

ALERT

CalChamber Identifies Three More Job Killer Bills

Hearings Set in Next Two Weeks



The California Chamber of Commerce this week added three more bills to its job killer list, bringing the total number of job killers to 24.

The new additions to the list are:

• **AB 2447 (Reyes; D-Grand Terrace)**: This bill would force state entities to weigh discrimination factors when deciding whether to certify an environmental impact report for a project.

CalChamber has identified this as a

job killer because it invites more litigation from project opponents, who will exploit the subjective nature of any finding that a person is being discriminated against, to kill projects they do not like or want, thus increasing the complexity and cost of complying with the California Environmental Quality Act (CEQA).

According to CalChamber’s letter, at a time when California is already experiencing unprecedented CEQA litigation and delays in the construction of much-needed housing and other land use

See CalChamber Identifies: Page 4

CalChamber Adds Experienced Environmental Litigator to Policy Team



Adam Regele, an experienced CEQA and land use attorney, joined the California Chamber of Commerce policy team on April 2. As a policy advocate, Regele

will specialize in environmental policy, housing and land use, and product regulation issues.

“Adam’s outstanding environmental litigation experience and expertise will be a huge benefit to CalChamber’s advocacy efforts,” said CalChamber President and CEO Allan Zarembeg. “Adam brings a wealth of knowledge that will help California businesses do their part to protect health and the environment in the most cost-efficient manner possible.”

Regele came to the CalChamber policy team after practicing law at an Oakland-based law firm—Meyers, Nave, Riback, Silver & Wilson, PLC—where he advised private and public clients on complex projects involving land use and environmental laws and regulations at the local, state and federal levels.

His extensive environmental and waste regulatory compliance experience includes defending California Environmental Quality Act (CEQA), Comprehensive

See Environmental Litigator: Page 4

Pay Data Disclosure Bill Passes Committee



CalChamber Policy Advocate Laura Curtis explains to the Senate Labor and Industrial Relations Committee why SB 1284 (Jackson; D-Santa Barbara) is a job killer. [See story on Page 3.](#)

Inside

Governor to Speak at Host Breakfast: Page 7

Labor Law Corner

State Law Grants Registered Domestic Partners Right to Protected Leave



Ellen S. Savage
HR Adviser

My employee wants to take time off to take care of his ill, longtime live-in girlfriend. I know there are laws that allow time off to care for the “registered domestic partner” of an employee, but does my employee’s girlfriend qualify as one legally?

Many California laws, such as the California Family Rights Act and California’s paid sick leave and kin care laws, do provide protected time off to care for a registered domestic partner. However, being a “registered domestic partner” means more than just being a couple living together.

In California, registered domestic partners are those couples who have formally entered into a legal relationship by filing certain documents with the California Secretary of State. Couples who live together without such a legal filing are not entitled to the protections afforded to registered domestic partners.

Domestic Partners

In order to register as domestic partners, couples must be either:

- two individuals of the *same* sex; or
- two individuals of *opposite* sexes,

but only where one or both of the individuals is at least 62 years old and eligible for certain Social Security benefits.

California’s registered domestic partner law was enacted before same-sex marriage was legal, and was intended mostly to expand many state-level legal

rights to same-sex couples who filed the required legal paperwork.

The provision allowing for opposite-sex couples to register as domestic partners was created to allow widows and widowers to gain certain rights under California law without forfeiting federal Social Security benefits they might otherwise lose by remarrying.

If your employee and his girlfriend are both under the age of 62, then they could not legally have registered as opposite-sex domestic partners in California. Therefore, your employee would not be able to take protected time off to care for his girlfriend under any law that provides such time for registered domestic partners.

If one of them is 62 or older, you can inquire as to whether they have registered as domestic partners with the California Secretary of State, in which case your employee might be entitled to protected leave.

Local Ordinances

Note that some *local* ordinances may allow protected time off for unmarried couples to care for each other even if they have not registered as domestic partners.

See State Law Grants: Page 4

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CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor Law

HR Boot Camp. CalChamber. April 26, Costa Mesa (sold out); June 5, Santa Clara; August 21, Sacramento; September 5, Long Beach. (800) 331-8877.

Fair Pay to Final Pay: Paying Your California Employees. CalChamber. April 19, Webinar. (800) 331-8877.

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

Business Resources

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

International Trade

Chile California Clean Energy Conference. Chile California Council. April 18, Sacramento.

The Meaning of Brexit. World Affairs Council of Northern California. April 18, Sacramento. (415) 293-4600.

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.

Exim Bank Annual Conference. Export Import Bank of the United States.

See CalChamber-Sponsored: Page 3

CalChamber Calendar

Capitol Summit:

May 23, Sacramento

International Forum:

May 23, Sacramento

Water Committee:

May 23, Sacramento

Board of Directors:

May 23–24, Sacramento

Host Breakfast:

May 24, Sacramento



Senate Policy Committee Moves Along Job Killer Bills Over Employer Objections



Despite employer objections, the Senate Labor and Industrial Relations Committee this week passed two California Chamber of Commerce-opposed job

killer bills. One deals with releasing company pay data and the other with unlawful employment practices.

Both bills are opposed by a large coalition of employer groups and local chambers of commerce.

- **SB 1284 (Jackson; D-Santa Barbara) Disclosure of Company Pay Data.**

- **SB 1300 (Jackson; D-Santa Barbara) Removes Legal Standing and Prohibits Release of Claims.**

SB 1284: Pay Data Report

SB 1284 requires that in 2019, an employer that is incorporated in California with 100 or more employees must submit a pay data report to the Department of Industrial Relations (DIR).

CalChamber has identified SB 1284 as a job killer because the bill creates a false impression of wage discrimination or unequal pay where none exists and therefore subjects employers to unfair public criticism, enforcement measures, and significant litigation costs to defend

against meritless claims.

Just last year, Governor Edmund G. Brown Jr. vetoed AB 1209 (Gonzalez Fletcher; D-San Diego), which was a very similar bill. SB 1284 provides the same uncertainty and ambiguity as AB 1209.

The CalChamber and coalition also oppose SB 1284 because it:

- Exposes employers to public shaming for wage disparities that are not unlawful.

- Allows employers to use the federal Employer Information Report, otherwise known as the EEO-1 Report.

- Utilizes data that may be affected by employee choices.

SB 1300: Legal Standing/Release of Claims

SB 1300 removes the current legal standing requirement for specific Fair Employment and Housing Act (FEHA) claims and limits the use of nondisparagement agreements and general releases.

CalChamber has identified SB 1300 as a job killer because these provisions will significantly increase litigation against California employers and limit their ability to invest in their workforce.

The CalChamber and coalition also oppose SB 1300 because it:

- Removes the current standing

requirement and allows anyone to sue a company for specific harassment claims.

- Is unnecessary and exposes employers to costly litigation. Sexual harassment prevention is already regulated by the Department of Fair Employment and Housing (DFEH).

- Will deter employers from conducting self-audits and providing severance agreements.

- Will chill the use of settlement agreements, disadvantaging employers and employees.

Key Vote

Both SB 1284 and SB 1300 passed Senate Labor and Industrial Relations on April 11 by votes of 4-1:

Ayes: Pan (D-Sacramento), Jackson (D-Santa Barbara), Mitchell (D-Los Angeles), Wiecekowski (D-Fremont).

No: **J. Stone (R-Temecula).**

Action Needed

Both SB 1284 and SB 1300 will be considered next by the Senate Judiciary Committee.

The CalChamber is urging members to contact their senator and members of the committee and ask them to **oppose SB 1284 and SB 1300** as job killers.

Staff Contact: Laura Curtis

CalChamber-Sponsored Seminars/Trade Shows

From Page 2

April 19–20, Washington, D.C. (800) 565-3946.

Expo Seguridad. California Centers for International Trade Development.

April 24–26, Mexico City. (951) 571-6458.

Renewable Energy in the State of Jalisco, Mexico. Institute of the Americas.

April 25, La Jolla. (858) 453-5560.

Bureau of Industry and Security Export Regulation Course. Bureau of Industry and Security. April 25–26, Newport

Beach. (949) 660-0144.

World Trade Week Kickoff Breakfast. Los Angeles Area Chamber. May 4, Los Angeles. (213) 580-7569.

Water and Agriculture Technology Business Mission to Israel. U.S. Chamber. May 8–10, Israel. (202) 463-3584.

21st Annual International Business Luncheon. World Trade Center Northern California. May 24, Sacramento. (916) 319-4272.

SelectUSA Investment Summit. U.S.

Department of Commerce. June 20–22, Oxon Hill, MD. (800) 424-5249.

Vehicle Aftermarket Trade Mission to Chile. Auto Care Association and International Trade Administration. August 21–22, Chile. (301) 654-6664. 83rd Thessaloniki International Fair. HELEXPO. September 8–16, Thessaloniki, Greece.

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

CalChamber Identifies Three More Job Killer Bills

From Page 1

projects, a bill attracting more CEQA abuse is the last thing Californians need.

AB 2447 is scheduled to be heard in Assembly Natural Resources Committee on April 16.

- **AB 2560 (Thurmond; D-Richmond):** If passed, this bill would impose a tax of up to 10% on contractors for the privilege of doing business with the state Department of Corrections and Rehabilitation to fund preschool and after school programs.

CalChamber has identified this as a job killer because the unduly burdensome tax structure built into contracting with the Department of Corrections will ultimately result in a loss to the state of qualified and competitive bidders, as well as a loss of business to the vendors that the state has come to rely on as quality and dependable.

AB 2560 is scheduled to be heard in the Assembly Revenue and Taxation Committee on April 16.

- **AB 3087 (Kalra; D-San Jose):** The measure would create the California Health Care Cost, Quality, and Equity Commission, a new state agency, to control in-state health care costs and set the amounts accepted as payment by health plans, hospitals, physicians, physician groups, and other health care providers.

Because the bill interferes with an employer's ability to negotiate for benefit designs and costs for its employees, interferes with Covered California's ability to negotiate with insurers, reduces access to care, adds another layer of bureaucracy, and adds a new health care cost called "witness fees," CalChamber has tagged this as a job killer.

According to CalChamber's bill letter,

AB 3087 fails to take into account the major causes of rising medical care costs. Simply capping the rates will not make the costs in the health care system disappear, but instead will limit choices, access, and in the long term, increase costs for employers and their employees.

The Assembly Health Committee is scheduled to consider AB 3087 on April 24.

Action Needed

The CalChamber is encouraging members to contact their representatives in the Assembly, as well as members of the committees where the job killer bills will be considered, and urge them to **oppose AB 2447, AB 2560 and AB 3087.**

Easy-to-edit sample letters are available at calchambervotes.com.

Environmental Litigator Joins CalChamber Policy Team

From Page 1

Environmental Response, Compensation, and Liability Act (CERCLA) and Resource Conservation and Recovery Act (RCRA) related matters in litigation.

Before joining Meyers Nave, Regele handled state and federal environmental litigation and administrative proceedings as an associate at a Bay Area law firm

that focused on environmental, natural resources, land use, labor and local government law.

He served as a federal judicial law clerk to the Honorable Edward J. Davila of the U.S. District Court, Northern District of California, and as a legal fellow with the Oakland City Attorney's Office prior to entering private law practice.

Regele earned a B.S. in environmental science at the University of California, Berkeley, and a J.D. from UC Hastings College of Law, where he was symposium editor and research and development editor for the *Hastings West-Northwest Journal*.

State Law Grants Registered Domestic Partners Right to Protected Leave

From Page 2

- The **City of Los Angeles** sick leave ordinance allows an employee to take time off to care for "any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship."

- **San Francisco** allows sick leave to

be used, not only for certain family members and registered domestic partners, but also for a "designated person" named in writing in advance by the employee.

Column based on questions asked by callers on 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.

Tools to stay in touch with your legislators.

calchambervotes.com

Fortune 100 Best Companies to Work For: List Features 32 CalChamber Members



Thirty-two California Chamber of Commerce member companies were selected by *Fortune* as

among the 100 best companies to work for in 2018.

This year, *Fortune* changed the methodology for determining the 100 Best Companies. The original formula measured trust, pride and camaraderie.

To give a more accurate reading of how each business uses its organizational culture as a key ingredient for success, the new formula measures value, innovation, financial growth, leadership effectiveness, maximizing human potential, and trust.

Featured Companies

Following are the 32 CalChamber member firms on *Fortune's* 100 Best Companies to Work For list.

- **Boston Consulting Group** (professional services, No. 4) focuses on work/life balance to “make employees happier, more complete humans.” It has spent more than \$100 million to make work schedules more predictable in a 24/7 industry.

- **Genentech** (biotechnology and pharmaceuticals, No. 8) This subsidiary of Roche is a diverse company that has

41% minority staff; women make of 46% of its frontline managerial ranks. According to an employee, “Genentech is the most inclusive company I have ever worked for.”

- **Hyatt** (hospitality, No 9.) was praised by employees for encouraging transparency by using digital and in-person channels for communication. One employee said, “I feel this company and in particular, this hotel are led superbly from the top.”

- **Kimley-Horn and Associates** (professional services, No. 10) Kimley-Horn benefits include 401(k) matches of 2-1, profit sharing and fully paid health care. The company encourages workers to create their own mini-practices to explore new markets and locations. “The opportunities are absolutely endless,” said one employee.

- **Deloitte** (professional services, No. 11). Telecommuting, on-site/subsidized fitness, fully paid sabbaticals are just a few of the benefits offered. Work/life balance is important; “you decide how fast-paced/slow-paced you want to take it.” The \$300 million Deloitte University shows the company’s commitment to developing employees.

- **The Cheesecake Factory** (hospitality, No. 27) Dedicated to investing in its employees, the company filled more than 40% of management positions from within. Telecommuting, fully paid sab-

baticals, health insurance and sick days for part-timers. People say they have “lots of potential for growth here.”

- **KPMG** (professional services, No. 29) While helping clients meet their business objectives, KPMG also focuses on keeping its employees united. The consulting firm created its own news site, KPMG Today, which produces live video communications and has drawn 2.7 million views since 2017.

- **Nvidia** (information technology, No. 30) The semiconductor and software company is all about family. It offers unlimited time off and 110 days of maternity leave. “I have always had the sense that management recognizes and is happy to accommodate my need to put my family first,” said one employee.

- **Orrick, Herrington & Sutcliffe** (law firm, No. 31) The multinational law firm is a “collaborative place where entrepreneurship and innovation are valued.” The “2% initiative asks partners to devote 2% of their time to devising ways to improve the workplace, and there is an annual \$50,000 prize for the best office innovation idea.”

- **Hilton Worldwide** (global hotel chain, No. 33) Diversity is the key for the global hotel chain where minorities make up 69% of the workforce. Hilton also “makes a point to partner with minority-owned businesses.” Benefits such as

See Fortune 100 Best Companies: Page 5

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Fortune 100 Best Companies to Work For: List Features 32 Members

From Page 5

telecommuting, fully paid sabbaticals, and college tuition reimbursement are added incentives.

- **CarMax** (used car retailer, No. 34) The company has committed itself to ensure employee morale is high. Managers who are “great at listening and incorporate feedback” are key. Training is “second to none.” Benefits offered include unlimited sick days, telecommuting, job sharing, subsidized child care, compressed workweeks, on-site fitness/subsidized gym and college tuition reimbursement.

- **Marriott International** (multinational hotel chain, No. 35) After the merger with Starwood, Marriott is now the world’s largest hotel company. The hotel chain has kept its culture and employees say that “at Marriott, we are family.” More than 10,000 25-year veterans of the company get lifetime free stays at Marriott properties.

- **Scripps Health** (health care, No. 41) CEO Chris Van Gorder is “caring and approachable,” and dedicates 96 hours to teaching at the Scripps Leadership Academy. The company says the well-being of the staff is “essential” to business decisions.

- **CISCO** (information technology, No. 48) “A genuine sense of family” is the culture at this information technology company. New parents receive up to 13 weeks of paid leave with more available unpaid. Employees also get a day off for their birthday as well as 5 paid days to volunteer.

- **EY** (professional services, No. 52) A “trailblazing” leave policy provides all parents 4 months of paid time off. “High-skilled” and “driven” staff are allowed flexible workdays if needed and have a newly relaxed dress code (“jeans are A-OK”) that adds to the safe environment.

- **PricewaterhouseCoopers** (audit and consulting, No. 56) With offices in 157 countries, the company provides a program that allows staff to work over-

seas and assures they will have a job back home when they are ready. Tuition reimbursement and student loan debt repayment are among the benefits offered.

- **Perkins Coie** (law firm, No. 58) Attorneys call the culture “open,” “friendly,” “diverse,” and “team-oriented.” A 37.5-hour workweek with flexible hours makes this firm an exception to what *Fortune* calls grueling hours in “Big Law.”

- **American Fidelity Assurance** (financial services and insurance, No. 59) At the supplemental benefits provider, there is “a team whose sole purpose is to solicit employees’ business ideas, suggestions and pitches—and then put them into action.”

- **Accenture** (professional services, No. 60) Employees appreciate the “agile” and “inspiring” teams and also say that when it comes to inclusion, Accenture “really means it.” Telecommuting and flexible schedules are popular perks.

- **Crowe Horwath** (accounting and consulting, No. 62) 90% of the staff at this accounting and consulting firm works remotely at least some of the time. Employees say they feel a sense of “personal ownership.”

- **Comcast NBCUniversal** (telecommunications, No. 68) The telecom giant may have a “gigantic family of different brands,” but it still makes employees “feel connected to each other.” Employees say that there is “a very open culture,” and an “amazing” level of diversity.

- **Nugget Market** (grocery chain, No. 70) Employees are “encouraged to have fun” and are “thanked and celebrated all the time.” The company invests in professional development and promotes from within.

- **NuStar Energy** (pipeline and terminal operator, No. 72) The pipeline operator has a dedicated “no-layoff” policy that fosters a “caring and sharing” workplace. Employees report feeling a sense of “ownership and camaraderie.”

- **Progressive** (insurance, No. 78) Child care subsidies and on-site medical clinics

make this 81-year-old insurer a “company with heart.” A startup vibe is encouraged with hackathons, code jams and A.I. (artificial intelligence) competition.

- **Alston & Bird** (law firm, No. 79) This family-friendly firm offers up to 7 weeks of paid time off, on-site daycare and subsidized at-home sitters. It has a “fun” and “supportive” culture.

- **T-Mobile US** (telecommunications, No. 86) T-Mobile has seen “stellar growth and rising morale to match, in recent years.” Employees say the company “truly embraces diversity” and they feel “inspired” to be where “every voice matters.”

- **Nordstrom** (fashion specialty retailer, No. 88) Diversity is a priority for Nordstrom, where people of color make up 45% of the technology staff. The retailer also makes it a point to recognize staff achievements with parties and special rewards.

- **The Container Store** (specialty retailer, No. 93) Pay well above industry standards, “outstanding” communication and “amazing” benefits, even for part-timers. Employees hold a large portion of shares in the company.

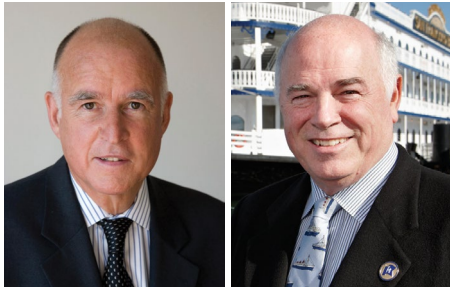
- **FedEx** (shipping, No. 94) Good benefits are only one of the perks at FedEx. Employees say they are proud of the logistics leader’s numerous charitable initiatives. These include “\$200 million to 200 communities by 2020.”

- **Delta Air Lines** (airline, No. 98) Employees say, “Delta takes care of its people, and we take care of Delta.” The “richest” profit sharing and rewards program, and deluxe worker travel benefits.

- **Four Seasons Hotels and Resorts** (luxury hotelier, No. 99) Award and milestone celebrations feel like a “family gathering” with “cool prizes.” Cash bonuses and exotic trips show that the hotelier goes all out with its recognition programs.

- **AT&T** (telecommunications, No. 100) AT&T invests in its people, spending \$250 million a year on training and \$30 million on tuition assistance.

Governor, CalChamber Chair to Speak at Sacramento Host Breakfast in May



Governor Edmund G. Brown Jr.

CalChamber Chair Terry MacRae

Governor Edmund G. Brown Jr. will be the featured speaker at the annual Sacramento Host Breakfast on May 24, co-sponsored by the California Chamber of Commerce and the Sacramento Host Committee.

Also speaking at the breakfast will be 2018 CalChamber Chair Terry MacRae, CEO, president and founder of Hornblower Cruises & Events.

The Host Breakfast provides a venue at which California's top industry and government leaders can meet, socialize and discuss the contemporary issues facing businesses, the economy and government.

Leaders from business, agriculture, the administration, education, the military and legislators from throughout the state are invited to join the discussion.

Capitol Summit

Kicking off the Sacramento activities on May 23 will be the CalChamber Capitol Summit. The half-day summit features political insiders and CalChamber policy advocates who will speak about election year politics and state policy issues.

Opening the program will be CalChamber President and CEO Allan Zaremborg, who will give a straight talk about priority business issues.

Zaremborg also will moderate "Capitol Scoop: Today's Political and Policy Issues" with Andrew Acosta of Acosta Consulting and Karen Hanretty, a public affairs consultant.

Acosta has more than two decades of experience in campaign management, and Hanretty has extensive experience reaching policymakers, voters, and consumers.

A session on "Election Year Voter Attitudes" will be presented by PSB Research's Robert Green and Adam Rosenblatt.

Green, a principal at PSB, develops research-based messaging strategies for political, corporate and trade association clients. Rosenblatt, a PSB senior strategist, was recently named a nonpartisan "Rising Star" by *Campaigns & Elections* magazine.

Other Capitol Summit highlights will include:

- Presentation of the President's Circle and Small Business Advocates of the Year award.

- A post-lunch panel discussion at which CalChamber policy advocates will provide updates on hot issues, with the Honorable Mike Villines, a former Assembly Republican leader and owner of the Villines Group LLC, acting as moderator. The subjects for discussion will be selected closer to the Summit date.

Following the policy issues panel, Summit attendees will have time for self-scheduled visits with their legislative representatives.

International Forum

Another option for Summit attendees is to stop by the CalChamber International Forum (a separate RSVP is required).

The forum will focus on trade issues for the California trade/business community, including the consular corps, Export Council members, local chambers of commerce and more.

Forum speakers will include longtime Capitol journalist Dan Walters, now with CALmatters, presenting an international overview of California; and Christopher Thornberg, Ph.D., founding partner of Beacon Economics, presenting an international economic overview.

Sacramento Host Reception

Scheduled for the evening of May 23 is the Sacramento Host Reception. This event is co-sponsored by the CalChamber and the Sacramento Host Committee to provide networking opportunities for business leaders from all industries in California.

The reception also allows attendees the opportunity to discuss key issues facing the state with other business leaders and is a prelude to the Host Breakfast the next morning.

Register by May 11

The registration fee to attend the Capitol Summit, Host Reception and Host Breakfast is \$75/person.

The registration deadline is Friday, May 11 OR until sold out. Space is limited.

For more information or to register, visit www.calchamber.com/2018summit-host.

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