

# ALERT

## Anti-Arbitration Job Killer Threatens to Flood Courts



An anti-arbitration bill identified by the California Chamber of Commerce as a job killer will burden the overworked court system if adopted.

**AB 51 (Gonzalez; D-San Diego)** prohibits arbitration of labor and employment claims as a condition of employment.

The CalChamber has tagged AB 51 as a job killer due to the significant increased costs employers will face as a result of more litigation and the expense of delayed dispute resolutions if the bill becomes law.

AB 51 also proposes to add a new private right of action under the Fair Employment and Housing Act (FEHA)

and exposes employers to criminal liability for any violation.

### Preempted by Federal Law

In opposing AB 51, the CalChamber has emphasized repeatedly that the bill will undoubtedly be challenged in court, creating more litigation without providing any benefit to employees as intended.

Last year, Governor Edmund G. Brown Jr. vetoed a virtually identical bill, **AB 3080 (Gonzalez; D-San Diego)**, citing his recognition that the bill “plainly violates federal law.”

Both the California Court of Appeal and the U.S. Supreme Court have held specifically that state legislation trying to ban arbitration agreements is preempted by federal law, the Federal Arbitration Act.

*See Anti-Arbitration: Page 5*

## Proposal Jeopardizes State Workforce Goals



A proposed constitutional amendment pending before legislators will

jeopardize the state’s workforce goals if voters eventually approve the measure.

The California Chamber of Commerce **opposes ACA 14 (Gonzalez; D-San Diego)**, which unnecessarily impedes the ability of the University of California (UC) to use its restricted state funding in the most efficient manner possible to continue expanding enrollment without compromising on the quality of the education it provides or substantially increasing the state’s General Fund contribution by placing an unreasonable contract prohibition on the UC for support services.

### Coalition Opposes

Joined by a coalition of local chambers of commerce, the CalChamber has highlighted problems with ACA 14:

- **Without subsequent statutory authority permitting a contract, all UC support service contracts would be barred.** The contracting prohibitions ACA 14 places on UC are not applicable to any other state agency.

- **The measure is inconsistent with California’s Equal Pay Law.** ACA 14 further constrains contracting even if a subsequent statutory exemption to contract is passed by the Legislature as it mandates that any contractor “receive” the same wage and benefits for contracted

*See Proposal: Page 6*

## Multiple Entities Could Gain Power to Increase Property Taxes with Just 55% Vote of Approval



OPPOSE

Hundreds of local special districts could gain the ability to increase property taxes with just a 55% majority vote if a proposed constitutional

amendment becomes law.

The proposal, **ACA 1 (Aguiar-Curry; D-Winters)**, is **opposed** by the California Chamber of Commerce and fell short of passing the Assembly last week. The author requested that the bill be reconsidered.

If ACA 1 is approved, voters will be

asked to decide whether property tax increases for affordable housing and infrastructure can be approved by just a 55% vote instead of two-thirds.

When the lower vote requirements outlined in ACA 1 take effect, local taxpayers could face property tax increases—by a 55% vote—from numerous overlapping jurisdictions, including a city, county, school district, community college district and one or more special districts.

California has an estimated 2,071 independent special districts, many with the power to collect property taxes, according to the Little Hoover Commission.

The Senate Local Government Committee found that about three-quar-

*See New Power: Page 7*

### Inside

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## Labor Law Corner

# Required Use of Paid Vacation Instead of Unpaid Time Off Generally OK



**Ellen S. Savage**  
HR Adviser

*My employee asked for a few days off for a vacation with her family, but wants to take it unpaid rather than using the vacation time she has accrued. Can I require her to use her paid vacation time before taking unpaid time, or does she have the right to save her vacation time to use in the future?*

An employer may require an employee who is taking a vacation to use accrued paid vacation time rather than taking unpaid time off. Vacation pay is not required by law, although when it is offered, certain accrual and vesting rules do apply in California.

However, no law specifies that employees have an absolute right to determine when they want to use their paid vacation. Therefore, you may require your employee to use her paid vacation in this instance rather than going unpaid and saving the paid vacation time for a later date.

### Handbook Policy

It is a best practice to include language in an employee handbook stating that accrued paid vacation time must be used if available when taking time off for vacation purposes.

Even without this specific language in a handbook, however, an employer still may require the use of accrued paid vacation time since nothing in the law would prohibit such a requirement.

### Exceptions for Certain Leaves

Note that certain state and federal leave of absence laws limit when an employer may require the use of paid vacation.

For example, an employee taking a leave of absence for pregnancy disability may not be required to use her vacation pay during the leave, although she may choose to do so at her option.

For more information on when vacation use may be mandated during various legally protected leaves of absence, employers may refer to the “Benefits During Leaves of Absence” chart in the Forms & Tools section on [HRCalifornia.com](http://HRCalifornia.com).

*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](http://www.hrcalifornia.com).*

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*Alert (ISSN 0882-0929) is published weekly during legislative session with exceptions by California Chamber of Commerce, 1215 K Street, Suite 1400, Sacramento, CA 95814-3918. Subscription price is \$50 paid through membership dues. Periodicals Postage Paid at Sacramento, CA.*

*POSTMASTER: Send address changes to Alert, 1215 K Street, Suite 1400, Sacramento, CA 95814-3918. Publisher: Allan Zarembeg. Executive Editor: Ann Amioka. Capitol Correspondent: Sara Proffit. Art Director: Neil Ishikawa.*

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## CalChamber-Sponsored Seminars/Trade Shows

More at [www.calchamber.com/events](http://www.calchamber.com/events).

### Labor Law

HR Boot Camp. CalChamber. September 12, Sacramento – Sold Out; October 10, Costa Mesa; December 12, Oakland. (800) 331-8877.

Add Local Ordinances to Your Compliance Radar. CalChamber. September 19, Webinar. (800) 331-8877.

Leaves of Absence: Making Sense of It All. CalChamber. September 26, Costa Mesa. (800) 331-8877.

California Law for Employers Located Out of State. CalChamber. October 3, Los Angeles. (800) 331-8877.

HR Symposium. CalChamber. November 8, Huntington Beach. (800) 331-8877.

### Business Resources

Business H2O Water Innovation Summit. U.S. Chamber of Commerce and Salt Lake Chamber of Commerce. September 12, Snowbird, Utah. (801) 364-3631.

14th Annual Prop. 65 Conference. Prop 65 Clearinghouse. September 23, San Francisco. (415) 391-9808.

### International Trade

Exporting Mechanics Webinar Series

II: Dealing with Suppliers, Partners and Buyers. National Customs Brokers & Forwarders Association of America, Inc. and U.S. Department of Commerce. September 17, Webinar. (202) 466-0222.

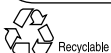
Think Asia, Think Hong Kong. Hong Kong Trade Development Council. September 20, Los Angeles. (213) 622-3194.

Foreign Trade Zone Forum: Enhancing Your Company’s Global Supply Chain Competitiveness. U.S. Commercial Service. September 30, Portland, Oregon. (503) 326-3002.

Discover Global Markets: Powering and Building The Middle East and Africa.

*See CalChamber-Sponsored: Page 6*

**Next Alert: September 20**



## The Workplace

# Coffee to Roasted Veggies: How Prop. 65 Leads to Excessive Warnings



What do coffee, roasted asparagus and French fries have in common? They all contain traces of acrylamide, a chemical

produced when heating some food during high-temperature cooking processes. This natural byproduct is the reason state manufacturers and retailers are mandated to label certain food products—such as potato chips and breakfast cereals—as having ingredients known to the state to cause cancer. Failing to do so can cost California businesses dearly.

In Episode 26 of The Workplace, CalChamber Executive Vice President and General Counsel Erika Frank and CalChamber Policy Advocate Adam Regele discuss Proposition 65 and how it has been used as a vehicle to unscrupulously sue businesses across the state.

### ‘Ripe for Litigation’

What started off as a ballot initiative to inform Californians about the chemicals in their drinking water has snowballed into the most far-reaching consumer right-to-know law in the nation, Regele tells Frank.

A small component in the 1986 Proposition 65 ballot initiative, also known as the Safe Drinking Water and Toxic Enforcement Act, extended the “right to know” to also include consumer products. Regardless of the concentration of a Proposition 65 listed chemical in a product, the law requires that businesses issue consumer warnings if a “reasonable consumer” is being exposed to the particular chemical.

“What is ‘reasonable,’ and what the average consumer consumes is a very difficult assessment and ripe for litigation,” explains Regele.

The most problematic part of the law for businesses is Proposition 65’s private right of action provision, enabling individuals to sue businesses on behalf of the public interest, Regele says.

“[Businesses’] exposure liability is not just to the attorney general, but to any bounty hunter out there,” he says.

An issue with the law is that it requires a cancer warning even if trace chemicals present in the product—not the product itself—meet the state’s conservative exposure levels for triggering the warning requirement. As an example, acrylamide is one of the chemicals on the Proposition 65 chemicals list.

“Acrylamide also is a naturally occurring substance as a byproduct of the roasting of these different food products,” says Regele. “For example, when you roast asparagus, when you bake bread and when you roast coffee beans. Acrylamide is not a chemical added by the manufacturer or the employer; it is a byproduct of that roasting process, so you can’t remove it from the product.”

Yet under Proposition 65, bounty hunters only need to show that the chemical is present and that the product contains that chemical. The burden is now on the business to show that the level of exposure is far below the Proposition 65 safe harbor level, Regele explains.

“If you are under that safe harbor level, you...do not have to warn,” he tells Frank. “The problem is if you don’t warn and get sued, the cost to defend is still significant.”

Fines can reach as high as \$2,500 per violation per day, Regele says.

Proposition 65 is enforced by the Attorney General and a cottage industry of bounty hunters. It is where the Attorney General does not see an issue with a product that bounty hunters will show up and go after a company. Moreover, Regele says, the burden of proof lies with the company—businesses are on the hook for hiring experts and conducting chemical concentration reports.

“What really happens as a prudent business decision maker, is that it is cheaper to settle,” says Regele.

Under Proposition 65, manufacturers and employers must decide whether to settle even though they could win, or to litigate and spend thousands of dollars to win a case when it could have been cheaper to settle.

### Cancer Warnings for Coffee

The regulations of Proposition 65 have incentivized manufacturers to avoid

bounty hunters and place a warning label on their products pre-emptively. This has led to overwarning and it is a big concern for manufacturers, Regele says.

For example, coffee has never been considered a cancerous product, he explains, but bounty hunters sued coffee retailers and roasters, and a lower court ruled last year that cups of coffee sold to consumers do indeed fall under Proposition 65 warning requirements.

“Millions and millions of Americans drink [coffee] with no cancer risks at all and that was precisely why OEHHA [California Office of Environmental Health Hazard Assessment] saw just how absurd the warning issue is becoming such that consumers were starting to ignore warning labels because they were everywhere and were becoming background noise,” Regele says. “Nobody was stopping their Starbucks purchase... because of a Proposition 65 warning.”

OEHHA this year finalized new regulations that exempt coffee from Proposition 65 despite having acrylamide. Unfortunately, other food products with naturally occurring acrylamide were not exempted, he adds.

The CalChamber will continue to work on behalf of employers to protect their business interests in the ongoing debate over Proposition 65 warnings.

### Subscribe to The Workplace

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To listen or subscribe, visit [www.calchamber.com/theworkplace](http://www.calchamber.com/theworkplace).

## CalChamber Calendar

*Environmental Policy Committee:*

September 5, La Jolla

*Water Committee:*

September 5, La Jolla

*Board of Directors:*

September 5–6, La Jolla

*International Trade Breakfast:*

September 6, La Jolla

*Public Affairs Conference:*

October 15–16, Newport Beach

## Early Registration Near for CalChamber Public Affairs Conference



The early registration deadline is approaching quickly for the California Chamber of Commerce Public Affairs Conference.

The conference is set for October 15–16 at the Fashion Island Hotel, Newport Beach. Registration rates increase after September 12.

### Tuesday, October 15

The opening conference session at 1 p.m. on October 15 will focus on the CalChamber Annual Survey of California Voter Attitudes.

Pollsters Robert Green and Adam Rosenblatt of PSB Research will review the survey results.

Next on the agenda at 2 p.m. is “California: 2020 Vision Election Preview,” moderated by Martin R. Wilson, CalChamber executive vice president public affairs.

The panelists will be Andrew Acosta, Acosta Consulting; Bob Giroux, Lang Hansen, O’Malley & Miller; and Christy Wilson, Wilson Public Affairs.

The first of three bipartisan legislative panels, set to begin at 3:15 p.m., will examine what happened in the first year of the 2019–2020 session and what remains for the second year of the session.

### Wednesday, October 16

The agenda for October 16 will open with a media panel providing “The View from the Fourth Estate.”

The morning legislative panel will focus on “A Taxing Conversation—Legislative and Ballot Measures.”

The afternoon legislative panel will examine the “California Consumer Privacy Act—The Process and the Work in Progress.”

The afternoon agenda also will include a review of Governor Gavin Newsom’s first year and future priorities.

### Register Today

Conference registration includes dinner at Cucina Enoteca on Tuesday evening, the breakfast burrito buffet on Wednesday morning, and the reception on Wednesday evening at the Fashion Island Hotel.

September 12 is the deadline to receive the early registration discount.

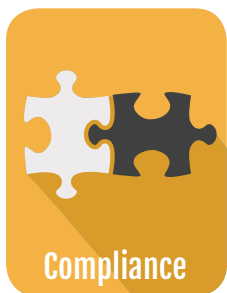
Google and Southern California Edison are major sponsors of the conference.

To register for the conference, or for more information, visit [www.calchamber.com/publicaffairs](http://www.calchamber.com/publicaffairs).



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## California Law for Employers Located Out of State Part of Fall Lineup



Fall is almost here but now’s the time to secure your seat for the California Chamber of Commerce HR compliance seminars.

Are you a company headquartered

outside of California with employees in California? On October 3, join CalChamber employment law experts in Los Angeles for a comprehensive review of California’s most litigated employment

laws, plus a thorough look at employment issues unique to California.

“Many businesses located outside of California are unfamiliar with the many state laws that differ from federal law. Our California Law for Employers Located Out of State seminar focuses on key areas of employment laws that companies doing business in California should know about,” says Erika Frank, CalChamber executive vice president and general counsel. “Take away best practices to avoid common employment mistakes.”

Seminars added to the CalChamber fall lineup due to consistently sold-out events are: Leaves of Absence in Costa

Mesa (September 26) plus HR Boot Camps in Costa Mesa (October 10) and Oakland (December 12).

One-Day Seminars: 8:30 a.m. to 3:30 p.m.

Price: \$399 (\$319.20 for CalChamber Preferred and Executive members).

[Register online](#) or call (800) 331-8877. Preferred and Executive members receive their 20% discount.

CalChamber seminars are approved for HRCI recertification credits, SHRM professional development and MCLE credits.

# Independent Contractor Questions Remain in Countdown to End of Legislative Session



Jennifer Barrera

There are two weeks left in the legislative session and one of the most common questions I get multiple times on a daily basis is what is going to happen with AB 5—*Dyna-*

*mex*? It's a good question.

At this time, AB 5 is the only legislative vehicle still in play regarding *Dynamex Operations West, Inc. v. The Superior Court of Los Angeles County*, which set forth a new test for determining independent contractor status, and in my opinion, is nowhere close to being in final form.

As previously discussed, AB 5 codifies the ABC test for Wage Orders, but also expands the test to the Labor Code and Unemployment Insurance Code. AB 5 also sets forth a number of exemptions from the application of the ABC test (doctors, lawyers, accountants, hair stylists, real estate agents, insurance agents, direct sellers, and more).

There are still a number of professions that should be included in the exemptions as these professions have historically operated as independent contractors, pay high rates, and there is no evidence of rampant misclassification abuse. Professions such as speech pathologists, physical therapists, occupational therapists, audiologists, animal trainers, physical trainers, travel agents . . . and the list continues.

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## Commentary By Jennifer Barrera

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There is also a need for a clear and concise business-to-business contract exemption so that two legitimate businesses can continue to contract with one another for professional services, even if the businesses operate in the same industry or the contracted service is a part of the other business's normal or usual operation.

Notably, the ABC test adopted in *Dynamex* was mirrored after the ABC test in Massachusetts. Yet, even Massachusetts recognizes that business-to-business contracts are not analyzed under the ABC test. The

Attorney General stated in an advisory, "[t]hese business relationships are important to the economic wellbeing of the Commonwealth and, provided that they are legitimate and fulfill their legal requirements, they will not be adversely impacted by enforcement of the Law [ABC test]."

And last, but certainly not least, the transportation industry needs some attention. The gig economy that offers thousands of people an immediate and flexible opportunity to earn income is in complete jeopardy due to *Dynamex*.

Similarly, independent owner operators who own their own trucks and contract with companies to haul goods and materials throughout the state, may lose that opportunity if they aren't addressed in AB 5.

It is not impossible to fix these omissions in AB 5 with the limited time remaining. But it will be a nail biter, down to the last days of session to see what issues are ultimately addressed.

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*Jennifer Barrera is executive vice president of the California Chamber of Commerce. This article first appeared in the Capitol Insider blog.*

## Anti-Arbitration Job Killer Threatens to Flood Courts

From Page 1

Numerous opinions by the U.S. Supreme Court and the California Supreme Court over the last decade have consistently held that any state law which interferes with, discriminates against, or limits the use of arbitration is preempted by federal law.

### Criminal Liability

Given the placement of AB 51's provisions in the Labor Code, any violation will be a misdemeanor.

Accordingly, employers will face both civil liability for any violation of AB 51 and also may face criminal charges regarding arbitration agreements.

### More Lawsuits

Because any violation of AB 51's provisions will be an "unlawful employment practice," it is subject to the private right of action under FEHA.

Besides placing more costs and burden on the Department of Fair Employment and Housing, AB 51 will expose employers to another layer of costly litigation, including attorney's fees and punitive damages.

### Delays

Neither employers nor employees will benefit from the delays and uncertainty AB 51 will cause.

If the use of arbitration is limited,

options remaining for employees to resolve many labor and employment claims are a hearing before the Labor Commissioner (an office that lacks funding or resources for timely responses) and the overworked court system.

Countering the notion that employees can fare better in court, a state Department of Industrial Relations review of 1,500 settlement agreements found that the plaintiffs' attorneys had failed to protect employees or were of only marginal assistance in 75% of the cases.

The CalChamber and a coalition of employer groups and local chamber of commerce continue to oppose AB 51 as a job killer.

**Staff Contact: Jennifer Barrera**

## Proposal Jeopardizes State Workforce Goals

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workers as received by UC employees performing “similar work.”

The Equal Pay Law requires an employer to “pay” the same wage rate to employees who perform “substantially similar” work and recognizes that wage disparities do not automatically equate to wage discrimination or a violation of law.

The requirements of ACA 14 also fail to acknowledge how personal choices and lawful, bona fide factors (such as education/training, career experience, seniority, merit-based system, compensation based on quantity/quality of production, geographical differences and shift differentials) can dictate and change the amount of benefits and wages an individual receives.

• **ACA 14 affects all UC entities, including medical centers, clinics and laboratories.** The support service contracts prohibited under ACA 14 include numerous general support services plus medically related services,

such as billing and coding, sterile processing, hospital or nursing assistant services, medical imaging or respiratory therapy technician services.

The restrictions in ACA 14 will make it more difficult for medical centers and clinics to keep health care costs down and to treat patients as quickly and efficiently.

• **UC budgetary flexibility is critical to meeting the state’s future workforce needs.** During the economic downturn, state funding for the UC was reduced significantly. Although recent state budgets have started to restore some of the funding, the university is still operating with less state support than previously.

At the same time, UC is seeking to increase enrollment to serve more students and meet the state’s future workforce needs while keeping tuition rates flat to the extent possible.

To meet both objectives, UC must have flexibility to find more cost-effective ways to maintain university opera-

tions without compromising the quality of the education and other services it provides.

• **UC has already dealt with the concerns that ACA 14 seeks to address.** The UC “Fair Wage/Fair Work” Plan, which went into effect on October 1, 2015, increased minimum wages for all UC workers, requires annual audits of service contracts to ensure appropriate wages and working conditions are being met, and established a dedicated hotline for workers to report complaints.

### Unnecessary Prohibition

The CalChamber will continue to **oppose ACA 14** as an unnecessary prohibition on UC contracts. By unnecessarily taking authority away from the UC Board of Regents, ACA 14 ultimately will increase UC costs by preventing the university from using its restricted budget in the most efficient way possible.

**Staff Contact: Karen Sarkissian**

## CalChamber-Sponsored Seminars/Trade Shows

*From Page 2*

U.S. Department of Commerce and the Houston District Export Council. September 30–October 2, Houston, Texas. (281) 228-5652.

Exporting Mechanics Webinar Series II: Advanced Letters of Credit. National Customs Brokers & Forwarders Association of America, Inc. and U.S. Department of Commerce. October 8, Webinar. (202) 466-0222.

Annual Pan African Global Trade and Investment Conference. Africa-USA Chamber of Commerce. October 15–17, Sacramento. (626) 243-3614.

Trade Expo Indonesia. Indonesian Ministry of Trade. October 16–20, Banten, Indonesia.

U.S.-U.A.E. Business Council Trade Mission to the U.A.E. U.S.-U.A.E. Business Council. October 21–23, United Arab Emirates.

Business Conference. GetGlobal.

November 5, Long Beach.

China International Import Expo.

China International Import Expo Bureau. November 5–10, Shanghai. +86-21-9688888.

Hong Kong International Wine and Spirits Fair 2019. Hong Kong Trade Development Council. November 7–9, Hong Kong.

Exporting Mechanics Webinar Series II: Duty Drawback and Refunds. National Customs Brokers & Forwarders Association of America, Inc. and U.S. Department of Commerce. November 12, Webinar. (202) 466-0222.

Exporting Mechanics Webinar Series II: ECCN Classification Numbers. National Customs Brokers & Forwarders Association of America, Inc. and U.S. Department of Commerce. December 10, Webinar. (202)

466-0222.

Exporting Mechanics Webinar Series II: Commodity Jurisdiction. National Customs Brokers & Forwarders Association of America, Inc. and U.S. Department of Commerce. January 14, 2020, Webinar. (202) 466-0222.

Exporting Mechanics Webinar Series II: Drop Shipments and Routed Transactions. National Customs Brokers & Forwarders Association of America, Inc. and U.S. Department of Commerce. February 18, 2020, Webinar. (202) 466-0222.

Exporting Mechanics Webinar Series II: Cultural Sensitivity Program. National Customs Brokers & Forwarders Association of America, Inc. and U.S. Department of Commerce. March 10, 2020, Webinar. (202) 466-0222.

# 57 CalChamber Member Companies Rank among Best Employers in California



Fifty-seven California Chamber of Commerce member companies were rated high enough by

their employees to earn a spot on the 2019 *Forbes* list of best California employers.

The rankings were compiled by Statista, a market research company, and is divided by state, with 194 businesses listed as the best employers in California.

*Forbes*' list of "America's Best Employers By State" features employers across many industries, including education, health care, food services, technology, aviation, retail, delivery services and more.

## CalChamber Member Companies

Five CalChamber member companies appear in California's Top 10. The CalChamber member companies on the California list include:

- In-N-Out Burger (No.2);
- Microsoft (No.4);
- Google (No. 7);
- Boeing (No. 8);
- E. & J. Gallo Winery (No. 10);
- LinkedIn (No. 11);
- Kaiser Permanente (No. 14);
- Cisco Systems (No. 15);
- Nordstrom (No. 21);
- T-Mobile (No. 23);
- Ernst & Young (No. 25);
- Sutter Health (No. 26);
- FedEx (No. 27);

- Johnson & Johnson (No. 29);
- Sharp HealthCare (No. 31);
- Jet Propulsion Laboratory (No. 35);
- Whole Foods Market (No. 36);
- Intuit (No. 39);
- Intel (No. 41);
- University of California, Davis (No. 44);
- Stanford Health Care (No. 46);
- Coca-Cola (No. 47);
- Deloitte (No. 53);
- Salesforce.com (No. 54);
- Sempra Energy (No. 57);
- Northrop Grumman (No. 58);
- IKEA (No. 61);
- Nike (No. 65);
- KPMG (No. 67);
- Pomona Valley Hospital Medical Center (No. 70);
- Walt Disney (No. 73);
- Anthem (No. 75);
- University of California, Santa Barbara (No. 78);
- Lockheed Martin (No. 80);
- PG&E (No. 81);
- Starbucks (No. 83);
- San Diego State University (No. 89);
- The Cheesecake Factory (No. 90);
- JPMorgan Chase (No. 104);
- University of California, San Francisco (No. 112);
- Target (No. 134);
- Golden 1 Credit Union (No. 138);
- TD Ameritrade Holding (No. 139);
- General Atomics (No. 143);
- Verizon Communications (No. 147);
- Charter Communications (No. 148);
- Accenture (No. 149);

- United Parcel Service (No. 151);
- University of California, Berkeley (No. 152);
- Torrance Memorial Medical Center (No. 154);
- Chevron (No. 155);
- Enterprise Holdings (No. 159);
- Del Monte Foods (No. 161);
- El Pollo Loco (No. 174);
- UnitedHealth Group (No. 178);
- Volkswagen Group (No. 184);
- Oracle (No. 187).

## Methodology

To develop the list, Statista surveyed 80,000 workers at businesses with at least 500 employees. Survey responses were anonymous. Respondents were asked to rate, on a scale of 0 to 10, how likely they would be to recommend their employer to others, and to nominate companies in other industries.

*Forbes* explains that the number of businesses ranked in each state depended on the number of qualifying employers and the size of the state's workforce. Companies with operations in more than one state could be listed more than once.

This is *Forbes*' first-ever ranking of America's best employers by state. The final list ranks 1,430 employers that received the most recommendations. The rankings were divided into 51 lists: one for each state, plus the District of Columbia.

To view the entire list, visit <https://www.forbes.com/best-employers-by-state/>.

## New Power to Hike Property Taxes with Just 55% Vote of Approval

*From Page 1*

ters of all special districts are supported in whole or in part by property taxes. These special districts provide services such as fire protection, flood control, cemeteries, and road maintenance.

ACA 1 undermines the protections of Proposition 13 and permits discrimination against certain classes of taxpayers.

The increased tax authority for numerous special districts could result in a single taxpayer being burdened with uncoordinated and ill-advised layering of

new taxes from multiple special districts.

As a result, ACA could reduce even further the percentage of California households that can afford to buy an existing, median-priced home. A recent report from the California Association of Realtors puts that figure at 30%.

ACA 1 also seeks to amend Proposition 13 by lowering the voter threshold for long-term indebtedness that is paid for by an increase in *ad valorem* property taxes.

For more than a century, two-thirds voter approval has been required for

general obligation bonds. The debt obligations backed by the increased property tax ACA 1 seeks to allow often would be in place for as long as 30 years.

The stronger consensus among voters implicit in a two-thirds vote margin is appropriate given that taxpayers would be obligated to an increased tax rate for such a long period.

ACA 1 awaits action on the Assembly floor.

**Staff Contact: Sarah Boot**

## California-Specific Compliance Expertise Is Within Reach in Huntington Beach

Join top experts as they hone in on relevant workplace challenges for California employers, including hiring in a competitive market and emerging issues/investigations related to the #MeToo movement—plus keynote **Julie A. Su**, Secretary of the California Labor and Workforce Development Agency.

**2019 CalChamber HR Symposium**  
**Hyatt Regency Huntington Beach**  
**Friday, November 8, 2019, 7:30 a.m. – 5:00 p.m.**

The cost of admission is \$499 (\$399.20 for Preferred/Executive members), and the event is approved for HRCI California recertification credits, SHRM PDCs, and MCLE credits.



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