

Closer Look at Privacy Law

MacTaggart Goes to Washington—What's Next?



Unlike Europe, with its recently implemented GDPR (General Data Protection Regulation), the United States does not have a comprehensive law to regulate the collection and use of data. Certainly, a federal law in this realm, which primarily regulates the internet, is preferable to a piecemeal, state-by-state approach. Yet, as is often the case in these situations, California passed a law to fill the void: the California Consumer Privacy Act (CCPA).

Unfortunately, as most of you likely know, the CCPA was signed by Governor Edmund G. Brown Jr. less than one

week after its language was made public. Of course, it was rushed through the legislative process in order to avoid an even worse ballot initiative drafted and funded by a real estate developer, Alastair MacTaggart.

Federal Hearings

Anyway, over the past few weeks, the U.S. Senate Committee on Commerce, Science, and Transportation has held informational hearings to discuss potential federal privacy legislation as well as to study the GDPR and the CCPA.

MacTaggart was invited to Capitol Hill to testify and, in an effort to sell his CCPA as a template for any federal law, he left out some key facts.

First, and most crucially, when asked which businesses must comply with the

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Administration Announces Intent to Open Trade Talks with EU, UK, Japan



This week, the U.S. Trade Representative notified Congress of the Trump administration's intent to enter into trade negotiations with three markets: the European Union, the United Kingdom, and Japan.

President Donald J. Trump is working to open new markets for U.S. farmers and companies where they currently face significant barriers. As U.S. House Ways and Means Committee Chairman Kevin Brady (R-Texas) noted, new high-standard trade agreements with each of these countries would expand the United States' ability to sell "made in America" products around the globe and deepen partnerships with vital allies.

Pursuant to the Trade Promotion Authority (TPA) process, the U.S. Trade Representative must give notice to Congress of the intent to enter into trade negotiations. The trade representative's October 16 letter to Congress opened a 90-day consultation period in which members of Congress and stakeholders may outline negotiating objectives. TPA also requires the publication of detailed negotiating objectives at least 30 days before the start of talks.

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Labor Law Corner

State/Local Laws Restrict Use of Information on Criminal Offenses



Sunny Lee HR Adviser

An applicant voluntarily disclosed that when he was a minor he had a felony conviction that has since been expunged. Can we refuse to hire him?

This area is confusing to many employers who have had a practice of not hiring an applicant who has been convicted of a felony. Recent changes to state law prevent an employer of five or more employees from asking about criminal history information on a job application and/or in a job interview.

Employers also are prevented from using criminal offenses that occurred while an applicant was a minor in denying employment, as well as using criminal records that have been expunged.

Felony While a Minor

In this case, even though the applicant volunteered the information, the employer may not use that information to deny employment if the applicant was a minor at the time the felony was committed.

Moreover, if a criminal record has been expunged, it means that the record has been wiped clean as if the event never happened, and the applicant never committed the crime.

These are powerful protections that

prevent an employer from acting on criminal information to deny employment.

An employer who feels the need for further help in this area should consult with legal counsel.

Local Ordinances

In addition to restrictions on use of criminal information that have been enacted by California, local laws or city ordinances may further restrict or control an employer's use of criminal information.

Both Los Angeles and San Francisco have enacted local ordinances commonly referred to as "ban the box" laws that apply to employees working in those cities.

To see the list of cities that have adopted ordinances restricting use of information on criminal offenses, go to *HRCalifornia.com* and click on the "Local Ordinances" tab.

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Ann S. Amioka Vice President, Communications September 18, 2018





IRS Highlights Tax Changes Affecting Small Businesses



The Internal Revenue Service is urging small business owners to learn about how the new tax law changes may affect them.

The Tax Cuts and Jobs Act. passed in Decem-

ber 2017, made tax law changes that will affect virtually every business and individual in 2018 and the years ahead. Among other things, the new law may change business and individual tax rates and have an impact on the quarterly estimated tax payments businesses and individuals are required to make during the vear.

For many pass-through businesses, the law changes created a new 20% deduc-

tion for qualified business income. Other deductions and credits have been changed as well, including revised depreciation methods and expanded options for expensing business property.

There also are new rules for like-kind exchanges and fringe benefits. In addition, small business employers who provide paid family and medical leave to their employees during tax years 2018 and 2019 may qualify for a new business credit.

Business owners can refer to the Tax Reform Provisions that Affect Businesses page at www.irs.gov/newsroom/businesses for updates and resources on these topics and other business-related changes.

The IRS is highlighting these changes and more as part of its ongoing initiative to help small businesses and selfemployed individuals understand and meet their tax responsibilities. Passthrough businesses, small C-Corporations, Schedule C filers (independent contractors and gig economy workers) and farmers are all affected by the new law.

The IRS has issued a number of news releases, tax tips, YouTube videos and webinars to help small businesses navigate the new tax law, and more of these products are on the way. Tax tips are written in plain language and people can subscribe to the tips by using the IRS Tax Tips email-subscription program at www.irs. gov/newsroom/subscribe-to-irs-tax-tips.

A variety of additional products and resources can be found on the IRS Tax Reform Resources page at www.irs.gov/ newsroom/tax-reform-resources.

The IRS encourages business owners to check its Tax Reform homepage at www.irs.gov/tax-reform for the latest guidance on the tax law provisions that may affect them.

CalChamber-Sponsored Seminars/Trade Shows

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

HR Boot Camp. CalChamber. December 7, Oakland – SOLD OUT. (800) 331-8877.

HR Symposium. CalChamber. November 2, San Francisco. (800) 331-8877.

Business Resources

Tax Reform Basics for Employers. Internal Revenue Service. October 25, webinar. Tax Reform Basics for Small Business and Pass-Through Entities. Internal Revenue Service. November 1. webinar. BusinessH2O Water Innovation Summit: Best Practices from the U.S. and

Israel. U.S. Chamber of Commerce. December 10-11, Phoenix, Arizona. (202) 463-5484.

International Trade

International Consulate Reception. East Bay Economic Development Alliance. October 25, Oakland. (510) 272-6746.

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

GetGlobal 2018. GetGlobal. November 7-8, Los Angeles.

Global SFAsia Roadshow. SFAsia. November 26–30, Seoul and Taipei.

Global ChinaSF Roadshow. ChinaSF. December 3–7, Beijing, Chengdu and Guangzhou.

Discover Global Markets: Indo-Pacific. U.S. Commercial Service. December 10–12, Salt Lake City, Utah. (208) 364-7791.

CalChamber Positions



Oppose

Proposition 6 Makes Bridges and Roads Less Safe. Jeopardizes Access to Kidney Dialysis. Proposition 8 Proposition 10 Makes California's Housing Crisis

Support

Proposition 1 Funds Affordable Housing for Veterans, Families and Seniors.

Proposition 2 Funds Stable Housing for Individuals

with Mental Illness. Funds Clean, Reliable Water.

Proposition 3 Funds Critical Care at Children's Proposition 4

Hospitals.

Proposition 5 Removes Unfair Moving Penalty for Seniors, the Severely Disabled and

Disaster Victims.

Quick Answers to Tough **HR Questions**





Closer Look at Privacy Law

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CCPA, he stated, "CCPA only covers businesses with over \$25M in revenue, and data brokers selling large amounts of personal information."

He conveniently left out an incredibly broad category of businesses covered by the CCPA, many of them small to midsized: businesses collecting or sharing personal information of over 50,000 consumers, households, or devices in one year.

This may sound like a high number at first blush, but it is not, given the CCPA's broad definition of "personal information," which includes, for example, IP addresses. If a company has an average of 137 unique visitors to its website per day over the course of one year, it could hit the 50,000 threshold.

He also described the CCPA as legislation largely without flaws that was crafted over "years" with bipartisan support. The reality is that numerous legislators—on both sides of the aisle—voted in favor of the CCPA in order to avoid the ballot initiative because such a detailed law, regulating a crucial component of our state's economy, belongs with the Legislature so it can be amended in the future.

Many legislators were unhappy with the one-week process that neither allowed for in-depth hearings nor amendments to the 33-page bill. Despite the sugarcoating, the CCPA is riddled with errors that will result in serious, unintended consequences if not addressed.

CalChamber Calendar

Public Affairs Conference:

November 27–28, Huntington Beach *Environmental Policy Committee:*

December 6, San Francisco *Water Committee:*

December 6, San Francisco *ChamberPAC Advisory Committee:*

December 6, San Francisco Board of Directors:

December 6–7, San Francisco *International Trade Breakfast:*

December 7, San Francisco *Annual Meeting:*

December 7, San Francisco

Flaws in Law

MacTaggart decried a coordinated effort by "Big Tech" to undermine the key provisions of the CCPA. The reality is that a large and diverse coalition of businesses, ranging from wineries and movie studios to retail stores and hospitals, has come together to propose amendments to the numerous flaws with the workability of the CCPA.

As just one example, the CCPA requires businesses to provide consumers with "specific pieces of information" the business has collected upon their request. That could include credit card numbers or birth dates—incredibly sensitive information the consumer already knows.

Yet, the CCPA forbids a business from requiring any consumer to create an account so the business can verify the consumer requesting their data is who they claim to be. This runs counter to common-sense principles of privacy.

Perhaps problems like this are why, after consideration of the details of the CCPA during its meeting last month, the Council of State Governments declined to include the CCPA in its 2019 publication of "Shared State Legislation," as a model for other states to use for privacy legislation.

What's Next

So, what is next for the CCPA? The business community will continue to push for crucial legislative fixes next year. Also, we intend to be involved in the AG's regulatory process to ensure that business

Annual Meeting

In compliance with Article VII of the bylaws, notice is hereby given that the annual meeting of the members of the California Chamber of Commerce, a mutual benefit corporation operating under the laws of the State of California, will be held on Friday, December 7, 2018, at 9 a.m. in Salon III at the Ritz-Carlton, 600 Stockton Street, San Francisco, California, for the transaction of whatever business may be necessary.

Next Alert: November 9

efforts to implement and comply with the CCPA can be as efficient and safe as possible. While federal legislation is preferable, we can't hold our breath for a solution from Washington, D.C. given the dysfunction there these days. The CCPA will soon be the law of the land here in California. We need to make sure it functions properly—both for consumers and businesses.

Staff Contact: Sarah Boot

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For insights from California Chamber of Commerce policy advocates and

experts on issues of the day, download the *Capitol Insider* app, available in both the iTunes and Google Play stores.

Blog posts provide examples of the wide range of subjects the CalChamber covers for members. In addition to the update on privacy laws, recent blog posts covered sexual harassment prevention bills signed and the *Dynamex* independent contractors court decision, the successful fight to win the Governor's veto of a blood lead level reporting mandate; the task force on equal pay; and federal water legislation.

To download the *Capitol Insider* app, visit *www.calchamber.com/mobile*.

State/Local Laws Restrict Use of Information on Criminal Offenses

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For more information on important changes that have occurred in this area, consult "Restrictions on Obtaining Criminal Information" in the HR Library on *HRCalifornia*.

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.



CalChamber Vote Record: Major Bills 2018



This report for the second year of the 2017–2018 legislative session focuses on California legislators' floor votes on California Chamber of Commerce priority bills.

This is the 44th vote record the CalChamber has compiled in response to numerous requests by member firms and local chambers of commerce that would like a gauge by which to measure the performance of their legislators.

Partial Picture

No vote record can tell the entire story of a legislator's attitude and actions on issues of importance to business. To fully evaluate your legislative representative, consult the legislative journals and examine your legislator's votes in committee and on floor issues.

You can view these via links at www. calchambervotes.com.

Many anti-business bills were rejected by legislators in policy or fiscal committees, thus stopping proposals before they reached the floor for a vote. The vote record does not capture these votes.

Most bills in this report cover major business issues that are of concern to both small and large companies.

The CalChamber recognizes that there are many bills supported or opposed by business that are not included in this vote record and analysis.

Factors Considered

The CalChamber considers the following factors in selecting vote record bills:

- The bills and votes reflect legislators' attitudes toward private enterprise, fiscal responsibility and the business climate.
- Each bill was a CalChamber priority in a particular field. Priority bills have appeared in the "Status Report" sections of *Alert*.
- The bills were voted upon by either the full Senate or Assembly. This year, the vote record covers 14 votes in the Senate and 15 votes in the Assembly.
- Unless otherwise noted, final floor votes are shown. Concurrence votes are considered final votes.

When 'Not Voting' Helps

Sometimes a legislator is unwilling to vote against a colleague, but is willing to support the CalChamber's opposition to a bill. In such cases, a legislator may abstain from voting, which will hinder passage of a bill, just as a "no" vote does.

To recognize that not voting can aid the CalChamber's opposition to a bill, the vote record includes the number of times legislators did not vote "aye" on a Cal-Chamber-opposed bill in the total for the column listing actions "in accord with" the CalChamber's position, if the legislator was not absent for the day.

Priority Bills

Agriculture, Food and Natural Resources

• AB 2528 (Bloom; D-Santa Monica) Land Use Restrictions. Potentially limits private land use by expanding areas protected for non-endangered species. Punishes landowners who managed their lands in a way to enhance the habitat of nearby species. Passed Assembly, May 29, 42-32. Passed Senate, August 22, 23-12. Assembly concurred in Senate amendments August 27, 44-32 (vote shown). Vetoed. CalChamber Opposed Unless Amended. Corporate Governance

• SB 826 (Jackson; D-Santa Barbara) Unconstitutional Board Mandate for Publicly Traded Corporations.

Requires a publicly traded corporation to satisfy quotas regarding the number of women on its board or face significant penalties, which is likely unconstitutional, a violation of California's Civil Rights statute, and a violation of the internal affairs doctrine for publicly held corporations. Passed Assembly, August 29, 41-26. Senate concurred in Assembly amendments, August 30, 23-9. Signed—Chapter 954. CalChamber Opposed. *Education*

• AB 2361 (Weber; D-San Diego)

Onerous Disclosure Requirements.

Imposes onerous disclosure requirements on contractors of the University of California that will force public reporting of proprietary information as well as personal employee data, with the threat of barring the contractor from bidding on any contract for five years if the contractor makes a mistake or omission. Passed Assembly, May 31, 54-22. Passed Senate, August 24, 23-13. Vetoed. CalChamber Opposed.

Energy

• SB 64 (Wieckowski; D-Fremont)

Increased Rates. Arbitrarily requires the Public Utilities Commission to consider elimination of electric-generating facilities that produce any air emissions. Threatens the reliability of the electric grid by eliminating generation needed to meet peak demand. Failed passage in Assembly, August 29, 33-37. CalChamber Opposed.

• SB 100 (de León; D-Los Angeles) Increased Energy Costs. Increases the cost of energy and threatens the reliability of the grid by mandating an ambiguous zero-carbon energy by 2045 planning goal and requirements for regulatory agencies in the state. Passed Assembly, August 28, 44-33. Senate concurred in Assembly

amendments, August 29, 25-13. Signed—

Chapter 312. CalChamber Opposed. *Health Care Costs*

• AB 2384 (Arambula; D-Kingsburg)

Increases Health Care Premiums. Before amendments, increased health care premiums by mandating medication-assisted treatment for opioid use disorders and by eliminating all quality control and cost containment mechanisms. Job killer tag removed due to June 14, 2018 amendments, but CalChamber remains opposed. Passed Assembly, May 31, 58-17. Passed Senate August 28, 26-9. Assembly concurred in Senate amendments, August 29, 68-6 (vote shown). Vetoed. CalChamber Opposed/Former Job Killer 2018.

• AB 2343 (Chiu; D-San Francisco)

Housing and Land Use

Amends Unlawful Detainer and Eviction Notice Process. Before amendments. would have driven up the cost of providing rental housing in the state by tripling the amount of notice a landlord is required to provide a tenant in order to begin a lawful eviction process, extending the due date for rent to the middle of the month, and allowing a tenant who has joined a "tenant association" to stop paying rent merely by claiming landlord retaliation. Opposition removed due to June 25, 2018 amendments. Passed Assembly, May 31, 42-27 (vote shown). Passed Senate, August 20, 25-12. Assembly concurred in Senate amendments, August 23, 46-27. Signed— Chapter 260. No Position.

Immigration

• AB 2732 (Gonzalez Fletcher; D-San Diego) New Labor Code



CalChamber Vote Record: Major Bills 2018

From Previous Page

Requirement Subject to Private Attorneys General Act (PAGA). Creates new onerous requirements for employers to provide a worker bill of rights document to all employees, have them sign it, give them a copy of the signed document, keep the original for three years, and post the document. Passed Senate, August 31, 24-8. Assembly concurred in Senate amendments, August 31, 59-13. Vetoed. CalChamber Opposed Unless Amended. *Industrial Safety and Health*

• AB 2963 (Kalra; D-San Jose)

Usurps Cal/OSHA Priorities. Requires Cal/OSHA to treat as a serious violation a rule that does not constitute any violation of Cal/OSHA rules, and redirects Cal/ OSHA resources, which will undermine existing Cal/OSHA priorities. As a result of a blood lead level of employees reported to the Department of Public Health, the bill requires a workplace inspection by Cal/ OSHA within three days, as if a serious violation has been reported where none exists. Passed Assembly, May 30, 41-30. Passed Senate, August 28, 23-13. Assembly concurred in Senate amendments, August 30, 43-31 (vote shown). Vetoed. CalChamber Opposed Unless Amended. Labor and Employment

• AB 1870 (Reyes; D-Grand Terrace)

Extension of Statute of Limitations. Unnecessarily extends the statute of limitations from one year to three years for all discrimination, harassment and retaliation claims filed with the Department of Fair Employment and Housing. Passed Assembly, May 29, 57-4. Passed Senate, August 27, 25-10. Assembly concurred in Senate amendments, August 29, 61-9 (vote shown). Vetoed. CalChamber Opposed Unless Amended.

• AB 2770 (Irwin; D-Thousand

Oaks) Sexual Harassment Employer/
Employee Protection. Codifies case law
to ensure victims of sexual harassment and
employers are not sued for defamation by
the alleged harasser when a complaint of
sexual harassment is made and the
employer conducts its internal investigation. This bill also provides additional
protections to employers by expressly
allowing employers to inform potential
employers about the sexual harassment
investigation and findings. Reducing the
cost of frivolous litigation allows an
employer to utilize these financial

resources to grow its workforce. Passed Assembly, May 7, 72-0. Passed Senate, June 25, 36-0. Signed—Chapter 82. Cal-Chamber Sponsored/*Job Creator 2018*.

• AB 2946 (Kalra; D-San Jose)

Imposes New One-Sided Attorney's Fee Recovery. Undermines the essence of the Division of Labor Standards Enforcement complaint process by requiring a one-sided attorney's fee provision that will incentivize further litigation. Failed passage in Assembly, May 31, 19-30. CalChamber Opposed.

 SB 1284 (Jackson; D-Santa Barbara) Disclosure of Company Pay Data. Requires California employers to submit pay data to state agencies that could give the false impression of pay disparity where none may exist. Agencies are prohibited from releasing companyspecific information. Job killer tag removed due to August 8 amendments helping rectify public shaming aspect of the bill, but CalChamber remains opposed due to administrative burden placed on employers. Passed Senate, May 31, 24-13. Held in Assembly Appropriations Suspense File, August 16. CalChamber Opposed/Former Job Killer 2018.

· SB 1300 (Jackson; D-Santa Bar-

bara) Significant Expansion of Harassment Discrimination and Retaliation Liability. Limits the use of nondisparagement agreements and general releases and, through the codified intent language, attempts to restrict the ability to summarily adjudicate harassment claims and attempts to lower the legal standard for actionable harassment claims by providing a directive to the courts on how they should interpret the law. These provisions will significantly increase litigation against California employers and limit their ability to invest in their workforce. Job killer status removed due to August 20, 2018 amendments, but CalChamber remains opposed. Passed Senate, May 31, 22-11. Passed Assembly, August 30, 41-33. Senate concurred in Assembly amendments, August 31, 25-10 (vote

Legal Reform and Protection

• AB 3080 (Gonzalez Fletcher; D-San Diego) Ban on Settlement Agreements and Arbitration Agreements. Significantly expands employment litigation and increases costs for employers and employ-

shown). Signed—Chapter 955. CalCham-

ber Opposed/Former Job Killer 2018.

Key to This Section

Y means voted for bill.

N means voted against bill.

 means not voting "aye" on a CalChamber-opposed bill.

NV means not voting

means absent.

Boldface type indicates votes in accord with CalChamber position.

Red columns are Job Killers.

Green columns are Job Creators.

ees by banning settlement agreements for labor and employment claims as well as arbitration agreements made as a condition of employment, which is likely preempted under the Federal Arbitration Act and will only delay the resolution of claims. Banning such agreements benefits the trial attorneys, not the employer or employee. Passed Assembly, May 30, 47-25. Passed Senate August 22, 26-12. Vetoed. Cal-Chamber Opposed/*Job Killer 2018*.

Product Regulation

• SB 1249 (Galgiani; D-Stockton) Risks California Jobs and Limits Consumer Options. Before amendments, jeopardized hundreds of thousands of California manufacturing, distribution and retail jobs by effectively banning for sale any cosmetic product whose ingredient was tested on animals for any purpose, by anyone, anywhere in the world. Opposition removed due to August 28, 2018 amendments. Passed Senate, May 30, 21-9 (vote shown). Passed Assembly, August 31, 80-0. Senate concurred in Assembly amendments, August 31, 39-0. Signed—Chapter 899. No Position. **Telecommunications**

elecommunications

• SB 822 (Wiener; D-San Francisco) Net Neutrality. Preempted by federal law and opens the door to a patchwork of unworkable state regulations that will stymie innovation and potentially undermine the backbone of California's internet economy. Passed Assembly, August 30, 61-18. Senate concurred in Assembly amendments, August 31, 27-12. Signed—Chapter 976. CalChamber Opposed.



2018 Senate Vote Record

	Ag, Food, Resources AB 2528 Land Use	Corporate Governance	SB 826 Board Quotas	Education	AB 2361 UC Disclosure	Energy	SB 64 Increased Rates	SB 100 Increased Costs	Health Care Costs	AB 2384 Increased Premiums	Housing and Land Use	AB 2343 Eviction Notices	Immigration	AB 2732 New Labor Code Mandate	Industrial Safety and Health	AB 2963 Usurps Cal/OSHA	Labor and Employment	AB 1870 Statute of Limitations	AB 2770 Defamation Protection	AB 2946 Attorney's Fee Recovery	SB 1284 Pay Data Disclosure	SB 1300 Harassment Discrimination	Legal Reform and Protection	AB 3080 Anti-Arbitration	Product Regulation	SB 1249 Limits Consumer Options	Telecommunications	SB 822 Net Neutrality	In Accord with CalChamber	Not in Accord with CalChamber	Not Voting or Absent
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Glazer, S. (D)	Υ		•		N		Į.	Υ		•		afte		Υ		•		Υ	Y		•	Υ		Υ		•		Υ	7	7	0
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Hertzberg, B. (D)			•		Υ		Jate	Υ		Υ		Senate		Υ		Υ		Υ	Y		Υ	Υ		Υ		Υ		Υ	2		0
Hill, J. (D)	Υ		Y		Υ		Ser	Υ		Υ				Υ		Υ		Υ	Y		Υ	Υ		Υ		•		Υ		12	0
Hueso, B. (D)	Y		Υ		Y		Passed :	Υ		Y		Passed		Υ		Υ		Υ			Υ			Υ		Υ		Υ	1 1		0
Jackson, H. (D)	Y		Υ		Υ		ass	Y		Υ		Pa		Υ		Υ		Υ	Y		Υ	Y		Υ		Y		Y	1 1		0
Lara, R. (D)	Y		Y		Y		<u> </u>	Y		Y				Y		Y		Y	Y		Y	Y		Y		Y		Υ	1	13	0
Leyva, C. (D)	Y		Y		Y			Y		Y				Y		Y		Υ	Y		Y	Y		Y		Y		Y	1	13	0
McGuire, M. (D)	Y		Y		Y			Y		Y				Y		Y		Y	Y		Y	Y		Y		Y		Y		13	0
Mitchell, H. (D)	Y Y		Υ Υ		Υ Υ			Y Y		Y				Y		Y		Y			Y	Y		<u>Y</u> Y		• Y		Y	1		0
Monning, B. (D) Moorlach, J. (R)	N		I N		N			N		N				I •		T N		N	Y		N	N		N		•		N	14		0
Morrell, M. (R)	N		N		N			N		N				N		N		N	Y		N	N		N		N			14		0
Nguyen, J. (R)	N		•		N			N		N				Y		N		•	Ÿ		N	•		N		Υ			12		0
Nielsen, J. (R)	•		N		N			N		N				N		N		N	Ÿ		N	N		N		N			14		0
Pan, R. (D)	Υ		Ÿ		Y			Ÿ		Ÿ				Y		Ÿ		Ÿ			Ÿ	Ÿ		Ÿ		•		Ÿ			0
Portantino, A. (D			Ϋ́		Ý			Ÿ		Y				Ý		Y		Y			Ÿ			Y		Υ		Y	1 1		0
Roth, R. (D)	•		Υ		Υ			•		Υ				•		•			Y		Υ			Υ		•		Υ	7	7	0
Skinner, N. (D)	Υ		Υ		Υ			Υ		Υ				•		Υ			Y		Υ			Υ		Υ		Υ	2	12	0
Stern, H. (D)	Υ		Υ		Υ			Υ		Υ				Υ		Υ		Υ	Y		Υ	Υ		Υ		Υ		Υ	1 1	13	0
Stone, J. (R)	N		N		N			N		Υ				N		N		N	Y		N	N		N		N		N	13	1	0
Vidak, A. (R)	N		N		N			N		N				N		N		N	Y		N	N		N		N		N	14	0	0
Wieckowski, B. (D) Y		•		Υ			Υ		Υ				Υ		Υ		Υ	NV		Υ	Υ		Υ		Υ		Υ	1 1	12	1
Wiener, S. (D)	Υ		Υ		Υ			Υ		Υ				•		Υ			Y		Υ	Υ		Υ		Υ		Υ	2	12	0
Wilk, S. (R)	N		N		N			N		N				•		N		N	Y		N	•		N		Υ		N	13	1	0

^{*}Sworn into office June 25, 2018.



2018 Assembly Vote Record

Second Committee Committ						•										d)								H									
Aguiar-Curry, C. (D)		Ag, Food, Resources	AB 2528 Land Use	Corporate Governance	SB 826 Board Quotas	Education	AB 2361 UC Disclosure	Energy	SB 64 Increased Rates	SB 100 Increased Costs	Health Care Costs	AB 2384 Increased Premiums	Housing and Land Use	AB 2343 Eviction Notices	Immigration	AB 2732 New Labor Code Mandat	Industrial Safety and Health	AB 2963 Usurps Cal/0SHA	Labor and Employment	AB 1870 Statute of Limitations	AB 2770 Defamation Protection	AB 2946 Attorney's Fee Recovery	SB 1284 Pay Data Disclosure	SB 1300 Harassment Discriminati	Legal Reform and Protection	AB 3080 Anti-Arbitration	Product Regulation	SB 1249 Limits Consumer Options	Telecommunications	SB 822 Net Neutrality	In Accord with CalChamber	Not in Accord with CalChamber	Not Voting or Absent
Aguiar-Curry, C. (D)	Acosta, D. (R)		N		•		N		N	N		Υ		N		•		N		Υ	Y	N	Ġ.	N		•		d.		Υ	12	3	0
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y					Υ											Υ							<u>i</u>			Υ		ove					
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y										N								N		•	Υ	N	Ш	N				em				1	
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y										•										Υ	Ÿ	•	်					n r				10	
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y					N				N	Υ		Υ		N		Υ		N		Υ	Y	N		N		N		ij.		Υ		6	
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y			Υ							Υ										Υ	Υ		atio	Υ				sod					0
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y			N		N		N			N		Υ		N		•		N		N	Y	N	priš	N		N		do		•		1	0
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y									Υ	Υ		Υ				Υ				Υ	Y	Υ	pro	Υ				ber		Υ	1	14	0
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y			Υ		Υ		Υ		Υ	Υ		Υ		Υ		Υ		Υ		Υ	_	Υ		Υ		Υ		aml		Υ	0	14	1
Caballero, A. (D) N Y N N Y N N Y Y Y Y Y Y			N		N		N		N	N		Υ		N		N		N		•	Y	N	bly	N		N		<u>ട്</u>		N	14	1	0
Calderon, I. (D)			Υ		Υ		Υ		•	Υ		Υ		Υ		Υ		•		Υ	Y	•	em	Υ		Υ		Sa		Υ	4	11	0
Calderon, I. (D)			N		Υ		Υ		N	N		Υ		Υ		Υ		Υ		Υ	Y	N	Ass	Υ		Υ		ter		Υ	5	10	0
Chávez, R. (R)			Υ		Υ		Υ		•	Υ		Υ		Υ		Υ		Υ		Υ	Y	•	.⊑	Υ		Υ		y af		Υ	3	12	0
Chávez, R. (R)	Carrillo, W. (D)		Υ		Υ		Υ		Υ	Υ				Υ		Υ		Υ		Υ	Y	•	eld			Υ		lqu			2	13	0
Chávez, R. (R)									•	•										Υ	Y		工	N				ser					0
Chui, D. (D)																					Y	Υ						As			1	14	0
Chui, D. (D)					N											N												sed		- 1		1	
Chui, D. (D)																												Pas				1	
Chu, K. (D)																															_		
Cooley, K. (D)																														_			
Cooper, J. (D) Ounningham, J. (R) N N N N N N N N N N N N N																					Y	Υ											
Cunningham, J. (R)																				Υ	Y	•											
Dahle, B. (R) N N N N N N N Y N Y N Y N N N N N N N N N N N Y <																				•	Y	•											
Daly, T. (D)																					_ _												
Eggman, S. (D)																																	
Flora, H. (R)																•															•		
Fong, V. (R)																																1	_
Frazier, J. (D) N N N Y N N Y Y Y Y Y Y Y Y Y Y Y Y Y																ı				•												ı	_
Friedman, L. (D)																•				•													_
Gabriel, J. (D)*																				v	_									_			
Gallagher, J. (R) N N N N N N Y N Y N N N N N N N 12 3 0 Garcia, C. (D) Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y							*							*								*				1 *							_
Garcia, C. (D) Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y							N							N						•	v	N				N							_
Garcia, E. (D) Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y																																	
Gipson, M. (D) Y • Y • N Y Y Y Y Y • Y • Y • G 9 0 Gloria, T. (D) Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y																-				-													_
Gloria, T. (D) Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y																																	
Gonzalez Fletcher, L. (D) Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y					Υ																												_
Gray, A. (D) N N Y N N Y N • N • Y • N N Y 12 3 0		D)																															_
Grayson, T. (D) N • Y N Y Y Y • Y Y N • Y 7 8 0		•														•															12	3	_
			N		•											•														- 1	7	8	0

^{*}Sworn into office June 11, 2018.



2018 Assembly Vote Record

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	Ag, Food, Resources	AB 2528 Land Use	Corporate Governance	SB 826 Board Quotas	Education	AB 2361 UC Disclosure	Energy	SB 64 Increased Rates	SB 100 Increased Costs	Health Care Costs	AB 2384 Increased Premiums	Housing and Land Use	AB 2343 Eviction Notices	Immigration	AB 2732 New Labor Code Mandate	Industrial Safety and Health	AB 2963 Usurps Cal/0SHA	Labor and Employment	AB 1870 Statute of Limitations	AB 2770 Defamation Protection	AB 2946 Attorney's Fee Recovery	SB 1284 Pay Data Disclosure	SB 1300 Harassment Discrimination	Legal Reform and Protection	AB 3080 Anti-Arbitration	Product Regulation	SB 1249 Limits Consumer Options	Telecommunications	SB 822 Net Neutrality	In Accord with CalChamber	Not in Accord with CalChamber	Not Voting or Absent
Harper, M. (R)		N		N		N		N	N		•		N		N		N		N	Y	N	ë.	N		N		Ď.		N	15	0	0
Holden, C. (D)		Υ		Υ		Υ		Υ	Υ		Υ		Υ		Υ		Υ		Υ	Y	Υ	Committee.	Υ		Υ		CalChamber opposition removed.		Υ	1	14	0
Irwin, J. (D)		N		N		Υ		•	Υ		Υ		Υ		Υ		Υ		Υ	Y	N	Ш	N		•		em		Υ	7	8	0
Jones-Sawyer, R. (D)		Υ		Υ		Υ		Υ	Υ		Υ		Υ		Υ		Υ		Υ	Y	•	Ŝ	Υ		Υ		'n		Υ	2	13	0
Kalra, A. (D)		Υ		Υ		Υ		Υ	Υ		Υ		Υ		Υ		Υ		Υ	Y	Υ	Suc	Υ		Υ		ΞĘ		Υ	1	14	0
Kamlager-Dove, S. (D)		Υ		Υ		Υ		Υ	Υ		Υ		Υ		Υ		Υ		Υ	Y	•	Appropriations	Υ		Υ		od		Υ	2	13	0
Kiley, K. (R)		N		N		N		N	N		N		N		N		N		N	Y	N	pri	N		N		do .		N	15	0	0
Lackey, T. (R)		N		N		N		N	N		Υ		N		N		N		Υ	Y	N	bro	N		N		ber		Y	12	3	0
Levine, M. (D)		Υ		Υ		Υ		Υ	Υ		Υ		Υ		Υ		Υ		Υ	Y	Υ	γÞ	Υ		Υ		am		Υ	1	14	0
Limón, M. (D)		Υ		Υ		Υ		Υ			Υ		Υ		Υ		Υ		Υ	Y	Υ	embly	Υ		Υ		들.		Υ		14	0
Low, E. (D)		Υ		•		Υ		•	Υ		Υ		Υ		Υ		Υ		Υ	Y	Υ	serr	N		Υ				Υ	4	11	0
Maienschein, B. (R)		N		•		Υ		•	N		Υ		N		Υ		N		Υ	Y	N	Ass	•		N		fter			10	5	0
Mathis, D. (R)		N		N		N		N	N		Υ		N		N		N		N	Y	N		N		N		Assembly after			14	1	0
Mayes, C. (R)		N		N		N		N	N		•		N		Υ		N		•	Y	N	Held	N		•		ηp		- 1	13	2	0
McCarty, K. (D)		Υ		Υ		Υ		Υ	Υ		Υ		Υ		Υ		Υ			NV	Υ	<u> </u>	Υ		Υ		ser.		Υ	0	14	_1
Medina, J. (D)		Υ		•		Υ		N	Υ		Υ		•		Υ		•		Υ	Y	•		Υ		Υ		AS		Υ	6	9	0
Melendez, M. (R)		N		N		N		N	N		Υ		N		Υ		N				N		N		N		sec		N	13	2	0
Mullin, K. (D)		Υ		Υ		Υ		Υ	Υ		Υ		Υ		Υ		Υ		Υ	Y	•		Υ		Υ		Passed		Υ		13	0
Muratsuchi, A. (D)		Y		Y		Y		Y	Y		Y		•		Y		Υ		Y	Y	•		Υ		Y				Υ		12	0
Nazarian, A. (D)		Υ		Y		Y			Y		Y		Y		Υ		Υ			Y	•		Y		Y				Υ		13	0
Obernolte, J. (R)		•		N		N		N	N		N		N		N		N		N		N		N		N				- 1	15	0	0
O'Donnell, P. (D)		Y		•		Y		N	Y		Y		•		Y		Y		Υ	Y	•		N		Y				Υ	6	9	0
Patterson, J. (R)		N		N		N		N	N		N		N		N		N		•		N		N		N				- 1	15	0	0
Quirk, B. (D)		Y		•		Y Y		Y	Y		Y		Y		Y Y		Y		Y		Y		Υ		Y				Y	2	13	0
Quirk-Silva, S. (D)		Y		N Y		Υ Υ		N	N Y		Y		Y		Υ Υ		N Y			Y Y			N		•	—			Y Y	9	6	0
Rendon, A. (D)		Ϋ́		Ϋ́		Ϋ́			Ϋ́		Y Y		Ϋ́		Υ		Ϋ́		Υ				Y Y		Y Y				Y		14 13	0
Reyes, E. (D) Rivas, L. (D)*		Ϋ́		Ϋ́		Ι *			Ϋ́		Ϋ́		1 *		Ϋ́		Ϋ́		Ϋ́		*		Υ		Ι *				Y		10	0
Rodriguez, F. (D)		•		I •		Υ			Y		Y		•		Ϋ́		Ϋ́		Ϋ́				•		Υ				Ϋ́	7	8	0
Rubio, B. (D)		•		Υ		Ϋ́			N		Y		Y		Ϋ́		•		-	Y			Y		Y				Ϋ́	6	9	0
Salas, R. (D)		Ň		<u>'</u>		Ϋ́		Ň	N		Ϋ́		'n		Ÿ		N			Ÿ			•		'n					10	5	0
Santiago, M. (D)		Υ		Υ		Ϋ́			Υ		Ϋ́		Υ		Ϋ́		Υ			Y			Υ		Υ				Ϋ́		13	0
Steinorth, M. (R)		N		N		N		N	N		N		N		N		N			Y			N		N					15	0	0
Stone, M. (D)		Υ		Υ		Υ			Υ		Υ		Υ		Υ		Υ			Y			Υ		Υ				Υ		14	0
Thurmond, T. (D)		Ϋ́		Ϋ́		Ϋ́			Ϋ́		Ϋ́		Ϋ́		Ϋ́		Ϋ́			Y			Ϋ́		Ϋ́				Ϋ́		14	0
Ting, P. (D)		Ϋ́		Ÿ		Ϋ́			Ϋ́		Ϋ́		Ÿ		Ÿ		Ÿ			Ÿ			Ϋ́		Ÿ				Ϋ́		14	0
Voepel, R. (R)		N		N		N			N		Ϋ́		N		N		N			Y			N		N					13	2	0
Waldron, M. (R)		N		N		N		N	N		Ϋ́		N		N		N			Y			N		N					13	2	0
Weber, S. (D)		Υ		Y		Υ			Υ		Ϋ́		Υ		Υ		Υ			Y			Υ		Υ				Υ		13	0
Wood, J. (D)		Y		Y		Y			Ϋ́		Ϋ́		Ÿ		Y		Y			Y			Y		Y				Y		13	0
								-					-		-					•												

^{*}Sworn into office June 11, 2018.



CalChamber Best Business Votes 2018

Legislators are listed in descending order according to how often they voted in accord with the California Chamber of Commerce position (first number) versus how often their votes were not in accord with the CalChamber position (second number) in 2018. Total votes may not match the vote record because the tally for not voting or absent is not included in this list. Votes when a legislator was absent are not included in calculating percentages.

80% or more with CalChamber

60%-79% with CalChamber

40%-59% with CalChamber

15_0

Less than 40% with CalChamber

Senate

Bates, Pat (R) 14-0 Fuller, Jean (R) Gaines, Ted R) 14-0 Moorlach, John (R) 14-0Morrell, Mike (R) 14-0 Nielsen, Jim (R) 14-0 Vidak, Andy (R) 14-0 Cannella, Anthony (R) 13-1 Stone, Jeff (R) 13-1 Wilk, Scott (R) 13-1 12-1 Anderson, Joel (R) Nguyen, Janet (R) 12-2 Chang, Ling Ling (R) 11-1* Berryhill, Tom (R) 2-0† Glazer, Steve (D) 7-7 Roth, Richard (D) Galgiani, Cathleen (D) 4-10 Delgado, Vanessa (D) 2-9** Allen, Ben (D) 2-12 Beall, Jim (D) 2-12 de León, Kevin (D) 2-12 Dodd, Bill (D) 2-12 Hernandez, Ed (D) 2-12 Hertzberg, Bob (D) 2-12 2-12 Hill, Jerry (D) Mitchell, Holly J. (D) 2-12 Pan, Richard (D) 2-12 Skinner, Nancy (D) 2-12 Wiener, Scott (D) 2-12 Wieckowski, Bob (D) 1-12 Atkins, Toni (D) 1-13 Bradford, Steven (D) 1-13 Hueso, Ben (D) 1-13 Jackson, Hannah-Beth (D) 1 - 13Lara, Ricardo (D) 1-13 Leyva, Connie (D) 1-13 McGuire, Mike (D) 1-13 Monning, Bill (D) 1-13 Portantino, Anthony (D) 1-13 Stern, Henry (D)

Assembly Choi Steven (R)

Harper, Matthew (R) Kiley, Kevin (R) Obernolte, Jay (R) Patterson, Jim (R) Steinorth, Marc (R) Allen, Travis (R) Bigelow, Frank (R) Brough, Bill (R) Chávez, Rocky (R) Flora, Heath (R) Mathis, Devon (R) Chen, Phillip (R) Dahle, Brian (R) Malendez, Melissa (R) Welendez, Melissa (R) Waldron, Marie (R) Acosta, Dante (R) Cooper, Jim (D) Gallagher, James (R) Cunningham, Jordan (R) Maienschein, Brian (R) Maienschein, Brian (R) Maienschein, Brian (R) Daly, Tom (D) Salas, Rudy (D) Cervantes, Sabrina (D) Grayson, Tim (D) Frazier, Jim (D) Grayson, Tim (D) Frasqier, Jacqui (D) Rodriguez, Freddie (D) Aguiar-Curry, Cecilia (D) Cooley, Ken (D) Gipson, Mike (D) Medina, Jose (D) Ge9 Cubio, Blanca (D) Ge9 Cubio, Blanca (D) Ge9 Cubic, Blanca (D) Ge9	Choi, Steven (R)	15-0
Kiley, Kevin (R)	Fong, Vince (R)	15-0 15-0
Obernolte, Jay (R) 15-0 Patterson, Jim (R) 15-0 Steinorth, Marc (R) 15-0 Allen, Travis (R) 14-1 Bigelow, Frank (R) 14-1 Brough, Bill (R) 14-1 Chávez, Rocky (R) 14-1 Flora, Heath (R) 14-1 Mathis, Devon (R) 14-1 Chen, Phillip (R) 13-1 Dahle, Brian (R) 13-2 Mayes, Chad (R) 13-2 Melendez, Melissa (R) 13-2 Voepel, Randy (R) 13-2 Waldron, Marie (R) 13-2 Acosta, Dante (R) 12-3 Cooper, Jim (D) 12-3 Gray, Adam (D) 12-3 Lackey, Tom (R) 12-3 Cunningham, Jordan (R) 11-3 Maienschein, Brian (R) 10-5 Frazier, Jim (D) 10-5 Salas, Rudy (D) 10-5 Baker, Catharine (R) 9-6 Daly, Tom (D) 9-6 Quirk-Silva, Sharon (D) 7-8 Grayson, Tim (D) 7-8 <td>Kiley Keyin (R)</td> <td>15-0</td>	Kiley Keyin (R)	15-0
Patterson, Jim (R) Steinorth, Marc (R) Allen, Travis (R) Bigelow, Frank (R) Brough, Bill (R) Chávez, Rocky (R) Flora, Heath (R) Mathis, Devon (R) Chen, Phillip (R) Dahle, Brian (R) Melendez, Melissa (R) Waldron, Marie (R) Acosta, Dante (R) Gray, Adam (D) Lackey, Tom (R) Maienschein, Brian (R) Maienschein, Brian (R) Maienschein, Brian (R) Maienschein, Brian (R) Maienschein, Brian (R) Maienschein, Brian (R) Cunningham, Jordan (R) Daly, Tom (D) Quirk-Silva, Sharon (D) Cervantes, Sabrina (D) Grayson, Tim (D) Rodriguez, Freddie (D) Aguiar-Curry, Cecilia (D) Geg	Obernolte Iay (R)	15-0
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*Sworn into office June 11, 2018.

[†] Absent due to illness.

^{*}Sworn into office June 25, 2018.

^{**}Sworn into office August 13, 2018.



Administration Announces Intent to Open Trade Talks with EU, UK, Japan

From Page 1

The EU, UK, and Japan are all vital trading partners of the United States and California.

Trade with European Union

Total bilateral trade with the European Union exceeded \$1 trillion in 2017, with goods trade accounting for \$718 billion.

California exports to the EU were \$31.27 billion in 2017 with computer and electronic products, chemicals, transportation equipment, and miscellaneous manufactured commodities leading the export sectors.

European Union countries purchase roughly 18% of all California exports. For California companies, the single market presents a stable market with huge opportunity. The United States and European Union together make up about 45% of the world's gross domestic product (GDP) and more than 30% of world trade.

Trade with United Kingdom

Two-way trade between the United States and the United Kingdom was \$109.4 billion in 2017. The UK was the fifth largest importer of U.S. goods with a total value of \$56.3 billion. (U.S. Department of Commerce)

The United Kingdom is California's 10th largest export destination, with more than \$5 billion in exports. Computer and electronic products accounted for approximately 25.7% of exports—more than \$1.29 billion. Transportation equipment brought in \$704 million, or 14%, while both secondhand merchandise and chemi-

cals accounted for 10.8% and 9.2%, respectively.

In 2017, imports into California from the United Kingdom were approximately \$5.5 billion, with the top categories being transportation equipment and chemicals.

The U.S.-UK investment relationship is the largest in the world, valued at more than \$1 trillion in 2016 and creating more than 2 million jobs, about 1 million in each country. British investment is key in the United States. More than a million Americans go to work every day for British companies.

Similarly, 1 million Brits go to work for U.S. companies every day. British investment is specifically vast in California, where it supports approximately 90,000 jobs. (*British Consulate General – SF*, 2012)

Trade with Japan

Japan is also one of the largest U.S. foreign markets for agricultural products. U.S. exports to Japan were \$67.69 billion in 2017, making it the fourth largest export destination for the United States.

Imports from Japan to the United States were \$136.5 billion, with transportation equipment accounting for 44%. According to the most recent figures, U.S. direct investment to Japan totaled \$129 billion in 2017, largely in financial, software and internet services. Foreign direct investment (FDI) from Japan into the United States was \$469 billion in 2017, making it the third largest source of FDI in the United States.

California continues to be one of the top exporting states to Japan, accounting

for 18.9% of total U.S. exports. Since 2010, Japan has remained California's fourth largest export market, after Mexico, Canada and China.

California exports to Japan, the world's third largest economy, totaled \$12.85 billion in 2017. Computers and electronic products accounted for 20.3% of total exports. Imports into California from Japan were \$40.5 billion, with transportation equipment accounting for more than half of total imports.

CalChamber Position

The California Chamber of Commerce, in keeping with long-standing policy, enthusiastically supports free trade worldwide, expansion of international trade and investment, fair and equitable market access for California products abroad and elimination of disincentives that impede the international competitiveness of California business.

Strengthening economic ties and enhancing regulatory cooperation through agreements with our top trading partners that include both goods and services, including financial services, is essential to eliminating unnecessary regulatory divergences that may act as a drag on economic growth and job creation.

Agreements like this have the capability of ensuring that the United States may continue to gain access to world markets, which will result in an improved economy and additional employment of Americans.

Staff Contact: Susanne T. Stirling

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CALIFORNIA CHAMBER OF COMMERCE

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Mandatory Updates to Required Poster and Pamphlets for January 1





Simplify your compliance with CalChamber's 2019
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notices all California employers must post on January 1.

The kit also provides 20 copies each of the most current required pamphlets to hand out to employees.

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