# Leadership Lessons from Ted Lasso



**(Ted) cares about people enough to believe in them, which takes his leadership from good to transformative.**

As Ted says to one of his players after a poor game, "You know what the happiest animal on Earth is? It's a goldfish. You know why? Got a ten-second memory. Be a goldfish." Remember to let the harmful stuff go and keep the happy, good things saved for when you need them most.

## Be Curious

It's not unusual for new and even seasoned executives to experience "imposter syndrome." Ted doesn't worry about that, instead, he openly acknowledges his lack of experience saying, "You could fill two internets with what I don't know about football (soccer)."

While he doesn't have all the answers, he's not afraid to ask questions and encourages input from the coaching staff and players. Ted's philosophy (courtesy of Walt Whitman)—

*continued on page 4 >*



ceo +  
senior  
staff  
retreat

september 12-13, 2022  
the cavalier virginia beach

## Leading With Purpose: Foresight, Agility & Innovation

This exclusive two-day event for association CEOs and other senior staff leaders is focused on equipping you to lead your association now and into the future. Educational sessions and in-depth discussions will provide insights and tools so you will walk away with new energy and innovative ways to approach your association leadership style.

### MONDAY, SEPTEMBER 12

- 9:00 a.m. **Opening Remarks**
- 9:15 a.m. - 12:15 p.m. **Scenario Planning for Innovation and Agility**  
COVID, the economy, global challenges, technology, politics... we'll look ahead and assess the future landscape and the ways it may affect your organizations, clients and members, and employees, with group exercises where we model several of these priorities into a set of future states and discuss their potential impacts.
- 12:15 - 1:15 p.m. **Networking Lunch**
- 1:30 - 4:30 p.m. **Taking Stock with a Human Needs Assessment**  
Reflecting on the current state of employees and volunteers—energy and engagement, attitude and mindset, needs and aspirations – can be important framing for the future. We'll identify questions to ask internal stakeholders to clarify and validate our leadership perspectives.
- 6:00 - 7:00 p.m. **Reception**
- 7:00 - 9:00 p.m. **Dinner**
- 9:00 - 10:30 p.m. **Dessert & Cocktails**

### TUESDAY, SEPTEMBER 13

- 7:30 - 8:30 a.m. **Breakfast**
- 8:30 - 11:30 a.m. **Your Personal Leadership SWOT**  
Each participant will conduct their own "personal SWOT" to take stock at a personal leadership level and to map out best opportunities going into 2023.
- 11:30 - 11:45 a.m. **Closing Remarks**



LEARN MORE AND REGISTER AT [VSAE.ORG/CEORETREAT](https://vsaе.org/ceoretreat)

**Ted Lasso**, continued from page 3 >  
"Be curious, not judgmental." Being curious and asking questions enables us to understand and learn more and assume and judge less, resulting in stronger relationships while also helping others learn to be their best.

### Make the Tough Call

Every leader is confronted with having to make difficult decisions. While Ted is open to other's opinions, he isn't afraid to make the tough (and unpopular) calls for the good of his team. Nor does he hesitate to act when confronted with an individual whose behavior is counter to what's best for the team.

After repeated efforts to get his star player to have a team-first mindset, he makes his point by benching that player at a crucial moment in a match. As Ted puts it, "I think that you might be so sure that you're one in a million, that sometimes you forget that out there, you're just one of eleven." Whether leading a project team or an entire organization, good leaders step up and make the tough calls as required.

### Believe

At Ted's core is his optimism and kindness. He cares about people enough to believe in them, which takes his leadership from good to transformative. As he says, "I believe in believe."

For Ted, "success is not about the wins and losses. It's about helping these young fellas be the best versions of themselves on and off the field." When a leader believes we're capable of becoming better versions of ourselves, it gives us reason to trust. When they back up those beliefs with action, it solidifies that trust.

On September 12-13, get ready to channel your inner Ted Lasso at VSAE's **CEO & Senior Staff Retreat**. This year's theme is "Leading With Purpose: Foresight, Agility & Innovation." Learn more and register at [VSAE.org/ceoretreat](https://vsaе.org/ceoretreat).

# IRS Clarifies Royalty Income Considerations for Job Board Revenue

Associations are logical places for individuals and employers to connect about job opportunities. With both individuals and employers coming to associations for information, it makes sense for associations to try to facilitate these connections and a common way to do that is through a job board. In addition to being great resources for individuals and organizations within a profession, job boards can also be a good source of non-dues revenue to the association. However, the Internal Revenue Service (IRS) has re-affirmed non-dues revenue from a job board can be taxable as unrelated business income (UBI) even if designated as a royalty.

## Non-Dues Revenue and UBI

Since non-dues revenue generally encompasses revenue from sources other than membership fees, it is important to make sure that the activity generating the non-dues revenue is evaluated properly to determine whether the revenue may be taxable as UBI. Generally, if a particular activity is (1) a trade or business, (2) is not substantially related to the organization's tax-exempt purposes, and (3) is regularly carried on by the association, then the revenue from the activity may constitute UBI. However, non-dues revenue can also be exempt from tax. Section 512(b)(2) of the Internal Revenue Code (IRC) states that royalties are excluded from UBI.

## Non-Dues Revenue as Royalties

Courts have identified certain circumstances when exempt organizations may treat non-dues revenue as royalties. In *Sierra Club, Inc. v. Commissioner*, the Ninth Circuit stated that royalties can be payments that are received for the right to use intangible property rights, such as payments for the rental of a mailing list.



However, in *Arkansas State Police Association v. Commissioner*, the Eighth Circuit found that substantial participation and control of the activities negated the Association's claim to exempt royalties. Following these court decisions, the IRS has generally held that payments for the use of trademarks, trade names, service marks, copyrights, and the right to use an intangible asset are ordinarily classified as royalties. However, royalties are not payments for services.

In order to reconcile these requirements, some associations have outsourced functions like a job board that generate non-dues revenue to a third party. The third party manages and controls all of the operations of the job board

and pays the association a royalty for the use of the association's name, logo, and membership list, while the association maintains an entirely passive role in the function of the job board. Under these circumstances, the association can make an argument that its treatment of payments from the third party administering the job board as royalties complies with the IRS requirements detailed above.

## When "Royalty" Income is Taxable

In 2020, the IRS issued a Technical Advice Memorandum (TAM) that found the "royalty" income from exempt organization's online job board to be taxable income. A few of the factual

*continued on page 6 >*



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issues that the IRS identified included the following:

### No Licensing of Trademark or Other Intangible Property

In the contract between the organization and the vendor, there was no mention of the use of the organization's property by the vendor. In fact, the online resources, including the website used for the job board, belonged to the organization and not the vendor.

### Organization Received Most of the Income Generated from the Job Board

Almost all income from certain uses of the job board, including advertising income, went to the organization. Although there was a fee charged by the vendor, as well as a credit card transaction fee, those fees were only a small percentage of the revenues generated by the job board. In certain cases, 100 percent of the income was distributed to the organization.

### Vendor Provided Services to the Organization, Not the Job Board Users

In the agreement between the organization and the vendor, the parties unfortunately referred to users of the job board as the organization's rather than the vendor's "clients." Also, the agreement included fees that the organization would pay to the vendor for services such as billing and collecting payments from users, and providing technical support/customer service to users. The IRS concluded that because of the language of the agreement, the vendor was actually servicing the organization and not the users, and that the funds paid to the organization were not royalties, but instead were the fees that the vendor was collecting from users on behalf of the organization.

### Conclusion

Simply designating non-dues revenue as royalties does not allow an association to

exclude that revenue from UBI, particularly when the revenue is generated as a fee for services. However, there may be circumstances that may allow an association to treat non-dues revenue, such as revenue from a job board, as royalty income excluded from UBI. If you have any questions or concerns about the way your association is currently utilizing non-dues revenue, our attorneys can help you review your situation to identify and address any potential UBI considerations.

### ABOUT THE AUTHOR



**Mark C. Franco, ICE-CCP**, counsel with **Whiteford Taylor & Preston, LLC**, assists associations, nonprofit organizations and small businesses on corporate legal matters

including formation, tax, contracts, compliance, employment, fundraising, intellectual property, privacy, data security and governance. He can be reached at [mfranco@wtplaw.com](mailto:mfranco@wtplaw.com).

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> Workplace, continued from page 1

who want to be in the office full-time dropped to 20 percent, the lowest point in two years of surveying,” the report said.

The research also found that remote workers were more likely to be satisfied with their flexibility (39 percent), work environment (35.4 percent), and work-life balance (33.2 percent) than those who worked in their employer’s office. In-office workers had the lowest satisfaction for flexibility (18.1 percent), work environment (21.6 percent), and work-life balance (17.1 percent). Hybrid workers fell in the middle.

The higher experience scores for remote work are keeping wage growth low, even in a period of high inflation, according to a July 2022 working paper [PDF] from the National Bureau of Economic Research. Although inflation often leads to increased wages, some employers are offering more remote work due to its high “amenity value” rather than raising salaries, the researchers note.

“Thirty-eight percent of firms expanded remote-work opportunities over the past year to moderate wage growth pressures, and 41 percent expect to do so in the coming year,” the report says.

However, don’t think that liberal remote work policies will give you a pass on raising wages long-term. “The wage-growth restraint effect is a transition phenomenon that operates as compensation packages adjust to higher remote-work levels,” the report says. At the point remote work becomes more normative, workers will expect higher wages, so associations should be prepared.

### DEI Efforts Likely to Improve

Meta, the rebranded company that owns Facebook, Instagram, and other social networking platforms, last month released its 2022 Diversity Report, showing that diversity in its workforce skyrocketed with the increase in remote work. In the past, Facebook has been criticized heavily for its lack of diversity.

The recent report, however, notes that “U.S. candidates who accepted remote job offers were substantially more likely to be Black, Hispanic, Native American, Alaskan Native, Pacific Islander, veterans, and/or people with disabilities.”



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This is Virginia’s annual premier event for association executives, professional meeting planners, and others who are involved with holding meetings or events. Interact with representatives from meeting venues and service providers throughout the Commonwealth and beyond in the Exhibit Hall. Enjoy the insights of high-caliber content leaders on a variety of issues affecting the association industry. All while networking with your association peers!

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While Meta has taken other steps to increase diversity, its expansion of remote work opportunities helped it reach its 2024 goals two years early by broadening the pool of talent available.

In a related finding, the Future Forum study revealed that underrepresented groups had a stronger preference for remote work than other workers. “Flexible work policies are foundational to a company’s diversity, equity, and inclusion priorities,” the report said.

### Young Employees Want In-Person Training

Despite the strong appeal of remote work for many employees, Generation Z—whose workers are 16 to 25 years old—is not here for it.

According to the National Society of High School Scholars Career Interest Survey, only 23 percent of 11,495 high school and college students polled said the ability to work remotely was important to them. Sixty-three percent said they expect in-person workplace training. Generation Z also wants a variety of perks from

employers, including help paying off student loans, tuition reimbursement for post-graduate degrees, and mentoring programs.

While remote work wasn’t high on students’ priority list, 61 percent said they wanted a good work-life balance, and 37 percent wanted a flexible work schedule.

The overall message from all this research is that today’s workers are different: Some love remote work and some don’t. The key for associations’ future workforce strategy is to figure out how to help each employee work in the mode that’s best for them. That may mean having an office that’s available for all employees but not requiring that they come in, except for occasional events and team building.

### ABOUT THE AUTHOR



**Rasheeda Childress** is an associate editor at *Associations Now*. She can be reached at [rchildress@asaecenter.org](mailto:rchildress@asaecenter.org).

**For examples of how associations are navigating the changing employment landscape and restructuring office policies and spaces, check out ASAE’s Deep Dive report, No Going Back: Remaking the Association Workplace at [associationsnow.com/deep-dives/no-going-back-remaking-the-association-workplace/](https://associationsnow.com/deep-dives/no-going-back-remaking-the-association-workplace/)**

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## AROUND THE COMMONWEALTH



Eisenman & Associates is pleased to announce that **Colleen Briley** has joined their team as Director of Meetings & Events.

**Nicole McAllister** is now with **McGuireWoods Consulting, Inc.** in Richmond.



## AMCs Meet in Charlottesville

Thirty-five association management company executives and event sponsors participated in the 2022 AMC Summit on July 12, hosted by the **Omni Charlottesville**. Through presentations and group discussions, attendees addressed issues including:

- Internal Staffing Structure and Managing Turnover
- When to Take on a Client and When to Walk Away
- Developing and Managing Successful Client Relationships

On July 11, a meet and greet was held at the Omni for current and prospective VSAE members in the region.



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