

# California Close to Having Health Care for All



In the debate on health care, the two words most confused or misunderstood are "universal" and "single-payer." They often are used interchangeably, and even standing alone, are defined

incorrectly. This confusion or error has completely skewed the dialogue on what is an ideal model for California health care and how to improve health care in California.

Most people don't realize that California is very close to achieving health care coverage for just about all Californians.

Out of almost 40 million people, only 2.7 million don't have coverage—approximately 900,000 of the uncovered are citizens or legal residents and the remainder are residents without proper documentation—so 97.6% are covered.

Even undocumented residents have access to health care in emergency rooms.

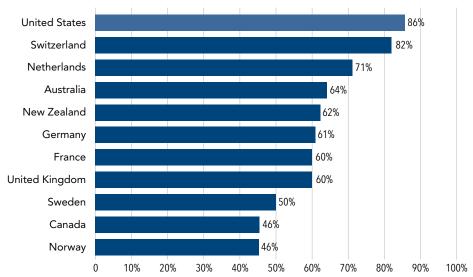
There are many ways of achieving universal health care. Most countries that have been able to achieve universal health care have not done so using a singlepayer model.

A true single-payer health care system prohibits private health insurance. Health care in such a system can be delivered through either public and/or private

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## U.S. Does Well on Getting in Quickly to See Specialists

% Who Waited Less than 4 Weeks for Specialist Appointment Among Adults Age 65 or Older



Base: Saw/needed to see a specialist in the past 2 years.

Source: 2014 Commonwealth Fund International Health Policy Survey of Older Adults in Eleven Countries.

# 2018 Issues Guide Available on Website



The California Chamber of Commerce 2018 Business Issues and Legislative Guide is available now on the CalChamber website at www.calchamber. com/businessissues. This easy-to-

reference publication compiles a cohesive answer to the state's complex economic dilemma: Expanding Opportunity.

The CalChamber Agenda for All **Californians** encompasses five principles for state leaders to consider: do no more harm; build more market-rate housing; maintain and expand the state's economic development infrastructure; restore affordability as a high priority in energy development; and continue investing in education to improve economic mobility.

**Chevron** is the premier sponsor of this year's Guide.

Hard copies of the Guide are being mailed to CalChamber preferred and executive members who receive printed copies of Alert or who signed up last fall for the hard copy *Guide*. Preferred and executive members receiving the email Alert can request a hard copy of the Guide by emailing alert@calchamber.com.

Additional hard copies are available for purchase (\$20 each).

An e-book edition of the Guide. compatible with smartphones, tablets and desktop computers with an e-book reader installed, can be downloaded free at www. calchamber.com/businessissues. A PDF file also is available.

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### Labor Law Corner

# Form I-9: Use of Document Receipt OK for Limited Circumstances/Time



Ellen S. Savage HR Adviser

When completing an I-9 Form to verify work eligibility, can an employee show us receipts for documents instead of presenting the documents themselves? If so, how should the receipts be noted on the Form I-9?

When completing a Form I-9, an employee must present identity and work

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authorization documents to verify employment eligibility, but in limited circumstances can instead present receipts for those documents.

Most often a receipt will be offered when an employee has applied for a replacement of a document that has been lost, stolen or damaged. This type of receipt is valid for 90 days from the date of hire (meaning the first date the individual works for pay) for any item on List A, List B or List C of the Form I-9.

### 90 Days to Show Document

Within 90 days, the employee must show you the replacement document for which the receipt was given. In the case of reverifying work authorization for a current employee (note that there are specific rules as to when employers can reverify), the receipt is valid for 90 days from the date the original document expired, not 90 days from the date the receipt was issued.

Receipts are not acceptable if they are for the application for an initial employment authorization or renewal of employment authorization (rather than for a replacement document), or if the employee will work for you for less than

When a receipt is presented, record the document title in Section 2 under List A, List B or List C, as applicable. Then

enter the word "receipt," the document title and number, and the last day that the receipt is valid.

### **Actual Document**

On or before the date the receipt expires, you must view the actual document. At that point, you should cross out the word "receipt" and any accompanying document number, record the number and other required document information from the actual document presented, and then initial and date the change.

Employers should calendar the date a receipt will expire, and plan to contact the employee before that date to arrange to see the actual document before the expiration date of the receipt. An employee who cannot present actual documents by that point is not authorized to work.

There are other limited circumstances where a receipt may be acceptable. For more information, refer to I-9 Central online at https://www.uscis.gov/i-9-central/ acceptable-documents/receipts.

Column based on questions asked by callers to the Labor Law Helpline, 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.

# CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events. Labor Law

HR Boot Camp. CalChamber. February 28, San Diego; April 11, Oakland; April 26, Costa Mesa; June 5, Santa Clara; August 21, Sacramento; September 5, Long Beach. (800) 331-8877.

Leaves of Absence: Making Sense of It All. March 15, Sacramento; March 22, Pasadena; June 21, San Diego; August 10, Oakland. (800) 331-8877.

### **Business Resources**

Higher Taxes or Real Reform Tax Seminar. Indo-American Chamber. February 28, Milpitas. (650) 450-0388.

Capitol Summit and Sacramento Host Breakfast. CalChamber. May 23–24, Sacramento. (916) 444-6670.

TECHSPO LA 2018, TECHSPO, June 13–14. Santa Monica. (800) 805-5385.

International Trade

Export University Workshop: Market Entry See CalChamber-Sponsored: Page 6

# CalChamber Calendar

Water Committee: March 1, Coronado Board of Directors: March 1–2, Coronado International Trade Breakfast: March 2, Coronado Capitol Summit: May 23, Sacramento





# New Chamber Network Brings Employers Ways to Help Build Future Workforce



The California Chamber of Commerce and the Linked Learning Alliance have launched a new California network of employer associations committed to advancing youth opportunities and reducing youth unemployment.

The lead organizations, CalChamber and Linked Learning Alliance, bring together six local employer organizations for the network: the Los Angeles Area Chamber of Commerce, Oxnard Chamber of Commerce, Sacramento Metropolitan Chamber of Commerce, Greater Riverside Chambers of Commerce, Chico Chamber of Commerce and the Silicon Valley Organization.

This network, unique in California, is supported by a \$150,000 grant from the James Irvine Foundation, a stalwart supporter of linked learning and career pathway approaches for high school students.

### **Employer-Led Approach**

"This network will leverage the power of an employer-led approach to build scalable systems that give students workbased learning experiences that help prepare them for college and careers," said Loren Kaye, president of the Cal-Chamber-affiliated California Foundation

for Commerce and Education.

"We're working to close the skills gap by encouraging employers to act as 'end customers' of education and workforce partnerships."

By 2030, California will face a "skills gap" of 1.1 million career-ready college graduates to meet employers' needs, according to the Public Policy Institute of California (PPIC).

"The Chamber Network is providing an incredible resource to the business community by shining a spotlight on the many ways for business and educators to work together," said Anne Stanton, president and CEO of Linked Learning Alliance. "The diversity in region and size of the participating chambers offers a range of frameworks and best practices for others to adopt. The Network is sending an important message that businesses can and should get involved with their local schools."

### **Partnerships**

Examples of work in the partner regions include:

- Sacramento Metro Chamber aims to increase the number of employers offering paid youth internships to Sacramento youth in partnership with local school districts. Since 2017, the chamber has led employer recruitment for Sacramento Mayor Darrell Steinberg's citywide youth workforce initiative, Thousand Strong.
- Los Angeles Area Chamber plans to broaden the STEM (science, technology, engineering and mathematics) workforce and address the unique workforce needs of the emerging biotech industry. Students enrolled in Los Angeles Unified

School District health care pathways will have an opportunity to participate in a continuum of work-based learning activities, including industry speakers, classroom mentors, job shadows, work site visits, industry panels, and internships.

- Oxnard Chamber will continue the development of its *Direct Path to Success*, which connects employers to their future workforce and exposes high school students to careers with local businesses. Interns participate in an Intern Readiness Certification program that prepares them through a series of professional and soft skills training. Once students are "intern ready," local employers offer students guaranteed interviews for paid or unpaid internships.
- Greater Riverside Chambers will partner with Riverside Unified School District to bridge the gap between the K-12 curriculum and the essential skills needed in tomorrow's workforce by developing a work-based learning management tool that connects local high school students with businesses through internships that provide experience, training, and other workforce development opportunities.
- Chico Chamber will develop and promote student internships and work-based learning opportunities through *Team Chico*, a public-private economic development collaborative between the City of Chico, Chico Chamber of Commerce, Downtown Chico Business Association, Alliance for Workforce Development, 3CORE, Chico State University, and Butte College.
- Silicon Valley Organization will lead *Strive San Jose*, a partnership with four local school districts to connect industry and education by scaling employer-driven engagement to increase work-based learning for students, industry engagement for teachers, and curricular alignment between industry and career technical education courses.

CalChamber will partner with the Linked Learning Alliance to convene the network of chambers to share best practices, testimony from experts and field leaders, and disseminate resources and supportive materials through webinars and group communications.

**Contact: Loren Kave** 





# California Close to Having Health Care for All

From Page 1

hospitals and health care providers, but the payment for the health care must be made by a single entity, usually the government. A single-payer model eliminates cost sharing of any kind by the consumer, thereby increasing demand for a "free" service, requiring rationing of care.

Wait times for routine surgeries in the United States that could be performed within a week or a month of an injury, have a four- to 12-month waiting period in the single-payer countries.

California and the United States are fortunate not to have a single-payer model, which is why there is not a prevalence of care rationing or unreasonable wait times for patients to be seen by providers or specialists, or for surgery.

In fact, in a comparison of 11 countries (see chart), the United States comes in first for the shortest wait times to be seen by a specialist (while Canada, a single-payer health care system, comes in second to last).

### **Unequal Comparisons**

When compared to other countries, the United States spends more on health care than any other nation and yet ranks low in health outcome. The problem with the comparison, however, is that it is not equal and fair, and is based on data provided by the countries, which have different measurement standards or function under different medical standards.

Due to the frustration with the rising cost of health care, the recent narrative that has arisen and taken hold in California and the United States is that a single-payer health care system is the solution. The recent attacks on the Patient Protection and Affordable Care Act (ACA) at the federal level, including the proposed elimination of the individual mandate and cost-sharing reduction subsidies, have only further fueled the argument that single-payer health care should be implemented.

Whether it's at the national level or at the state level, single-payer advocates support their argument by comparing the U.S. and California health care systems to those of other countries. Such comparisons are problematic because the nature of health care systems in other countries that are idealized often is misunderstood.

For example, proponents of singlepayer in California want to achieve universal health care in California, but define universal health care as health care for every resident of the state regardless of immigration status. Yet the countries single-payer proponents point to as having universal health care (which in fact by the widely accepted definition of universal health care do have it) do not provide health care to undocumented immigrants.

Similarly, proponents of single-payer health care point to many countries to emulate as examples of single-payer, yet the majority of those countries do not have a single-payer health care system, but rather a multi-payer system, which is what California and the United States have.

### **Reality Check**

A closer look at health care systems around the world that are touted to be single-payer systems or ones that have achieved universal health care will lead to the conclusion that a single-payer health care system in other countries is very rare, does not result in more accessible health care, and is definitely not sustainable. A closer look also will reveal that countries which have achieved universal health care for all citizens and legal residents exempt many types of coverage and services that Californians believe to be essential health care and for which they expect health plan coverage, such as prescription medication, ambulance transport, and physical, occupational and speech therapy, as well as other services.

If implementation of single-payer health care 55 years ago in the nation's northern neighbor is any lesson to California, it's that California shouldn't emulate a system that is slowly being abandoned. Canada's own Supreme Court has stated that Canada's health care system has violated patients' "liberty, safety and security."

### California

California has the largest minority population in the United States. It has a nonwhite majority, with Hispanics representing 38.8% of the population and whites 38%. California also has the highest number of Asians and Hispanics of any state in the country.

Of the 39.25 million people living in California, approximately 6.8%, or 2.7 million people, are uninsured, and of this 2.7 million, approximately two-thirds are undocumented immigrants. This means of the 37.45 million citizens and legal residents in California, only 2.4% are uninsured.

To achieve universal health care in California, the question to answer first is, how do we define "universal"? The word "universal," as defined by the seven countries analyzed in this article (Canada, Cuba, England, Australia, Taiwan, South Korea and Switzerland), is health care access or coverage for all the nation's citizens and legal residents.

If that is the definition, California is very close to achieving universal health care at 97.6 % coverage. Of the 2.7 million people without coverage in California, approximately 900,000 are citizens or legal residents.

Although it doesn't appear that the federal government will pay a share of covering health care for undocumented California residents, if the state wants to pay for coverage, it can do so without blowing up the existing system. It can choose to subsidize care for the undocumented as a state-only program. The health care access for undocumented residents can be provided regardless of whether there is a government-run system or the multi-payer system California has today.

The CalChamber has been a strong proponent of comprehensive immigration reform that includes a pathway to legal status for undocumented residents.

### **CalChamber Position**

Rather than upending the health care system that polls say many Californians are satisfied with (except for costs), any reform to the system should focus on those who cannot gain access to affordable health care.

The CalChamber supports the following, including:

- Access to affordable health care through an insurance model or clinic model;
- Cost-containment on medication and treatment;
- Reducing administrative work for providers, such as by using uniform forms to claim reimbursement; and
- Expanding the investment by the state to increase the number of health care providers, especially physicians.

Condensed from the highlighted issue article in the 2018 CalChamber Business Issues and Legislative Guide. To read the full article, including its brief analysis of key features of other countries' health care systems, visit www.calchamber.com/businessissues.

Staff Contact: Karen Sarkissian



# Year of Transition—Lots to Do



Terry MacRae

Even more than other election years, 2018 will be the start of transitions in California politics and public policy. From the governorship on down, there will be

shifts in officeholders. Voters also will be asked to weigh in on infrastructure funding and many other proposals affecting business operations in the state.

No matter who voters elect or what they decide on ballot measures, with success and a growing economy, new challenges will present themselves. In some regions, the problems result from economic success; in other areas, a lack of success is the core difficulty.

The California Chamber of Commerce 2018 Business Issues and Legislative Guide presents our perspective on **Expanding Opportunity** so that all

Californians can share in the prosperity of one of the most dynamic economies in the world.

## Commentary By Terry MacRae

### **Principles**

Five important principles for state leaders to consider are:

- Do no more harm to the entrepreneurs and businesses that are trying to create jobs. Given the state's strong regulatory environment, look for ways to reduce burdens on California employers and employees.
- Build more market-rate housing to help alleviate the state's housing shortage.
- Maintain and expand California's economic development infrastructure.
- Restore affordability as a high priority in energy development.
- Continue investing in education as an effective tool to improve economic mobility.

### Join Us

We invite CalChamber members and all readers to join us in promoting our **Agenda for All Californians** to state policy leaders. Our grassroots website, *calchambervotes.com*, provides sample letters that you can edit easily to convey your concerns to your elected representatives, regulators and other government officials.

For regular updates on the issues covered in the guide, consult the *Cal-Chamber Alert*, our policy newsletter. Download the mobile-friendly app at *calchamberalert.com/app*.

Keeping a state the size of California on course is a huge endeavor requiring the cooperation of many hands. With your active involvement, we can make the state a better home for all Californians and businesses.

Terry MacRae, 2018 chair of the California Chamber of Commerce Board of Directors, is chief executive officer, president and founder of Hornblower Cruises & Events.

# Get Easy Access to Alert Updates with Mobile App

Readers looking for an easy way to stay up-to-date on proposed state and federal laws or regulations of interest to employers can download the *CalChamber Alert* app at www.calchamberalert.com/app.

In addition to coverage of the Cal-Chamber's pro-jobs advocacy, the *CalChamber Alert* offers explanations of major court decisions affecting employers and the economy; special reports on job killer bills, the economy, ballot measures and legislative vote records; plus information on CalChamber compliance products and services.

A regular feature is a popular column answering common California employment law questions.

The latest version has been optimized for greater speed on iOS or Android platforms.







### CalChamber-Backed June Ballot Measures Receive Numbers



Proposition numbers have been assigned to the measures that will appear on the June

ballot. As previously reported, the California Chamber of Commerce **supports** the following:

- **Proposition 68:** California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, a \$4 billion bond measure. **See December 15, 2017** *Alert*.
  - •Proposition 69: ACA 5, a constitu-

tional amendment to restrict use of diesel sales tax revenues and the new transportation improvement fee to transportation purposes. Both revenue sources were part of CalChamber-supported SB 1, the Road Repair and Accountability Act of 2017. See January 26, 2018 *Alert*.

• Proposition 70: ACA 1, a constitutional amendment requiring revenues from the cap-and-trade auctions to be deposited into the Greenhouse Gas Reduction Reserve Fund. The cap-and-trade expenditure plan is subject to a one-time legislative supermajority approval before the funds can be spent. See January 26, 2018 Alert.

The CalChamber has **not yet taken a position** on the other two June ballot measures:

- **Proposition 71:** ACA 17, a constitutional amendment to state that an initiative, referendum or constitutional amendment or revision approved by a majority of voters takes effect 5 days after the Secretary of State certifies the election.
- Proposition 72: SCA 9, a constitutional amendment to authorize the Legislature to exclude rain water capture systems completed on or after January 1, 2019 from being classified as new construction that would result in a reassessment of the property.

# Nominate an Outstanding Small Business Leader



The California Chamber of Commerce is seeking nominations for its annual Small Business

Advocate of the Year Award.

The award recognizes small business owners who have done an exceptional job with their local, state and national advocacy efforts on behalf of small businesses.

"Telling the business story is an important part of every advocacy program," said Dave Kilby, CalChamber executive vice president, corporate affairs. "We look forward to receiving many nominations so that the CalCham-

ber can recognize outstanding spokespersons from around the state."

### **Application**

The application should include information regarding how the nominee has significantly contributed as an outstanding advocate for small business in any of the following ways:

- Held leadership role or worked on statewide ballot measures;
  - Testified before state Legislature;
- Held leadership role or worked on local ballot measures;
- Represented chamber before local government;
  - Active in federal legislation. The application also should identify

specific issues the nominee has worked on or advocated during the year.

Additional required materials:

- Describe in approximately 300 words why nominee should be selected.
- News articles or other supporting materials.
- Letter of recommendation from local chamber of commerce president or chairman of the board of directors.

### **Deadline: April 23**

Nominations are due by April 23. The nomination form is available at *www. calchamber.com/smallbusiness* or may be requested from the Local Chamber Department at (916) 444-6670.

# CalChamber-Sponsored Seminars/Trade Shows

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and Tax Strategies. San Diego Center for International Trade Development. February 14, National City. (619) 482-6393.

Canada Day Ag Forum. The Consulate General of Canada, California Farm Bureau Federation and CalChamber. February 22, Sacramento. (916) 930-1233.

Import Compliance Training Program.

Orange County Center for International
Trade Development. February 23, Santa

Ana. (714) 564-5415.

Asia Pacific Business Outlook Conference. University of Southern California Marshall School of Business. April 16–17, Los Angeles. (213) 740-7130.

Business Forum: Innovations in Safety and Security. U.S. Consulate in Hong Kong and the U.S. Commercial Service. April 18–20, Hong Kong. (703) 235-0103.

Expo Seguridad Mexico Trade Show. Governor's Office of Business and Economic Development. April 26–28, Mexico City. (916) 322-0694. World Trade Week Kickoff Breakfast. Los Angeles Area Chamber. May 4, Los Angeles. (213) 580-7569.

SelectUSA Investment Summit. U.S. Department of Commerce. June 20–22, Oxon Hill, MD. (800) 424-5249.

83rd Thessaloniki International Fair. HELEXPO. September 8–16, Thessaloniki, Greece.

China International Import Expo. China International Import Export Bureau. November 5–10, Shanghai, China.



# EEO-1 Reports Must Be Filed by March 31



The Equal Employment Opportunity Commission (EEOC) has completed mailing

notification letters for the 2017 EEO-1 survey.

### EEO-1 Survey

Federal law requires all private employers with 100 or more employees to file the federal EEO-1 report annually. In addition, all federal government contractors and subcontractors with 50 or more employees and a contract of \$50,000 or more must file EEO-1 reports.

The survey requires company employment data to be categorized by race/ ethnicity, gender and job category. This year, the filing deadline for the EEO-1 Report is **March 31, 2018**.

The EEOC has an EEO-1 survey website, eeoc.gov/employers/eeo1survey/

*index.cfm*, that contains EEO-1 reference documents, including the sample form, instructions, Q&As, fact sheet and EEO-1 Job Classification Guide. The website also discusses important changes for the 2017 EEO-1 survey.

In addition, the website now contains a **new users guide** and a new **how-to guide**.

### Pay Data

In 2016, the EEOC approved an EEO-1 Report that would have required large employers to report pay data to the agency, including aggregate information from employee W-2s. Pay data would also need to be broken down by race, ethnicity and sex. In August 2017, however, the requirement to provide pay data was stayed indefinitely.

The announcement that the rule was halted was a break for employers. Many in the business community raised concerns about this reporting requirement. During the rulemaking period, the Cali-

fornia Chamber of Commerce submitted comments voicing several concerns about the proposed pay data reporting requirement. Pay data is not required for the 2017 EEO-1 Report.

Contact the EEO-1 Joint Reporting Committee at 1-877-392-4647 (toll-free) or via email at *e1.techassistance@eeoc.gov* if your business:

- Meets the criteria above but did not receive a 2017 EEO-1 notification letter by January 29, 2018;
- Filed an EEO-1 report in 2016 but did not receive the 2017 EEO-1 notification letter; or
- Has any questions about the EEO-1 survey.

### **More Information**

CalChamber members can read more about EEO Reporting Requirements in the HR Library on *HRCalifornia*.

Staff Contact: Gail Cecchettini Whaley

# **Unemployment Insurance Trust Fund Status**



California appears to be on track to repay its unemployment insurance (UI)

fund debt to the federal government by the end of the year.

The payback is due to the declining unemployment rate in California, combined with the higher tax rate state employers have been paying since the beginning of 2011.

California's deficit is projected to be paid off this year, returning the federal tax rate to the normal 0.6%, if the economy continues as predicted and no state or federal structural changes are made to the system. As a result of the Great Recession that began in 2009, California remains the only state carrying debt to the federal fund (the U.S. Virgin Islands also owes the federal fund).

### **UI Fund Insolvency**

The UI fund that pays benefits to eligible individuals is funded entirely by employers. California's UI Trust Fund technically ran out of money to pay benefits and became insolvent in January 2009, and by November 2009 the state had borrowed more than \$5.5 billion from the federal unemployment fund to pay benefits to California's unemployed.

As of September 2012, outstanding federal loans to 28 states totaled \$37 billion, with California comprising more than 27% of the total. At the end of 2012, California's outstanding federal loan was \$10.2 billion, more than \$6.5 billion greater than the next highest state loan, New York. By the end of 2016, California's loan fell to \$3.9 billion due to increased federal taxes on employers.

In 2011, 10 states had loans exceeding \$1 billion (but less than \$2 billion). Eight states eliminated their outstanding debt in 2014, and an additional five states eliminated their debt in 2015. The remaining states eliminated debt in 2016, leaving only California and the U. S. Virgin Islands with debt.

Seven states issued tax-exempt bonds to restructure their UI trust fund debt before 2014. The other five states either utilized special funds or addressed solvency issues early in the year and did not have deficits as high as other states.

In 2015, UI debt was eliminated by five states—Indiana, Kentucky, New York, North Carolina and South Caro-

lina—all of which cut benefits and/or raised taxes.

California has not made UI system changes to address the insolvency but rather has relied upon the increasing federal tax on employers to pay down the debt.

### **Unemployment/Benefit Payout**

California's total unemployment rate has decreased to 4.3% (December 2017), from 7.5% in 2014—significantly lower than the high of 12.1% in 2010. The rate increased steadily from 2006 to 2011 before beginning a gradual reversal. California's unemployment rate remains higher than the national rate of 4.1% (U.S. Bureau of Labor Statistics).

The large increases in the ranks of the unemployed for so many years, coupled with benefit increases in 2001, led to a dramatic increase in expenditures from the UI Trust Fund. The regular UI benefit payments were \$5.4 billion in 2015, and were forecast to be \$5.4 billion in 2016, \$5.6 billion in 2017, and \$5.4 billion in 2018.

Total benefits paid out from the trust fund have finally been trending downward; however, the benefit payout projected for 2019 is slightly higher at \$5.5 billion.

Staff Contact: Marti Fisher





LIVE WEBINAR | FRIDAY, FEBRUARY 93, 2018 | 10:00 - 11:30 AM PT

Sexual Harassment Investigations From A to Z

She said. He said. Do you know exactly what to do—the moment an employee informs you of sexual harassment?

As a California employer, you have a legal duty to conduct an investigation and take appropriate action.

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