

Congrats New CLMRs!

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Legal Tips for Reps

By Daniel E. Beederman, Esq.
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1. A good oral contract often can be better than a bad written one and just as enforceable.
2. Even without the benefit of a written or oral contract, a sales rep still has a legal basis to be paid for the value of his or her successful efforts.
3. The "Procuring Cause Theory" may allow a rep to recover commissions on orders placed, accepted and/or fulfilled after termination.
4. Thirty-seven states and Puerto Rico have enacted "Sales Rep Statutes" which are intended to protect sales representatives and (depending on the state) to allow a rep to recover up to three times the amount of unpaid commissions, plus attorneys' fees. Also, some statutes prohibit the termination or non-renewal of a sales representative agreement under certain circumstances, regardless of what the agreement states.
5. The best way to avoid disputes with principals is to read and fully understand the rep agreement before signing it; not to be hesitant of trying to negotiate better terms; and to be prepared to walk away from a proposed bad contract.

Call Dan at 312-648-2300, ext. 303, to schedule a no-charge, 30 minute consultation during the ALA Annual Conference.

Alco Lighting Sales Uses Seminars to Connect with Showroom Customers

As the sponsor of ALA training seminars in his area for the last 14 years, Alan Colker of Alco Lighting Sales Inc. in Richmond, Va., has successfully built and maintained relationships with his showroom customers while providing a tool to increase sales area-wide.

"Back in 1996, ALA regional seminars were only provided in the larger metropolitan areas, and my territory in southern Virginia was missing the opportunities to network with other successful showrooms, manufacturers' reps and designers and to learn the business specifically tailored to lighting sales," explains Colker. "The responses I've received over the years indicate that I am definitely supplying a necessary tool for my customers."

Usually taking place twice a year, Colker's seminars last all day and are held in a local hotel's meeting space. Weeks before, Colker emails the seminar date and agenda to area showrooms along with an overview of the topics to be covered and a registration form. Attendees opting to arrive the day before the seminar are invited to a reception hosted by Alco Lighting Sales at the hotel.

Colker uses the face-to-face time with attendees to develop more personal relationships with his customers, but his overall goal is to increase the lighting expertise and confidence of the showroom sales people attending, resulting in increased sales.

"The greater the knowledge, the greater the sales," he explains. "This is a win/win for everyone. These seminars help showroom sales people do their job better. They can work smarter, not harder for each sale."

The seminars also give attendees the chance to network with colleagues from southern Virginia, providing more localized problem solving interactions.

Colker's advice for reps interested in hosting similar events is to select relevant, cutting edge topics, such as "Lighting Design for Energy Efficient Homes," and secure a dynamic speaker.

"We use Joe Rey-Barreau, University of Kentucky Associate Professor, College of Design, as the main educator, so there is much more to the education than just product," Colker says. "Joe's expertise and research interest is in the studies of the luminous environment and its relationship with the built environment, and he brilliantly educates our attendees on all that is relevant to making them better lighting sales people. Every attendee has given us praise for time well spent off the showroom floor."

Colker also suggests that sponsoring reps budget for some expenses.

"Although I try to break even, it hasn't always been possible," he notes. "We charge \$135 for the day and usually have between 25 and 35 attendees."

Still, Colker firmly believes that the seminars are worth any expense his business incurs, and he and his son, Mitch, who joined the agency full time in 2007 and has helped sponsor the last six seminars, plan to continue offering them.

"We are appreciative of all of our customers," Colker says, "and this is a small way that we can give them a little more back."

For information on sponsoring ALA regional seminars, contact Nici Juneau at njuneau@americanlightingassoc.com.

