

Successes help employers, jobs and the economy

CAPITOL WATCHDOG

Each year CalChamber tracks more than 3,000 legislative proposals on behalf of member businesses.

GRASSROOTS ACTION

Comments from employers yield results. See hot issues at www.calchambervotes.com.

ABOUT US

CalChamber is the largest, broad-based business advocate, working at the state and federal levels to influence government actions affecting all California business. As a not-for-profit, we leverage our front-line knowledge of laws and regulations to provide affordable and easy-to-use compliance products and services.

2012 Major Victories

Fighting for Jobs, Creating Certainty in an Uncertain Economy

The California Chamber of Commerce is the voice of California business, expert at speaking for pro-job policies and advising employers on how state laws and regulations will affect the workplace. We track more than 3,000 legislative proposals every year, sounding the alarm when a bill will hurt employers and the economy, and working to win support for legislation that will help the jobs climate. Policymakers listen to CalChamber advocates, knowing that we speak for more than 13,000 member businesses employing a fourth of the state's private workforce and reflecting the diversity of the California business community.

Further emphasizing our message are the thousands of individuals who use our Web-based grassroots center, www.calchambervotes.com, to make their views known to their elected representatives. Each year, website visitors use the grassroots center to send some 200,000 letters about state and federal issues affecting business operations.

Read on to learn how CalChamber advocacy in 2012 helped employers. See the *Advocacy Return on Investment* sheet for estimates of employer savings on some of these victories.

Stopping Most 'Job Killer' Bills

The skill of CalChamber policy advocates, joining forces with other business groups and pro-jobs legislators, prevented 28 of 32 "job killer" bills from becoming law. Below is a sampling of "job killers" that won't become law. More information at www.calchamber.com/jobkillers.

- **Defeated costly workplace mandates**, such as a bill driving up the cost of commodities to consumers by removing the overtime exemption allowed for agricultural employers (AB 1313); an automatic minimum wage increase (AB 1439); expanded leave requirements (AB 2039); and a targeted burden on companies with call centers (AB 2217). Also secured amendments to remove the threat of frivolous litigation for inquiring into an applicant's most recent employment background (AB 1450). Advocated veto of bill increasing the cost of food by creating unprecedented and excessive consequences for perceived and actual violations of heat illness prevention regulations (AB 2346).
- **Kept lid on inflated liability costs** by securing amendments to legislation that would have discouraged settlement agreements (AB 2149); halting anti-arbitration legislation (SB 491); and defeating a bill that would have inflated litigation and insurance costs (SB 1528).
- **Blocked barriers to economic recovery**, such as a proposal creating inappropriate wage liens (AB 2517); and a plan to repeal the net operating loss (NOL) carry back deduction (AB 2408).
- **Halted expensive, unnecessary regulatory burdens** through a vote rejecting a ban on the use of polystyrene foam food containers (SB 568); and stalling legislation increasing the cost of timber production.
- **Stopped proposals leading to fuel price increases**, including two that increased energy costs by allocating funds from an illegal tax to various programs that are not needed to cost-effectively implement the market-based trading mechanism under AB 32, the state's landmark climate change law.

Shepherding Job Creator Proposals into Law

Put nine job creator bills in the pipeline to become law, thereby helping position California for economic recovery. The job creator bills signed included legislation:

- Creating a predictable and easy-to-track implementation schedule for new regulations (SB 1099).
- Helping improve alignment of the state's workforce needs and education resources (SB 1402).
- Streamlining projects converting from solar thermal to photovoltaic technology (AB 1073).
- Requiring proposed new residential building standards to include the cost of compliance, potential benefits of the proposed standard and the underlying model used to achieve those estimates (AB 1612).
- Making a start toward California Environmental Quality Act (CEQA) reform by exempting roadway projects and bike lanes in existing roadways from the CEQA process (AB 890, AB 2245).

- Creating a level playing field for California businesses dealing with Internet-based services (SB 1161).
 - Protecting jobs in the film industry by extending the film tax credit for two years (AB 2026, SB 1197).
- More information on these bills is available at www.calchamber.com/jobcreators.

Helping Control Workers' Compensation Costs

Supported workers' compensation system reform that offsets necessary increases in permanent disability benefits and potentially lowers system costs for employers by reducing delays and litigation in the system, addressing the lien epidemic, shortening the medical-legal process, implementing an independent medical review system and streamlining the permanent disability schedule (SB 863).

Delaying Private Pension Mandate

Secured amendments to ensure that a proposal to mandate pensions for private employers in California cannot take effect until its full ramifications are studied and the resulting plan is introduced in a new bill and approved the Legislature. The original plan would have permitted an appointed board with no accountability to unilaterally implement the program (SB 923, SB 1234).

Improving Education by Helping Students Succeed

Supported bills signed into law that provide support services to students on the front end of their educational experience, as well as strengthen and focus California career technical education programs (SB 1456, SB 1070).

Preventing Frivolous Lawsuits

- Backed legislation signed into law that limits frivolous litigation connected with the Americans with Disabilities Act, including prohibiting prelitigation "demands for money" by attorneys (SB 1186).
- Secured amendments to legislation before it was signed into law to remove a provision creating a private right of action allowing citizens to sue as "trustees for fish and wildlife" for violations of the Fish and Game Code (SB 1148).

Supporting Clarification of Timekeeping Rule

Following a CalChamber request for review, the 4th District Court of Appeal agreed that California employers may round employee timecard entries to the nearest tenth of an hour (*Silva v. See's Candy*).

Protecting Free Political Speech

Defeated a proposal to substantially minimize the voice of California job creators in the election process (AB 1148).

Preserving Employer Right to Conduct Workplace Investigations

Supported legislation signed into law that preserves existing employer rights to conduct workplace investigations with regard to personal social media (AB 1844).

Limiting Exposure to Litigation/Penalties for Wage Statements

Negotiated amendments to bills that would otherwise have exposed employers to new wage-and-hour litigation or greater likelihood of penalties for good faith administrative errors on wage statements (AB 1744, SB 1255).

Preventing Loss of U.S. Jobs to Foreign Competitors

Backed federal legislation signed into law to reauthorize the Export-Import Bank of the United States (Ex-Im), which helps export financing for small and large firms, with small businesses accounting for more than 87% of transactions.

Helping U.S. Companies Stay Competitive in Russia

Supported federal law extending permanent normal trade relations with Russia, thereby enabling U.S. and California companies to compete in the growing and profitable Russian marketplace by gaining the benefits of market-opening reforms that were part of Russia joining the World Trade Organization.

Stopping Onerous Wage-and-Hour Mandates

Supported veto of proposed requirement for individuals and families who hire "domestic work employees" to comply with onerous wage-and-hour mandates that even sophisticated businesses struggle to satisfy (AB 889).

Helping Consumers Fight the Common Cold

Stopped legislation to require individuals to get a prescription for pseudoephedrine (PSE) products now sold over the counter (SB 315).