

ALERT

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 **CalChamber**
CALIFORNIA CHAMBER OF COMMERCE

Action Needed: Stop Costly, State-Run Health Care



Health Care

The California Chamber of Commerce is urging members to **speak out against** a costly job killer proposal to establish a government-run, single-payer health care system in

California.

SB 562 (Lara; D-Bell Gardens/Atkins; D-San Diego) will cost employers and taxpayers billions of dollars and result in significant loss of jobs in the state.

The financing mechanism for the bill remains unspecified, but is certain to penalize responsible employers and individuals and result in significant new taxes on all Californians and California businesses.

View testimony online by CalChamber Policy Advocate Karen Sarkissian detailing the huge financial burden SB 562 will create at calchamber.com/videos.

Unsustainable Costs

The nonpartisan Legislative Analyst's Office estimated in 2008 that a government-run, single-payer health care system

See Action Needed: Page 4

Business Owners Come to Sacramento to Explain Problems with Gender Tax Bill



Photo by Sara Espinosa

(From left) Small business owners Francisca Dumlao, Rosie Quintana and Graciela Fountain meet with CalChamber Senior Policy Advocate Jennifer Barrera before visiting legislators to explain the practical problems that will be created by a proposed gender tax bill due to be considered by the Assembly. See story at right and video at www.calchamber.com/videos.

Gender Tax Bill Raises Litigation Concerns for California Businesses



The California Assembly will soon be considering a California Chamber of Commerce-**opposed** job killer bill that could require businesses to

settle consumer complaints with a minimum of \$4,000 in damages or face further costly litigation.

AB 1576 (Levine; D-San Rafael) has been identified as a job killer because it will create the same type of litigation environment that has plagued the business community with respect to disability access.

The bill proposes to significantly amend the Gender Tax Repeal Act of 1998 so that businesses could easily be sued for a consumer's assertion that there was a price difference for substantially similar goods due to the gender of the intended user.

Costly Litigation

Although the recent amendments to AB 1576 provide a limited list of "gender-neutral" reasons a good may be priced differently, proof of those reasons will come up only after litigation has already been filed and costs and attorney's fees incurred.

"AB 1576 would create a situation where a consumer could go to a separate retailer or even the same retailer daily and purchase multiple items the consumer

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Labor Law Corner

Work with Employee on Reasonable Accommodation for Health Issue



Dana Leisinger
HR Adviser

Our employee is having seizures but continues to work and doesn't ask for any accommodations; what are our obligations?

First and foremost, the health and safety of the employee must take precedence. Should 911 be called? Is there a contact number for someone to call? Is the employee working a physical job that could further endanger him and/or other

employees? These are questions to ask and ascertain, and these are the immediate obligations.

Many health issues are not readily apparent, and any resulting impact on work performance should be addressed strictly as performance issues. It is not the employer's obligation to pry into employees' health issues.

If the employee discloses a health issue, however, that opens the door to possible accommodation. In this situation, the health condition also is opened up to the employer due to the employee's seizures in the workplace. This brings the employer's next obligation under the Americans with Disabilities Act (ADA) and California's laws protecting people with disabilities under the Fair Employment and Housing Act (FEHA) to work with the employee.

Interactive Process

Once an employer is made aware of a disability impacting on an employee's performance or the workplace, there must be interaction with the employee, commonly known as the "interactive process." This is when the employee and employer meet, and discuss the limitations and a reasonable accommodation.

There is no precise definition of a reasonable accommodation, in part because the ADA and FEHA don't want employers to point to a "line in the sand" and claim they have done everything they have to do and that's it. What's reasonable for an employer of 500 employees

may not be reasonable for an employer with 33 employees.

It is not just up to the employer to come up with ideas; the employee also should provide input because it is her/his disability and she/he could provide ideas that would not occur to the employer.

It also is helpful to get the employee's doctor's notes with restrictions. Working together, both parties often can come up with a solution that is very doable. Indeed, when the ADA first was enacted, there were studies noting that the vast majority of accommodations cost the employer \$50 or less.

Reasonable Accommodation

This is a broad topic that can be addressed only lightly within the scope of this article. When there are no apparent accommodations that can resolve the issue, it is important to remember that the accommodation must be a *reasonable* one.

A conclusion that there are no reasonable accommodations available should come after a few meetings with the employee to come up with ideas.

If the problem cannot be resolved, it is advisable to retain counsel to review the facts before a termination.

The Labor Law Helpline is a service to California Chamber of Commerce preferred and executive members. For expert explanations of labor laws and Cal/OSHA regulations, not legal counsel for specific situations, call (800) 348-2262 or submit your question at www.hrcalifornia.com.

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CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor Law

Preventing Discrimination in the Workplace. CalChamber. May 18, Live Webinar. (800) 331-8877.

HR Boot Camp. CalChamber. May 25, San Diego; June 6, Santa Clara; August 24, Thousand Oaks; September 6, Beverly Hills. (800) 331-8877.

Nothing Ordinary About Local Ordinances in California. CalChamber. June 15, Live Webinar. (800) 331-8877.

Leaves of Absence: Making Sense of It All. CalChamber. August 18, Sacramento; June 22, Huntington Beach.

(800) 331-8877.

Meal and Rest Break Rules. CalChamber. September 21, Webinar. (800) 331-8877.

International Trade

Seoul Food and Hotel 2017. California Asian Pacific Chamber of Commerce. May 14-21, Seoul, Korea. (916) 389-7484.

Impact of Tax Reform Proposals on Bay Area and Japanese Business. Japan Society of Northern California. May 16, San Francisco. (415) 986-4383.

23rd Inland Empire Annual World Trade Conference. California Inland Empire
See CalChamber-Sponsored: Page 6



California Supreme Court Answers ‘One Day’s Rest in Seven’ Questions



Under California law, employees are entitled to “one day’s rest in seven.” But what, exactly, does that mean?

On May 8, the California Supreme Court answered three

questions related to seventh day of work rules (*Mendoza v. Nordstrom Inc.*, No. S224611 (May 8, 2017)). These questions are important for California employers and provide guidance on how they can schedule employees. Overall, the California Supreme Court’s answers were helpful for employers.

Background

Christopher Mendoza, a former employee of Nordstrom, Inc., filed this case as a class action lawsuit. Mendoza claimed that he was asked on several occasions to fill in for another employee, with the result that he worked more than six days in a row. During each of these periods, some, but not all, of Mendoza’s shifts lasted six hours or less.

Mendoza filed his case in federal court alleging Nordstrom violated state labor laws by allowing employees to

work seven or more days in a row, but the federal Ninth Circuit Court of Appeals asked the California Supreme Court to resolve the following unsettled questions before it could issue its decision.

The California Supreme Court has now provided the following answers, and the case will return to the Ninth Circuit for a decision on the underlying case.

Question 1

Is the required day of rest calculated by the workweek, or is it calculated on a rolling basis for any consecutive seven-day period? This question is important because it’s likely most employers currently use the workweek approach.

Take the following example, which comes from the case. An employer has a workweek that begins each Sunday and schedules an employee to work as follows:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
OFF	WORK	WORK	WORK	WORK	WORK	WORK
WORK	WORK	WORK	WORK	WORK	WORK	OFF

If the law applies to each workweek, the employer has not violated it. If the law applies to any consecutive seven days, as Mendoza argued, the employer violated it.

Answer 1

“A day of rest is guaranteed for **each workweek**. Periods of more than six consecutive days that stretch across more than one workweek are not per se prohibited [emphasis added].” In other words, in the example above, there would not be a per se violation.

Question 2

How does the exemption for part-time employees work? The Labor Code exempts employers from providing a day of rest “when the total hours of employment do not exceed 30 hours in any week or six hours in any one day thereof.”

Does this exemption apply “so long as an employee works six hours or less on at least one day of the applicable week, or does it apply only when an employee works no more than six hours on each and every day of the week?”

Answer 2

“The exemption for employees working shifts of six hours or less applies only to those **who never exceed six hours of**

work on any day of the workweek. If on any one day an employee works more than six hours, a day of rest must be provided during that workweek, subject to whatever other exceptions might apply [emphasis added].”

Question 3

The Labor Code states that no employer “shall cause his employees to work more than six days in seven.” The question here relates to what the word “cause” means: “What does it mean for an employer to ‘cause’ an employee to go without a day of rest: force, coerce, pressure, schedule, encourage, reward, permit, or something else?”

What if an employee chooses to work an extra shift? Is that OK?

Answer 3

“An employer causes its employee to

go without a day of rest when it induces the employee to forgo rest to which he or she is entitled. An employer is not, however, forbidden from permitting or allowing an employee, fully apprised of the entitlement to rest, independently to choose not to take a day of rest.”

According to the court, the employer can’t conceal the right to rest and can’t take any action to encourage employees to forgo rest.

Conclusion

This decision provided much-needed guidance to California employers.

An important note for employers: Make sure you designate your workweek. If you do not set a designated workweek, the law presumes a workweek of 12:01 a.m. Sunday to midnight Saturday.

Keep in mind that there are also increased overtime pay requirements if an employee does choose to work seven consecutive days in a workweek—time-and-one-half for the first eight hours worked on the seventh consecutive day of the workweek and double time for hours worked beyond eight.

Staff Contact: Gail Cecchetti Whaley

CalChamber Calendar

Capitol Summit:

May 31, Sacramento

International Forum:

May 31, Sacramento

Education Committee:

May 31, Sacramento

Water Committee:

May 31, Sacramento

Environmental Policy Committee:

May 31, Sacramento

Fundraising Committee:

May 31, Sacramento

Host Breakfast:

June 1, Sacramento

Board of Directors:

June 1, Sacramento

Action Needed: Stop Costly, Government-Run Health Care

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would cost more than \$210 billion in the first year alone and up to \$250 billion annually in subsequent years.

Even with the 12% tax on employers and employees under that proposal, the LAO predicted a net shortfall of \$42 billion in the first year the system was implemented and even higher thereafter.

The LAO estimated that just to cover the shortfall would require a tax of 16% on employers and employees—a multibillion-dollar tax increase.

Employer Disincentive

A payroll tax increase such as the one needed to finance SB 562 will have a detrimental impact on businesses in California and discourage companies from locating and establishing business here.

A large payroll tax would penalize responsible California employers and be a deterrent and disincentive to new employers. In addition, payroll tax increases would likely lead to job layoffs as existing businesses and employers would be forced to cut costs to sustain the added new tax burden.

Reduced Service, Access

Although SB 562's goal of providing health coverage for all Californians is laudable, establishing a single-payer state-wide bureaucracy is the wrong approach.

It will lead to significant budget shortfalls year after year that ultimately



CalChamber Policy Advocate Karen Sarkissian details the huge financial burden SB 562 will create. See video at www.calchamber.com/videos.

will require drastic cuts in services, reducing the level and quality of health care and benefits currently enjoyed by millions of Californians.

Government-controlled single-payer systems in Canada and the United King-

dom have led to long wait times to see a physician and fewer choices in doctors and coverage. The same is likely to occur with SB 562.

Under current law, consumers who wish to buy more, less or different coverage than others often can make those choices, just as those who have other priorities can exercise them in the market. Under SB 562, one size fits all, no matter what the individual's preference might be.

Action Needed

California has made significant progress in providing coverage to its residents. While CalChamber shares the concerns about further increasing access to and affordability of health care, a government-run single-payer health care system will not achieve these goals.

SB 562 will be considered next by the Senate Appropriations Committee; no hearing date has been set.

Contact your senator and members of Senate Appropriations and urge them to **oppose SB 562** as a job killer.

Find an [easy-to-edit sample letter](http://www.calchamber.com) at www.calchamber.com.

Staff Contact: Karen Sarkissian

Gender Tax Bill Raises Litigation Concerns for California Businesses

From Page 1

believes are substantially similar, yet priced differently—with even a penny difference in price—and request the business to settle with the consumer for a minimum of \$4,000 or face costly litigation,” said CalChamber Senior Policy Advocate Jennifer Barrera. “While the business may very well be able to prove the price difference was based upon a gender-neutral reason, the cost of litigation to prove that defense is significant.”

CalChamber's opposition letter states, “This is the exact type of frivolous litigation that businesses across California are struggling with for alleged ADA [Americans with Disabilities Act] violations access requirements, as it is the exact same section of the Civil Code that covers both issues. California businesses do not need exposure to another layer of such extortionist litigation as AB 1576 will create.”

Small Business Concerns

Several small business owners from Riverside came to Sacramento on May 10 in advance of AB 1576 being considered by the Assembly to meet with their legislators to explain just how detrimental these types of situations are for small businesses.

Watch the Capitol Report video at www.calchamber.com/videos.

Francisca Dumlao explained that passage of AB 1576 would make it easy to sue her business. “These people have the opportunity to make demands that are ruining us because we don't have much money. We just own small businesses which we're never going to get rich from—we're just living.”

Graciela Fountain said being faced with one of these lawsuits comes as a shock. “They come and surprise us, and tell us we are wrong and we didn't get a chance to fix it. The only thing we see is

the lawsuit. We go to court and spend a lot of money and a lot of time.”

Rosie Quintana shared what it would mean to her business if AB 1576 becomes law: “It will give them the right to come in and extort money...extortion is not the way to go...We need to stand up for our rights as small business owners.”

Action Needed

The CalChamber is asking members to contact their Assembly representatives to urge them to **oppose AB 1576** as a job killer.

An [easy-to-edit sample letter](http://www.calchamber.com) is available at www.calchamber.com.

For the current list of job killer bills, visit www.cajobkillers.com/priorities. The CalChamber will continue to identify other job killers as bills are amended or further analysis reveals detrimental impacts of other legislative proposals.

Global Trade Yields Economic Advances



Susanne T. Stirling

As the new administration and 115th Congress get to work, the California Chamber of Commerce is communicating its international trade priorities and support for working together

to secure a national free trade agenda. Once again this May, designated as World Trade Month, we have the opportunity to acknowledge the importance of global trade, and look back at the economic advancements we have made as a result.

International trade came under attack in the recent presidential election campaign and the questions continue. It is important for all to understand the significance that trade provides to the economy.

Trade a Priority

California's economy is more diversified than ever before, and the state's prosperity is tied to exports and imports of both goods and services by California-based companies, to exports and imports through California's transportation gateways, and to inflows and outflows of human and capital resources.

Accordingly, promoting the ability of California companies to compete more effectively in foreign markets continues to be a high priority for the CalChamber, along with attracting foreign business to the state.

California Exports

U.S. Department of Commerce reported that, in 2016, California exports amounted to \$163.6 billion. This is a decrease from the 2015 total of \$165.4 billion. California maintained its perennial position as a top exporting state. Exports from California accounted for 11% of total U.S. exports in 2016.

Trade Agreements

Trade agreements (the U.S. has 20) ensure that the United States may continue to gain access to world markets, which will result in an improved economy and additional employment of Americans.

The CalChamber urges support of these trade agreements that will continue to keep U.S. and California businesses

competitive. Although the trend has been to regional trade agreements in recent times, the CalChamber will also be supportive of bilateral trade agreements.

2017 Touchstone Issues

World Trade Organization (WTO)

The WTO is the only global international organization dealing with the rules of trade between nations. It gives U.S. and California businesses improved access to foreign markets and better rules to ensure that competition with foreign businesses is conducted fairly.

It is hoped that substantive negotiating will continue in the Doha Round in 2017 leading up to the next gathering of trade ministers in Buenos Aires from December 11–14, 2017.

World Trade Month Commentary By Susanne T. Stirling

Trans-Pacific Relations

During the past decade, growth in U.S. exports to Asia has lagged behind overall export growth. The United States is gradually losing market share in trade with Asian countries, which have negotiated more than 160 trade agreements among themselves, while the United States has signed only three (with South Korea, Singapore and Australia).

A Regional Comprehensive Economic Partnership (RCEP) could become the sole foundation for economic integration in the region. Negotiations were launched in November 2012 and could conclude in 2017. RCEP includes more than 3 billion people (45% of the world's population) and a combined gross domestic product of about \$21.3 trillion, accounting for about 40% of world trade. It would be the biggest free trade agreement in the world, but without the United States or any membership from the Americas.

The CalChamber would certainly consider supporting new bilateral free trade agreements in the Pacific region; however, the larger Pacific picture needs to be assessed for trade, investment, geo-political and strategic implications.

Trans-Atlantic Relations

The trans-Atlantic economic partnership represents the largest, most integrated

and longest-standing regional economic relationship in the world. Either the European Union (EU) or the United States also is the largest trade and investment partner for almost all other countries.

While Europe and the United States are not set to continue negotiations in 2017, the CalChamber is supportive of Europe and the United States continuing trade talks. In the interim, it may be that a U.S.-United Kingdom Free Trade Agreement is negotiated. The UK must exit from the EU before it can negotiate new agreements. The CalChamber certainly would consider supporting such a new bilateral free trade agreement.

The Americas

The CalChamber actively supported the creation of the North American Free Trade Agreement (NAFTA) among the United States, Canada and Mexico.

Mexico continues to be California's No. 1 export market and Canada is No. 2.

The Trump administration will determine any actions regarding the future of NAFTA. Canada and Mexico have indicated they are willing to participate in an open dialogue. The business community must be considering how to best engage in case of such a process.

In addition, the United States has successful free trade agreements with the Dominican Republic/Central America nations, Chile, Colombia, Panama and Peru.

Export-Import Bank of the United States

The CalChamber supports the Export-Import Bank of the U.S. (Ex-Im Bank) designed to assist in financing the export of U.S. goods and services to international markets. Although an overwhelming majority in Congress voted to fully reauthorize the bank in December 2015, the chairman of the Senate Banking Committee stymied the bank's full restoration by blocking action on nominees required to achieve a quorum for the Ex-Im Bank Board in 2016. In the absence of a quorum, the bank cannot approve transactions of more than \$10 million.

It is hoped this issue will come to resolution in Congress in 2017 with new appointments and Senate confirmation.

Susanne T. Stirling is vice president of international affairs for the California Chamber of Commerce, www.calchamber.com/international.

CalChamber Outlines Best Way to Meet California Emissions Reduction Goal

Well-Designed Cap-and-Trade Program with Robust Cost Containment



An economy-wide cap-and-trade system will be the least costly and least disruptive approach to meeting the state's ambitious emissions reduction goal, the California Chamber of

Commerce told legislators this week.

Last year the Legislature set the goal for 2030 of reducing greenhouse gas (GHG) emissions in California by 40% below 1990 levels. This amounts to about a 50% per capita reduction in carbon emissions from today's levels.

In a letter to the California Legislature, CalChamber Policy Advocate Amy Mmagu points out that this year the Legislature must take the next step by providing the tools to reach the GHG emissions reduction goal.

"Common sense dictates that we start with the approach least costly to businesses and consumers," she writes. The least costly and least disruptive approach, she explains, is adopting a robust, economy-wide cap-and-trade system.

"We look forward to working with the Legislature to achieve the GHG emission reduction goals in the least costly and most equitable way," Mmagu concludes. "California's economy, our residents and consumers deserve our best efforts to keep costs down while meeting this ambitious goal."

California has world-leading clean energy goals, and its industries are already among the most energy-efficient

anywhere. Although the state has made great strides in reducing GHG emissions, many of those reductions were related to the renewable electricity mandate, existing energy efficiency programs, or the result of a long and painful recession.

More Flexibility, Less Costly

The market-based approach of a cap-and-trade system provides regulated facilities with more flexibility and is less expensive to consumers than a command-and-control set-up. Cap-and-trade is designed to meet the 2030 goals; regulatory mandates cannot guarantee that outcome.

According to the nonpartisan Legislative Analyst's Office (LAO), authorizing cap-and-trade beyond 2020 "is likely the most cost-effective approach to achieving 2030 GHG target."

The new, more stringent 2030 goal will demand a more robust implementation strategy beginning right away; an extensive lead time is vital to create the efficiencies to adapt to this new regime.

Current authority for cap-and-trade expires in 2020, but markets and investors need assurance now that a market will be in place for the longer term.

Delay in adopting cap-and-trade will increase pressure to adopt new, expensive command-and-control measures, and will further and unnecessarily expose California industries to global competition. According to the LAO, these measures are much more expensive than cap-and-trade.

Best Prospect of Success

The letter urges legislators to adopt the least costly approach with the best prospect of success—a well-designed

cap-and-trade measure with robust cost containment features.

Cap-and-trade should be the primary tool to meet the 2030 goals, the letter states. Going forward, no new command-and-control regulations should be adopted.

Moreover, the California Air Resources Board (ARB) should have exclusive jurisdiction over GHG emissions in the state so that the regulated entities do not have to endure additional measures adopted by local regulators.

Cost Containment

Cost containment measures to minimize overall impacts on consumers and the economy should include:

- A price ceiling to limit price spikes.
- Continuation of audited offsets to reduce costs and encourage investment in innovative GHG reduction technologies.
- Maintaining some free allowances to mitigate emissions and economic leakage (such as loss of jobs and businesses to other states or nations).
- Transparency and accountability measures to ensure the program not only works for California, but will be replicable nationally and worldwide.

Two-Thirds Vote

Moving forward with legislation adopted by a two-thirds vote will remove any legal uncertainty from the cap-and-trade program while allowing revenues to be raised for projects that are important to communities and constituencies around the state, including local programs to reduce or mitigate criteria or air toxic pollutants in disadvantaged communities.

Staff Contact: Amy Mmagu

CalChamber-Sponsored Seminars/Trade Shows

From Page 2

District Export Council. May 17, San Bernardino.
Consulate-General of China International Trade Luncheon. Hayward Chamber of Commerce. May 18, Hayward. (510) 537-2424.
26th La Jolla Energy Conference.

Institute of the Americas. May 24–25, La Jolla. (858) 964-1715.
NAFSA Annual Conference and Exhibition. NAFSA: Association of International Educators. May 28–June 2, Los Angeles. (202) 737-3699.
20th Annual International Business Luncheon. Northern California World

Trade Center. June 1, Sacramento. (510) 367-7389.
SelectUSA Investment Summit 2017. SelectUSA. June 18–20, Washington, D.C. (202) 482-6800.
5th Annual Pacific Cities Sustainability Initiative. Asia Society. June 29–30, Los Angeles. (213) 788-4700.

CalChamber Opposition Helps Stop Two Job Killers



Opposition from the California Chamber of Commerce and the business community helped to stop two job killer bills in their policy committees this week.

• **AB 479 (Gonzalez Fletcher; D-San Diego)** would have exempted feminine sanitary products and infant diapers from sales tax and instead raised the excise tax on alcoholic products to offset the cost of exempting these products from sales tax. The bill failed to pass the Assembly Revenue and Taxation Committee on May 8.

• **SB 300 (Monning; D-Carmel)** required this warning be placed on certain beverages – “STATE OF CALIFORNIA SAFETY WARNING: Drinking beverages with added sugar(s) contributes to obesity, type 2 diabetes, and tooth decay.” The bill was very specific about the size of type, placement of warning and characters per linear inch on each product according to the amount of beverage contained. Vending machines, self-serve dispensers and sit down restaurants all must provide the warning. The bill was never taken up for a vote in the Senate Health Committee.

AB 479: Targeted Tax

CalChamber identified AB 479 as a job killer because it unfairly targets one

category of taxpayers with an additional excise tax and floor tax, which will raise costs and limit the ability to grow or maintain business in California.

AB 479 proposed to add an additional excise tax on manufacturers, wholesalers, and importers of distilled spirits, as well as a floor tax, in order to mitigate the loss of revenue from exempting tampons and diapers from the sales and use tax.

CalChamber had no concern with exempting these items from the sales and use tax. Rather, its concern is solely with the proposed revenue source to cover the loss resulting from exempting these products.

Imposing a targeted tax on one category of taxpayers to support this revenue loss will unfairly raise their costs, which will either be passed on to consumers to the extent possible, or result in limited growth and even potential cuts to labor.

Key Vote

AB 479 failed to pass the Assembly Revenue and Taxation Committee, 1-6, after committee members expressed concern over raising taxes.

Ayes: Mullin (D-South San Francisco).

Noes: **T. Allen (R-Huntington Beach), Brough (R-Dana Point), Chen (R-Walnut), Dababneh (D-Encino), Quirk (D-Hayward), Ridley-Thomas (D-Los Angeles).**

No votes recorded: Bocanegra

(D-Pacoima), Burke (D-Inglewood), Gipson (D-Carson).

The bill was granted reconsideration.

SB 300: Lawsuit Exposure

SB 300 was tagged as a job killer because the bill exposed manufacturers and retailers of sweetened beverages to significant liability. The author twice pulled the bill from being heard in the Senate Health Committee. Senator Bill Monning told the *Los Angeles Times* he “was not confident the bill would receive enough votes to pass out.”

Consumers would have been able to sue for a violation of this new labeling requirement under California’s Unfair Competition Law. So not only could a business incur a civil penalty of up to \$500, it also would have to defend against lawsuits.

It is conceivable that a class action suit would be brought based on the assertion that consuming these beverages contributes to a person’s obesity, diabetes and tooth decay, and that companies would be held liable for millions of dollars in awards for a person’s choice to consume the beverage.

Although SB 300 is dead for the remainder of the 2017 legislative session, the bill may be revived in 2018.

To see the remaining job killer bills, visit www.cajobkillers.com/priorities.
Staff Contacts: **Jennifer Barrera, Valerie Nera**

Latino Caucus Honors CalChamber Board Member Michael Lizárraga



Michael Lizárraga

Michael Lizárraga, a California Chamber of Commerce Board member and president and CEO of TELACU, was recognized for achievement in business as a recipient of the Latino Spirit Award

from the Latino Legislative Caucus.

The Latino Spirit Award honors trailblazers in the Latino community in categories ranging from athletics/sports to public service and human rights. The caucus presents the award each May in conjunction with the state’s celebration of Cinco de Mayo to highlight positive and inspirational role models.

TELACU (The East Los Angeles Community Union) and its wholly owned for-profit subsidiary, TELACU Industries, make up the largest community development corporation in the United States. TELACU was founded in 1968.

TELACU Industries owns and operates a family of companies in four key business sectors: real estate development, financial services, construction and construction management. The company points out that each of its businesses provide “a double bottom line—profitability that is inseparable from social impact.”

As president and CEO, Lizárraga has managed the growth of TELACU and TELACU Industries for more than 25 years, ensuring they carry out their mission of creating jobs, affordable housing, access to capital and educational opportunities within California’s neediest and

most underserved communities.

“It’s all based on a business model,” Lizárraga told *Vida en el Valle*. “Our organization is completely self sufficient. We don’t take any resources from any government agency to run our operations and we create these outcomes in our community.”

Lizárraga also serves as president of the TELACU Education Foundation, which provides scholarships and educational programs to thousands of low-income, first generation Latino scholars each year.

He holds a B.S. in business administration from the University of Southern California and received an honorary doctorate in 2014 from Azusa Pacific University, where he is a trustee.



LIVE WEBINAR: THURSDAY, MAY 18, 2017 | 10:00 - 11:30 AM PT

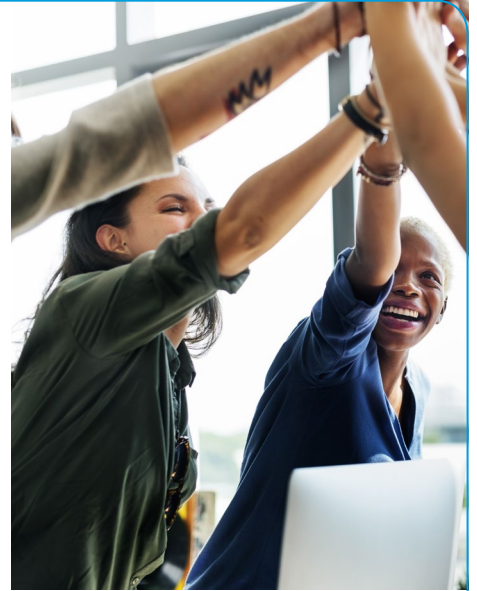
California Employer's Guide to Preventing Discrimination in the Workplace

California's Fair Employment and Housing Act (FEHA) prohibits discrimination and harassment based on protected classes.

Although most workplace discrimination lawsuits end in settlements, these settled cases cost significant money to resolve and open the door for similar claims by other employees.

Learn what you can do now to treat employees fairly and help protect your business from liability.

Cost: \$199.00 | Preferred/Executive Members: \$159.20



This webinar is mobile-optimized for viewing on tablets and smartphones.

LEARN MORE online at calchamber.com/may18 or call (800) 331-8877.

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