

ALERT

Leave Expansion Proposals Fail to Move in Legislature



Two job killer bills that would have led to significant expansions of leaves of absence in California failed to move out of the legislative house in which the bills were introduced.

Both bills were strongly **opposed** by a California Chamber of Commerce-led coalition of employer groups and local chambers of commerce.

- Failing to clear the Assembly was **AB 628 (Bonta; D-Oakland)**, which would have created an uncapped new leave of absence for employees and their family members. Several Democrats joined Republicans in opposing the bill, while other Democrats and several

Republicans abstained.

- Placed on the Senate Inactive File at the author's request on May 30 was **SB 135 (Jackson; D-Santa Barbara)**, a significant expansion of the California Family Rights Act (CFRA).

AB 628: Uncapped New Leave

AB 628 would have significantly expanded the definition of sexual harassment under the Labor Code, which is different than the definition in the Government Code, leading to inconsistent implementation of anti-harassment policies, confusion, and litigation.

It also provided an unprecedented, uncapped leave of absence for victims of sexual harassment and their "family

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#RespectWorks Campaign Continues to Build Support for Harassment-Free Workplaces



A new HR tip posted online this week as part of the CalChamber #RespectWorks

campaign underscores the importance of preventing harassment in the workplace.

The monthly HR tips and related resources at respectworks.calchamber.com aim to help employers determine what constitutes sexual harassment in the workplace and to maintain an anti-harassment environment.

Not All Harassment Is Sexual

The June tip appears under the heading "Not All Harassment Is Sexual." It

points out that sexually harassing conduct "can include hostile behavior toward someone based on that person's gender, gender identity, gender expression, transgender status, sexual orientation, pregnancy, or childbirth and breastfeeding."

The tip explains that "Sexual harassment is unwelcome conduct regardless of the harasser's or victim's gender, gender identity, gender expression or sexual orientation."

Also prohibited is harassment based on protected categories, such as race, national origin, age, disability and religion, to name a few.

In closing, the tip advises: "We should all be respectful of one another, no matter

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Job Creator Bills Move on for Consideration by Second House



Five bills the California Chamber of Commerce has identified as job creators

have passed the legislative house in which they were introduced. The proposals await action in the second house.

- **AB 23 (Burke; D-Inglewood) Workforce Coordination.** Establishes the Deputy of Business and Workforce Coordination, which will help provide California with a workforce that is employment-ready and trained in industry sectors that have the greatest workforce needs. *Passed Assembly on May 28, 76-0. In Senate Rules Committee awaiting assignment to a Senate policy committee.*

The Public Policy Institute of California estimates that roughly a third of new jobs in California will require some training beyond high school but less than a four-year degree. AB 23 will help ensure that skills training and instruction are targeted to and satisfy the needs of industry.

The bill will mandate state entities to work with business and industry to better align career technical education courses, workforce training programs and apprenticeship programs with regional and local labor market demand.

- **AB 1195 (O'Donnell; D-Long Beach) Encourages Technological Innovation.** Gives credit under the Low Carbon Fuel Standard (LCFS) to inno-

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Cal/OSHA Corner

Cal/OSHA Proposes Rule on Employee Exposure to Wildfire Smoke



Mel Davis
Cal/OSHA Adviser

I am an employer that has been affected directly by the wildfires in California. What is Cal/OSHA doing to address the issue of employee exposure to unhealthy air quality during these occurrences?

The California Division of Occupational Safety and Health (Cal/OSHA) is in the process of developing an emergency regulation to protect employees from wildfire smoke.

Petition

The process began in response to a petition Cal/OSHA received on December 13, 2018 filed jointly by the California Labor Federation, Worksafe and the California Rural Legal Assistance League. The petition asked for emergency regulatory protection for outdoor workers from the harmful effects of wildfire smoke.

The requested emergency regulation would apply to outdoor occupations such as:

- agriculture;
- construction;
- landscaping;
- maintenance [outdoors];
- commercial delivery; and
- other outdoor activities not considered to be “first response,” such as nurses evacuating patients; caregivers evacuating residents; and school staff evacuating students.

Proposed Regulation

Cal/OSHA is proposing that employers provide respirators to employees and is recommending the respirators be used when the Air Quality Index (AQI) PM 2.5 is above 150. PM 2.5 represents a particle 2.5 micrometers in diameter.

An exemption from the requirement is proposed if the employer can demonstrate that the employees were exposed to the 150-plus amount for less than one hour during their shift. For an AQI over 500, respirators will be mandatory.

The proposed regulation contains a list of websites to consult for the current and forecasted AQI.

Other exemptions from the proposed Cal/OSHA rule include buildings with filtered mechanical ventilation systems, enclosed vehicles if the air is filtered

coming into the cabin, and the firefighters engaged in wildland firefighting. Wildland firefighter regulations are located in Section 3410 of the General Industry Safety Orders.

The biggest exemption is the respirator fit requirement contained in Section 5144. In lieu of that requirement, Appendix B of the proposed regulation contains instructions for fitting and wearing the respirator.

Other items within the regulation and appendices are communication, the importance and limitations of using a respirator, health effects of wildfire smoke, and references to the Injury and Illness Prevention Program (IIPP).

Although the comment period is closed, the entire proposed rule can be viewed at dir.ca.gov: Go to the Occupational Safety and Health Standards Board link under “Boards,” then “Recent Cal/OSHA Advisory Committees,” and scroll down to the entry for “Protection of Workers from Wildfire Smoke.”

This web page also contains links to comments about the proposal from stakeholders, including the California Chamber of Commerce.

Typically, emergency adopted regulations can take effect very quickly—within 30 days or less upon being approved, if Cal/OSHA determines the hazard is imminent.

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.

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More at www.calchamber.com/events.

Labor Law

HR Boot Camp. CalChamber. June 14, Walnut Creek - SOLD OUT; August 22, Pasadena; September 12, Sacramento. (800) 331-8877.

Classifying Exempt Employees.

CalChamber. June 20, Webinar. (800) 331-8877.

Leaves of Absence: Making Sense of It

All. CalChamber. June 21, San Diego; August 16, Oakland. (800) 331-8877.

International Trade

Doing Business in Baltics Webinar. U.S. Commercial Service. June 12, Webinar. (800) 872-8723.

Connect with Greece, San Francisco. Bay Area Council. June 13, San Francisco. San Francisco SelectUSA Tech Day.

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The Workplace

CalChamber Podcast Discusses Employee Misclassification



There are so many different types of workers: hourly employees, managers, supervisors, exempt employees, and independent contractors. But how do you classify each one under California labor laws?

In this week's episode of *The Workplace*, CalChamber Executive Vice President and General Counsel Erika Frank discusses exempt employee misclassification with employment law expert Jennifer Shaw. In the podcast, they discuss the differences between exempt and non-exempt employees and the common mistakes employers make when classifying their employees as exempt.

Exempt vs. Non-Exempt

One of the most common mistakes employers make is misclassifying an hourly worker as an exempt employee. "To be exempt in California, you have to meet two tests: a salary test and a duties test," says Shaw.

According to California labor laws, salary means the employee's pay is "not subject to variation based on the quality or quantity of work," Shaw tells Frank.

When employees are exempt, the employer does not pay overtime, but the exempt employee has more independence than an hourly employee. "Many employees want to be exempt because they don't have to clock in and out, they can take a

longer lunch, they can come and go as they please, and they are still getting the same amount of pay," adds Frank.

"It is very important for employers to know that the law presumes employees to actually be non-exempt," Shaw says. "So it is always an employer's burden to show that an employee is exempt. Exempt means exempt from all of those wage-and-hour laws that we freak out about: rest breaks, meal periods, overtime, on call, reporting time pay, callback pay. All of that does not apply when you have an exempt employee."

Many employers are making all employees non-exempt, including assistant managers and other high-level positions that make enough to meet the salary basis test. Employers are opting toward making employees with "high-level discretionary duties that are required for that exempt status" non-exempt because it eliminates the risks.

Among the categories of exempt employees are the white collar exemptions, which include the professional exemption, administrative exemption and executive exemption. To be classified as an executive exempt employee, the employee must supervise two or more full-time employees. "Supervise means hiring, firing, performance management, workflow, giving performance evaluations," says Shaw. For each of these exemptions, employees must spend more than 50 percent of their time doing those tasks.

Administrative exempt employees may run a department or quality control or manage facilities. Professional exempt employees may "be licensed, like an attorney, architect, or a dentist," Shaw says. "They might be a computer professional or a creative professional, like a reporter or an artist."

To make matters more complex, classification is done on a workweek by workweek basis. "So you can have someone who is exempt one week and non-ex-

empt the next week," Shaw says. "This is all driven by federal law."

When Employees Are Unsatisfied

When it comes to classifying employees, Shaw explains, employers may face difficulty convincing their employees of the benefits of being non-exempt if they are not careful. Misclassification lawsuits are very common and even satisfied employees may be tempted by the financial bonus, Shaw warns. "The whole thing comes into play when somebody's upset or they notice their pay isn't the way it should be or when they feel like they are being monitored."

It is important for employers to understand how easily this issue can lead to legal implications. "What employers need to know is it is not difficult for a lawyer to say you have misclassified or you haven't given rest breaks or meal periods and it is too expensive to defend," Shaw tells Frank. In addition, "There is no evidence an employer can use or have to rebut the employee's assertion," Frank adds.

Communication is key when it comes to making changes to employees' classification. Shaw suggests reverse engineering to make sure employees know they will not be taking a pay cut. It is also crucial to discuss the positives of being non-exempt, such as overtime pay, rest and meal periods, with employees when changing their classification.

Webinar

CalChamber is presenting a live webinar, [Classifying Exempt Employees in California](#), on Thursday, June 20, 2019, 10 a.m. to 11:30 a.m. (Pacific).

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Job Creator Bills Move on for Consideration by Second House

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vative crude technologies, including carbon capture and sequestration, energy storage, and renewable natural gas or biogas. Creates jobs by encouraging the development of new technology to meet California's ambitious climate change goals. *Passed Assembly on May 22, 62-5. Assigned to Senate Environmental Quality and Senate Transportation committees.*

Although it accounts for only 1% of global greenhouse gas (GHG) emissions, California has one of the most ambitious and aggressive GHG emission reduction goals in the world, with an aim toward demonstrating how a major, complex economy can address a difficult and expensive public policy challenge.

AB 1195 seeks to encourage the development of technology that will help reduce emissions associated with crude oil production and transportation. This bill would provide credit under the LCFS for renewable natural gas and biogas, which will result in a decrease of GHG emissions.

The bill also allows credit for technology such as carbon capture and sequestration, which is consistent with the state's goals of pursuing carbon neutrality and allowing for a flexible approach to reducing GHG emissions that protects jobs and the economy.

• **AB 1303 (O'Donnell; D-Long Beach) Career Technical Education.** Increases funding for the Career Technical Education Incentive Grant

program, which provides students with relevant, industry-aligned skills training and instruction to prepare them for California's changing job market. *Passed Assembly on May 29, 78-0. In Senate Rules awaiting assignment to a Senate policy committee.*

A U.S. Department of Education report found that only 6% of U.S. high school students are enrolled in a vocational course of study, compared to 67% in the Netherlands, 59% in Germany, 42% in the United Kingdom and 25% in Japan.

By providing and expanding a consistent and dedicated funding source for career technical education, AB 1303 will properly value the role of career technical education in increasing overall educational attainment and preparing today's students for tomorrow's workforce.

• **SB 601 (Morrell; R-Rancho Cucamonga) License Relief for Disaster Victims.** Allows, but does not require, state agencies that issue business licenses to reduce or waive required fees if the applicant establishes that they were displaced or affected by a declared state or federal emergency within the preceding year, which allows impacted businesses the ability to invest more of their financial resources into re-establishing their business and jobs. *Passed the Senate on May 16, 37-0. Assigned to Assembly Business and Professions, and Assembly Governmental Organization committees.*

Damaging and costly natural disasters in recent years—including the Tubbs

Fire, Southern California mud and debris flows, and the Camp Fire—have decimated the lives of numerous residents and affected an estimated 381,784 businesses.

SB 601 will help California's citizens and businesses replace the licenses they need to get back to work, thereby enabling them to bring employees back to work and creating employment in the affected communities.

• **SB 621 (Glazer; D-Contra Costa) CEQA Streamline for Affordable Housing.** Streamlines litigation and thereby lowers the cost to construct affordable housing projects meeting specified environmental criteria and certified under an environmental impact report by requiring that any California Environmental Quality Act (CEQA) actions challenging such projects be resolved by a court within 270 days. This reduction in litigation and costs will expedite these projects, provide more housing, and additional jobs. *Passed the Senate on May 23, 30-5. At Assembly desk, awaiting assignment to a policy committee.*

SB 621 is narrowly crafted to reflect the urgency of timely housing construction. The bill reserves the 270-day expedited timeline for only the most environmentally protective affordable housing projects in order to ensure that any legal challenges are resolved expeditiously. It also sunsets in 2025 to allow the Legislature to revisit the issue and analyze the bill's efficacy at achieving more affordable housing.

#RespectWorks Continues to Build Support for Harassment-Free Workplaces

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our race, religion, sex, gender, etc. We're all human, after all, and #RespectWorks."

More Tips, Resources

The CalChamber launched the #RespectWorks campaign in April to encourage companies to promote inclusiveness and prevent harassment in their workplaces. The benefits of a harassment-free workplace go beyond just employee morale at the office. Harassment-free workplaces have higher retention rates, enable employers to recruit and hire the most qualified workers, and help those workers be more productive and successful.

The first monthly tip of the campaign provided information about California's new mandatory sexual harassment and abusive conduct prevention training for both supervisors and employees that must be completed by January 1, 2020.

The second monthly tip pointed out that the law requires all California employers to develop and distribute a written harassment, discrimination and retaliation prevention policy, and explained the 10 requirements that must be a part of that policy.

In addition to the monthly tips, other anti-harassment resources available at no cost on the website include:

- Sample harassment discrimination

and retaliation prevention policy;

- Harassment prevention policy implementation checklist; and
- #RespectWorks poster suitable for display in the office.

The #RespectWorks campaign has gained traction with a number of early signers committing to a harassment-free workplace. Among those early supporters are Blue Diamond Growers, Gordon Biersch Brewing Company, Evans Hotels, Sacramento River Cats and AT&T.

To join the campaign in support of a harassment-free workplace, visit respectworks.calchamber.com.

Independent Contractor Legislation Moves; CalChamber, Coalition Seek More Changes



Legislation that makes a start toward restoring flexibility for numerous individuals working

as independent contractors has moved from the Assembly to the Senate.

The California Chamber of Commerce and a broad-based coalition are continuing to seek amendments to **AB 5 (Gonzalez; D-San Diego)**. The bill exempts certain industries/professions from the application of an April 2018 California Supreme Court ruling that upended the test for determining who is an independent contractor—*Dynamex Operations West v. Superior Court*.

As AB 5 passed the Assembly on May 29, the workers it exempts from the *Dynamex* decision are: doctors, insurance agents, securities brokers, direct sellers, realtors, barbers, hair stylists, and listed professionals with degrees/licensing, including lawyers, accountants, engineers, architects, marketing specialists, and human resources administrators.

The CalChamber and coalition **support AB 5 if amended**. They appreciate AB 5's recognition that the *Dynamex* decision is not one size fits all, and agree the professions identified in the May 24 version of the bill should be exempted.

But the Legislature should not stop with selecting just a few professions and not others similarly situated. The CalChamber and coalition are seeking additional amendments that provide a more progressive and holistic approach to the application of *Dynamex* that reflects today's modern workforce.

More Amendments Needed

In their May 28 letter to the Assembly, the CalChamber and coalition call for additional amendments to AB 5:

- **A broader exemption for professionals.** Besides the professionals AB 5 currently exempts, others who are similarly situated also should be exempted,

such as therapists, speech interpreters and translators, court reporters, scientists.

These and other individuals who have advanced degrees or are licensed by the state perform work as individual contractors and want to maintain that status. These individuals choose their own hours, projects, and rate of pay.

- **A broader exemption for individuals who, like direct sellers, prefer to control their own schedules.** Direct sellers control their own schedules with regard to the days and hours they work and make their own decisions as to whom they sell products.

Numerous other independent contractors enjoy this same control and flexibility and should be able to maintain their status as independent contractors, including: newspaper distributors, drivers in the gig economy, taxi cab drivers, truck drivers, consultants, travel agents, repair persons, videographers, caterers, freelance writers, photographers, musicians, graphic designers.

- **A business-to-business exemption.** Any sole proprietor, partnership, LLC, LLP, or corporation should be able to contract with another lawful business to provide services, despite whether the services provided are within the "usual course of business."

For example, a restaurant that contracts with a delivery company to deliver its food each week should be able to maintain that contract.

- **The ability to subcontract for short-term projects.** One of the main reasons companies use independent contractors is to fulfill a demand for a short-term project. Even though the company may have a full workforce, an unexpected order or contract may require immediate, extra workers to satisfy the project deadline. "Hiring up" in such a scenario does not make sense for either the company or the individual.

For example, the devastating wildfires in Northern California created an immediate need for additional independent

owners/operators of trucks that could assist in hauling debris, as well as transporting tools and supplies.

Dynamex Test

Under *Dynamex*, the court presumes that a worker is an employee unless an individual satisfies all three factors of the ABC Test:

A. That the worker is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact;

B. That the worker performs work that is outside the usual course of the hiring entity's business; and

C. That the worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed.

The "B" prong of the test is the most problematic because many independent contractors work in the same line of business as the hiring entity.

Action Needed

The CalChamber is urging members to ask their Senate representatives to encourage the author of AB 5 to work with the business community to further amend her bill to protect the opportunity for millions of Californians to maintain their careers.

Failing to further amend AB 5 with the additional exemptions requested by the CalChamber and coalition has the potential to eliminate the vast majority of independent contractors in California. This not only hurts the business model of a broad swath of industries and billions of venture capital dollars that are increasingly invested in businesses, but also hinders California as a national leader in the innovation economy.

AB 5 awaits assignment to a policy committee in the Senate.

More information is available at the I'm Independent Coalition website, imindependent.co.

Staff Contact: Jennifer Barrera

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members,” which was broadly defined, and would have added another layer of burdens on employers and their ability to manage their workforce.

In a letter to the Assembly, the CalChamber and coalition emphasized their support of efforts to eliminate harassment in the workplace.

Based on the limited definition of “sexual harassment” in AB 628, the letter pointed out, one isolated incident or even an allegation that the incident occurred would be enough to justify an unlimited leave of absence for the employee and employee’s family members.

SB 135: CFRA Expansion

SB 135 would have significantly harmed small employers in California with as few as five employees by requiring these employers to provide 12 weeks of a protected leave of absence each year, in addition to existing leaves of absence already required, as well as potentially requiring larger employers to provide 10 months of protected leave, with the exposure to costly litigation for any alleged violation.

SB 135 also would have required small employers with five or more employees to provide up to seven months of protected leave for pregnancy. For employers with 50 or more employees, SB 135 would have expanded the amount of protected leave an employee may take to half a year.

In addition to increasing costs, SB 135 would have exposed employers to devastating litigation for alleged failure to provide the 12 weeks of protected leave. A 2015 study by insurance provider Hiscox estimated the cost for a small to mid-size employer to defend and settle a single plaintiff discrimination claim was approximately \$125,000.

In addition to CFRA, California already requires numerous family-friendly leaves, including paid sick days, school activities leave, kin care, paid family leave, and pregnancy disability leave.

Key Vote on AB 628

AB 628 fell short of votes to pass the Assembly on May 29, 36-15:

Ayes: Arambula (D-Fresno), Berman (D-Palo Alto), Bloom (D-Santa Monica), Bonta (D-Oakland), Calderon (D-Whittier), Carrillo (D-Los Angeles), Chau (D-Monterey Park), Chiu (D-San Francisco), Chu (D-San Jose), Friedman (D-Glendale), Gabriel (D-San Fernando Valley), Gloria (D-San Diego), Gonzalez (D-San Diego), Holden (D-Pasadena), Jones-Sawyer (D-South Los Angeles), Kalra (D-San Jose), Kamlager-Dove (D-Los Angeles), Levine (D-San Rafael), Limón (D-Santa Barbara), Maienschein (D-San Diego), McCarty (D-Sacramento), Medina (D-Riverside), Mullin (D-South San Francisco), Nazarian (D-Van Nuys), Quirk (D-Hayward), Ramos (D-Highland), Rendon (D-Lakewood), Reyes (D-San

Bernardino), Luz Rivas (D-Arleta), Robert Rivas (D-Hollister), Santiago (D-Los Angeles), Mark Stone (D-Scotts Valley), Ting (D-San Francisco), Weber (D-San Diego), Wicks (D-Oakland), Wood (D-Santa Rosa).

Noes: Bigelow (R-O’Neals), Chen (R-Yorba Linda), Dahle (R-Bieber), Flora (R-Ripon), Fong (R-Bakersfield), Frazier (D-Discovery Bay), Gallagher (R-Nicolaus), Kiley (R-Roseville), Melendez (R-Lake Elsinore), Obernolte (R-Big Bear Lake), Patterson (R-Fresno), Quirk-Silva (D-Fullerton), Salas (D-Bakersfield), Voepel (R-Santee), Waldron (R-Escondido).

No vote recorded: Aguiar-Curry (D-Winters), Bauer-Kahan (D-Orinda), Boerner Horvath (D-Encinitas), Brough (R-Dana Point), Burke (D-Inglewood), Cervantes (D-Corona), Choi (R-Irvine), Cooley (D-Rancho Cordova), Cooper (D-Elk Grove), Cunningham (R-San Luis Obispo), Daly (D-Anaheim), Diep (R-Westminster), Eggman (D-Stockton), Cristina Garcia (D-Bell Gardens), Eduardo Garcia (D-Coachella), Gipson (D-Carson), Gray (D-Merced), Grayson (D-Concord), Irwin (D-Thousand Oaks), Lackey (R-Palmdale), Low (D-Campbell), Mathis (R-Visalia), Mayes (R-Yucca Valley), Muratsuchi (D-Torrance), O’Donnell (D-Long Beach), Petrie-Norris (D-Laguna Beach), Rodriguez (D-Pomona), Blanca Rubio (D-Baldwin Park), Smith (D-Santa Clarita).

CalChamber-Sponsored Seminars/Trade Shows

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SelectUSA. June 13–14, San Francisco.
Farmers for Free Trade Reception. K•Coe Isom and Farmers for Free Trade. June 18, Sacramento.
Complying with U.S. Export Regulations. Southern California District Export Council. June 20, Solvang. (805) 252-0036.

Trade Mission to Israel for National Cyber Week. U.S. Chamber of Commerce. June 23–26, Tel Aviv. (202) 463-5553.
Think Asia, Think Hong Kong. Hong Kong Trade Development Council. September 20, Los Angeles. (213) 622-3194.
Annual Pan African Global Trade and Investment Conference. Africa-USA

Chamber of Commerce. October 16–17, Sacramento. (626) 243-3614.
Trade Expo Indonesia. Indonesian Ministry of Trade. October 16–20, Banten, Indonesia.
Hong Kong International Wine and Spirits Fair 2019. Hong Kong Trade Development Council. November 7–9, Hong Kong.

#RespectWorks

Harassment Has **NO PLACE** In **OUR WORKPLACE**



Five California District Export Councils Gather at CalChamber



Members of the five California District Export Councils (DEC) met at the California Chamber of Commerce

in Sacramento on May 22, to hear from Diane Farrell, deputy assistant secretary for Asia of the U.S. Department of Commerce.

The current issues facing the trade community and the department's new Indo-Pacific initiative were the focus of discussion. Following, the group attended other international trade-related events.

The National Association of District Export Councils (DEC) contributes leadership and international trade expertise to complement the U.S. Commercial Service's export promotion efforts through counseling businesses on the exporting process and conducting trade education and community outreach.

The association is made up of 60 regional district export councils. The mission of these councils is to work with the U.S. Commerce Department on export promotion and commercial diplomacy.

The 1,500 council members around the country all are appointed by the

Secretary of the U.S. Department of Commerce. These international trade professionals use their knowledge and international business experience to act as consultants to small and medium-sized businesses who want to export their products into markets outside of the United States.

For more than 40 years, DEC's have served the United States by assisting companies in their local communities export, thus promoting our country's economic growth and creating new and higher-paying jobs for their communities.



Front Row (from left): The Honorable Jerry Levine, Consulate General of Barbados/National DEC, Former Chair; Toby Levine, San Francisco Port Advisory; David Fiscus, U.S. Department of Commerce; Tsvi (Chuck) Guy, Vecron Exim/Central California DEC; The Honorable Diane Farrell, Deputy Assistant Secretary of Asia, U.S. Department of Commerce; Dean Fealk, DLA Piper/NorCal DEC; Susanne Stirling, CalChamber/NorCal DEC and National DEC; Marv Sepe, CTC Global Corporation/Southern California DEC; Richard Swanson, U.S. Department of Commerce; Kusum Kavia, Combustion Associates Inc./Inland Empire DEC; and Herb Grabell, Kidder Matthews Inc./Inland Empire DEC.

Middle Row (from left): George Tastard, U.S. Department of Commerce; Sung Wook Lee, SW Logistics Inc./NorCal DEC; Candy Hansen Gage, Gage Ag Consulting/NorCal DEC; Alicia Rios, Center for International Trade Development, Fresno/Central California DEC; Jeremy Potash, California-Asia Business Council/NorCal DEC; Teresa Cox, SonicWall/NorCal DEC; Deep SenGupta, DSG Global/NorCal DEC and National DEC; Megan Cullen, SYV Consulting & Marketing/Southern California DEC; Janice Whitaker, Teledyne/NorCal DEC; Joanne Vliet, U.S. Department of Commerce; Tom Neff, RINA Accountancy Corp./NorCal DEC; and Fred Latuperissa, ExIm20/20 Group LLC/former U.S. Department of Commerce.

Back Row (from left): Elizabeth Krauth, U.S. Department of Commerce; Julie Anne Hennessy, U.S. Department of Commerce; Adithya Padala, UmeVoice Inc./NorCal DEC; Michael Parr, Wentle Family Estates/NorCal DEC; Carol Johnson, Middlebury Institute of International Studies at Monterey/NorCal DEC; John McPeak, Biomarin/NorCal DEC; Ronald Brown, Port of Oakland/NorCal DEC; David Habib, Law Office of David Habib/Southern California DEC; Nick Gera, Central Valley Community Bank/Central California DEC; Rod Hirsch, U.S. Department of Commerce; Glen Roberts, U.S. Department of Commerce; Jim Mayfield, U.S. Department of Commerce; and Doug Wallace, U.S. Department of Commerce.

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