Coronavirus Resources on CalChamber Web Page

Given the continuing onslaught of news stories and information about the coronavirus (COVID-19), the California Chamber of Commerce has put together a resource page for employers at www.calchamber.com/coronavirus.

The web page brings together relevant CalChamber articles and links to federal, state and local government resources. The page will be updated regularly to ensure readers have access to the most current information available, such as Governor Gavin Newsom’s March 12 executive order directing Californians to follow public health directives, including canceling large nonessential gatherings (see gov.ca.gov/newsroom).

First on the government resources section of the page are a number of links to the Centers for Disease Control and Prevention (CDC), which has dedicated a section of its website, cdc.gov, to “Coronavirus Disease 2019 (COVID-19).” Link headings on the CDC page include a statement: “older people and people with chronic disease at higher risk,” plus steps to prevent illness, symptoms and common questions. There are situation updates on cases in the United States and global locations with COVID-19, plus information for specific groups.

California government links available on the CalChamber page include the California Department of Public Health, cdph.ca.gov, which offers graphics illustrating ways to prevent the spread of respiratory diseases like COVID-19; the Labor Commissioner’s office and its frequently asked enforcement questions, dir.ca.gov/dlse; the California Division of Occupational Safety and Health (Cal/OSHA), dir.ca.gov/dosh, with its guidance on requirements to protect workers from the coronavirus; and the Governor’s Office of Business and Economic Development (GO-Biz), business.ca.gov.

The San Francisco Office of Labor Standards Enforcement, sfgov.org/olse, also has issued guidance on the use of San Francisco paid sick leave for situations involving the coronavirus outbreak. See these links and more at www.calchamber.com/coronavirus.

Coronavirus (COVID-19): Federal, State, & Local Resources

calchamber.com/coronavirus

The Workplace

COVID-19: Top Resources for Employers

As the novel coronavirus, COVID-19, continues to spread throughout communities, state and local governments are providing wage replacement options to affected workers.

There is a lot of information out there, so on Episode 52 of The Workplace podcast, CalChamber Executive Vice President and General Counsel Erika Frank breaks down exactly what employers need to know: what wage replacement resources are available for workers, what employers can do to minimize the spread of the virus at the office, and a comprehensive source for all relevant workplace-related coronavirus news.

A resource page with a list of relevant articles and links to government resources is now available on the CalChamber website, www.calchamber.com/coronavirus. The page will be regularly updated to ensure readers are accessing the most current information available.

Wage Replacement Options

Two state agencies employers should be paying attention to right now are the Labor Commissioner’s Office in the Division of Labor Standards Enforcement.

See COVID-19: Page 3

Inside

Voters Putting Brakes on New Taxes: Page 4
New Form I-9: Answers to Common Questions

The new Form I-9 and instructions may be downloaded from the USCIS website at www.uscis.gov/I-9.

Common Form I-9 Questions

The following questions concerning Form I-9s have recently come up on the California Chamber of Commerce Labor Law Helpline:

• Do all of my employees have to fill out the new form?

No. When new forms are issued by the USCIS, existing employees are not required to fill out a new form. As long as employees completed a current Form I-9, listed acceptable identity and work authorization documents, provided expired original documents to the employer to view, and signed and dated the form at the time of hire, they are not required to fill out a new Form I-9.

• Am I required to give new hires a copy of the 15 pages of instructions when I have them fill out the Form I-9?

No. While the I-9 instructions must be provided to all new hires at the time that the form is filled out, you are not required to give each employee a copy. The instructions may be retained and used for other new hires.

• I have Spanish-speaking employees. Can they complete the Spanish Form I-9?

No. You may provide the Spanish Form I-9 and instructions as an aid to Spanish-speaking employees, but the Form I-9 must be completed in English.

• I know that a parent or guardian is required to complete a section on the Form I-9 when the employee is a minor, but who should sign the form—the minor or the parent?

Neither the employee nor the parent should sign the Form I-9 when the employee is a minor. The USCIS Handbook for Employers M-274 requires that you insert the following sentence in the signature block in lieu of a signature whenever an employee is under 18 years of age: “Individual Under Age 18.”

• If a new hire does not provide a Social Security number (SSN), does that invalidate the I-9?

No. Even though there is a space on the form for the employee to put an SSN, the USCIS requires an SSN only if the employer participates in the E-Verify Program. If that is the case, the employee must provide the SSN.

• Can I complete Section 1 for an employee who is having a hard time filling out the form?

Yes. You may act as a preparer or translator on the Form I-9, but you must then fill out the section which indicates that you acted as the preparer or translator and sign the form. The employee also is required to sign the form.

Handbook for Employers

For answers to other questions you may have, please see the Handbook for Employers M-274, which is available on the USCIS website at www.uscis.gov, or contact the CalChamber Labor Law Helpline.

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.
The Workplace

COVID-19: Top Resources and What Employers Need to Know

From Page 1

(DLSE), which handles how employees are paid; and the Employment Development Department (EDD), which handles wage replacement, such as state disability insurance and paid family leave.

DLSE

The DLSE has created a Frequently Asked Questions page employers can turn to, Frank says. It features answers to questions such as, “Can an employee use California Paid Sick Leave due to COVID-19 Illness?” and “Can an employer require a worker who is quarantined to exhaust paid sick leave?”

The answers: Yes, an employee can use California Paid Sick Leave if he/she has the time; and no, an employer cannot require a worker to use her/his sick time—it’s the worker’s choice. If sick time is used, Frank explains, the employer can require a worker to take a minimum of 2 hours of paid sick leave per work day, but the worker determines how much time will be used.

The FAQ page is available at: https://www.dir.ca.gov/dlse/2019-Novel-Coronavirus.htm.

EDD

California has expanded its paid family leave and disability benefits to workers affected by the COVID-19 virus.

Paid family leave is available to those who are certified by a medical professional to be sick with COVID-19, or are caring for a family member who is certified by a medical professional to be sick with COVID-19, Frank says.

Workers who have had their work hours reduced or who are affected by COVID-19-related office closures can file a claim for state disability insurance (SDI).


Workplace Precautions

Frank reminds employers to put together a plan in case their office building closes due to an outbreak or if a worker becomes ill with the COVID-19 virus. For some businesses, this may mean allowing employees to work remotely or closing down the office to wait it out.

Another state agency providing resources to employers is the California Division of Occupational Safety and Health (Cal/OSHA), Frank says. The agency has published guidance and fact sheets on the requirements employers from varying industries have to protect workers from the coronavirus.

More information is available at: https://www.dir.ca.gov/dosh/coronavirus/Health-Care-General-Industry.html.

San Francisco Local Ordinance

New guidance was issued this week by the San Francisco Office of Labor Standards Enforcement, stating that employees who fall within the definition of a “vulnerable population” may take time off under the city’s Paid Sick Leave Ordinance, Frank explains. A member of the “vulnerable population” is a person who is 60 years old or older, or a person with a health condition such as heart disease, lung disease, diabetes, kidney disease or weakened immune system.


List of Resources

• A resource page with a list of relevant articles and links to government resources is now available on the CalChamber website at www.calchamber.com/coronavirus. The page will be updated regularly to ensure readers have access to the most current information available.

• The California Governor’s Office of Business and Economic Development (GO-Biz) has compiled helpful information for employers and employees. For more information, visit: https://business.ca.gov/coronavirus-2019/.


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Partner discounts available to CalChamber Online, Preferred and Executive members.
Voters Putting Brakes on New Taxes, Bonds

After several election cycles opening their wallets, Californians used the March 3 ballot to express skepticism of new tax and bond measures. Perhaps the biggest surprise was the apparent defeat of Proposition 13, the statewide school bond measure. Not all ballots have been counted, but as of the latest report, the measure is losing by 8 percentage points—more than 600,000 votes. A statewide school bond measure hasn’t failed in 26 years.

Theories

Many reasons have been suggested for this failure—the sheer size of the bond ($15 billion), that it was not supported by the Los Angeles school board, opposition by taxpayer groups, contemporaneous stock market volatility in the wake of coronavirus, or an older electorate less conducive to investing in schools.

Many politicians are pointing to the measure’s ballot designation—Proposition 13. True, the legendary Proposition 13 (age 42) is still massively popular. But the only reason voters may have been confused and concerned that a vote for version 2020 would threaten their property taxes would be that proponents for a split-roll property tax have been beating the drums over the need to “reform” the venerable measure.

Placed on the ballot by the Legislature, the bond measure was supported by a wide range of civic, business and political leaders. The campaign was led by the Governor, supported financially by builders, businesses, and education unions, and raised $12 million to press the case for the bond measure.

But based on evidence from hundreds of local ballot measures, the best explanation for the defeat of Proposition 13 version 2020 is that voters have become more skeptical of the necessity or effectiveness of tax increases and bond issues.

Local Tax Measures

According to an analysis by the California Taxpayers Association (and again based on incomplete election returns), more than half of 237 local tax measures were rejected by voters in the March 3 primary election.

CalTax found that 122 local tax measures were failing, pending a final count of votes. Some of these measures required approval by two-thirds of voters; others needed support by 55%, and some a simple majority.

CalTax calculated that the 59 measures approved by voters amounted to nearly $424 million a year in new taxes and $3.6 billion in new bonds.

Pre-election indicators of the public attitude toward taxes included warning flags. In its “California’s Political Geography 2020,” released in February and based on its regular statewide voter surveys, the Public Policy Institute of California (PPIC) concluded, “Most Californians from coast to interior feel their taxes are too high.” The 2018 and 2019 PPIC surveys found a strong majority of state residents saying they pay too much in taxes.

Results from the primary election should be a wake-up call for state and local elected leaders, that measures seeking new spending and taxes will face a higher bar with voters, who will demand better evidence of need and priority setting, and better assurances that the new money or new taxes will be spent effectively.

Contact: Loren Kaye

CalChamber-Sponsored Seminars/Trade Shows

From Page 2

Launching the Invest in the U.S., California Guide. CalChamber. March 18, Sacramento. (916) 444-6670.


2nd Medical Device Research & Development Summit. March 23–24, Tel Aviv, Israel. +972-3-5626090, ext. 3.


Hannover Messe Trade Fair. Deutsche Messe. April 20–24, Hannover, Germany. +49-511-890.


27 CalChamber Members Featured on Fortune’s 100 Best Companies List

Twenty-seven California Chamber of Commerce member companies were chosen by Fortune as some of the 100 best companies to work for in 2020.

Now in its 23rd year, the “100 Best Companies to Work For” list was determined by conducting America’s largest ongoing annual workforce study, representing more than 4.1 million employees this year alone.

Eighty-five percent of the evaluation was based on a survey of the trustworthiness of the organization and employees’ ability to reach their full potential, regardless of who they are or what their position is. The rest is determined by the “employees’ daily experiences of the company’s values, people’s ability to contribute new ideas, and the effectiveness of their leaders,” according to Fortune.

CalChamber Member Firms

Below are the 27 CalChamber member companies that landed on Fortune’s list.

• Hilton, a global hotel chain (No. 1). The company strives to treat its team members—from its cooks to its top leadership—with the same hospitality it treats the guests who stay at its hotels. Hilton goes above and beyond to make its team feel supported and respected, offering generous travel benefits, parental leave and opportunities for professional development.

• Salesforce, a global customer relationship management (CRM) leader (No. 6). Employees report feeling included in discussions and having the opportunity to contribute to the company in meaningful ways. Salesforce encourages a strong work/life balance, even allowing its employees to create clubs and partake in community service.

• Intuit Inc., an information technology company and the maker of TurboTax and QuickBooks (No. 11). In addition to offering a competitive pay and benefits package, the company has devoted itself to fostering trust and openness, allowing team members to truly be themselves and feel comfortable adding their voices to the conversation.

• The Cheesecake Factory Incorporated, a restaurant chain (No. 12). Beyond the approachability and openness of management, employees most appreciate the restaurant’s commitment to its community. As of 2020, 26 of the Cheesecake Factory’s restaurants participate in a program that donates excess food to the less fortunate, which the company reportedly plans to bring to all of its locations.

• Kimley-Horn, a planning, engineering and design consulting firm (No. 16). The firm has set itself apart in its generous benefits and rewards. Besides paying for 100% of employee health care costs, the company also grants year-end bonuses, offers in-house training programs and gives out cash and gift card awards to employees who embody great teamwork.

• Capital One Financial Corporation, an information-based technology company (No. 24). Employees enjoy a wide range of perks, such as unlimited sick days, telecommuting, compressed work weeks and college tuition reimbursement. The company has also built an inclusive work environment where every employee can feel comfortable, even spearheading a program whose mission is to support introverts in business.

• Ernst & Young LLP, a professional services firm (No. 25). The firm grants its employees opportunities to improve and learn more every day, harboring a culture that cultivates “excellence, creativity, innovation and teaming,” according to one employee. Twenty-eight percent of job openings at EY were filled internally in 2019, and 42% of new hires were referred by current employees. Kailesh Karavadra, west growth markets leader for EY, is second vice chair of the CalChamber Board of Directors.

• Hyatt Hotels Corporation, a hotel chain (No. 28). The hotel, known for its commitment to diversity as well as giving back to its community, also makes sure to generously give back to its employees with a variety of perks. Housekeepers, for example, have the option to leave early if they finish their rooms—or stay to clean additional rooms and earn more money.

• Quicken Loans, a mortgage lender (No. 29). Those who work at Quicken Loans see their workplace as challenging and fun in equal measure. The company puts on an awards show every year at the Fox Theatre to honor its employees for their hard work and successes. The company also encourages employees to prioritize a strong work/life balance through subsidized childcare and flexible work weeks.

• PricewaterhouseCoopers LLP, a company that provides audit, tax, advisory and industry-focused services (No. 32). The firm offers a wide variety of perks that make work easier for its employees, including compressed work weeks, student loan debt repayment up to $1,200 a year, job sharing, telecommuting and an average of 36 paid days off per year. Mark R. Hutchins, Los Angeles managing partner at KPMG, is a member of the CalChamber Board.

• PricewaterhouseCoopers LLP, which provides audit, assurance, tax and consulting services (No. 36). Besides allowing employees a more flexible, less traditional work schedule, the company also offers unlimited sick days, an average of 34 paid days off each year, college tuition reimbursement and student loan debt repayment of up to $10,000 for early-career associates. John R. Buchanan, U.S. tax managing partner for PricewaterhouseCoopers, is a member of the CalChamber Board.

• Marriott International, Inc., a global lodging company (No. 38). The hotel chain shines in its commitment to putting people first. One employee reported that, after a surrounding community was devastated by flooding, Marriott encouraged its team members to “donate PTO [paid time off], purchase t-shirts to support their cause and contribute to a fundraiser for those affected.”

• Perkins Coie LLP, an international law firm (No. 120). The office treats the guests who stay at its hotels. Leaders—both Kaiser Permanente and the hospitality it provides—open their doors to those in need and music for the CalChamber Board.

See 27 CalChamber Members: Page 6
27 CalChamber Members Featured on Fortune’s 100 Best Companies List

From Page 5

law firm (No. 40). The largest law firm headquartered in the Pacific Northwest, Perkins Coie heartily invests in the well-being of its staff, granting fully paid health coverage and an on-site subsidized gym. The firm is also known for its longtime commitment to diversity, with its 2019 partner class consisting of 56% women and 30% lawyers of color.

• Accenture, a company that provides strategy, consulting, digital, technology and operations services (No. 41). With more than 500,000 employees worldwide, the company is a shining example of embracing people of all races, genders, sexualities and disabilities, according to one employee. Moreover, Accenture offers options for telecommuting, job sharing, subsidized childcare and compressed work weeks.

• T-Mobile US, Inc., a wireless network operator (No. 42). The company is devoted to making employees feel cared for and understood, and creating a safe space at work. For example, T-Mobile recently debuted its Insight Out program intended to tackle unconscious bias in the workplace and to teach employees how to empathize with each other.

• Scripps Health, a nonprofit health care system (No. 43). The nonprofit, which has been included on the 100 Best Companies list 12 times, puts people—both its 700,000 patients and 15,000 employees—first. Scripps spent $33.5 million on training and professional investment last year alone, aiming to build up its employees’ careers and promote from within.

• Deloitte, a professional services network (No. 45). Deloitte offers extensive benefits for its staff members, including college tuition reimbursement, student loan debt repayment, the option to telecommute and fully paid sabbaticals. “Everyone is given chances to improve themselves” regardless of experience level or position in the company, one employee said. Kenneth H. Weixel, San Diego managing partner, is a member of the CalChamber Board.

• Orrick, an international law firm (No. 47). The secret to Orrick’s success lies in its devotion to innovation, according to the firm. The company often puts on hackathons to inspire and challenge its employees, while also granting staffers up to $50,000 for coming up with good ideas. “Retention is off the charts compared to other firms,” noted an attorney at Orrick.

• Progressive Insurance, an insurance company (No. 49). CEO Tricia Griffith notably rose to her position after starting as an entry-level claims representative 30 years prior. Now, she is committed to giving every employee at Progressive the same opportunities. Employees can use an internal tool called “Own It” to create road maps to various job titles, helping them envision a path to any position in the company.

• Dropbox, a file hosting service (No. 63). Efficiency remains a core element to Dropbox’s workplace. If a decision is taking an unreasonably long time or if a process doesn’t make sense, employees can email an internal mailbox monitored by senior management called “Unblock me.” The company also provides fully paid health coverage and puts diversity at the forefront of its hiring process.

• Comcast NBCUniversal, a global media and technology company (No. 64). Staff members at Comcast praise the various opportunities for advancement at the company. Rising executives have a chance to break into senior management via accelerated leadership programs, and a career-relaunch program focuses on the talents of those coming off extended breaks from work. Elaine Barden, vice president sales and marketing for Comcast California, is a member of the CalChamber Board.

• Bain & Company, a leading management consulting firm (No. 69). Employees at Bain & Company highlight the firm’s supportive culture. “We will go to great lengths to help other members of the team, no matter where they are in the world when they ask for help,” one employee noted. Employees also enjoy unlimited sick leave, as well as access to an on-site fitness facility. Nils Behnke, partner and director of Bain & Company, is a member of the CalChamber Board.

• Bright Horizons Family Solutions, a childcare provider (No. 75). Philanthropy is at the center of Bright Horizons Family Solutions’ mission, with the company allowing its employees to take up to 32 hours of paid time off to volunteer every year. The company further devoted itself to helping families at the U.S.-Mexico border last year, raising $25,000 through company and employee donations.

• Bank of America, a multinational investment bank and financial services company (No. 77). The bank champions a diverse workforce, with its support services department employing more than 300 people with cognitive and developmental disabilities. The company has also encouraged more than 3,400 employees to work with nonprofits across the nation to improve the financial lives of at-risk youth, single parents and the elderly. Julian Parra, regional executive for Bank of America, is a member of the CalChamber Board.

• Nugget Market, Inc., a grocery business (No. 79). At Nugget, employees and their accomplishments are put first. The company invests significantly in professional development, offers fully paid health coverage, and always strives to promote from within—to the point that the company has never had any layoffs. The family-owned grocery has additionally committed itself to reaching certain sustainability goals, including reducing its landfill tonnage each consecutive year.

• Experian, a multinational consumer credit reporting company (No. 90). Employees praise Experian’s support of other cultures and diversity. The company hosts a variety of multicultural celebrations throughout the year, such as festivals honoring Black History Month or the Lunar New Year. “I’ve never seen a company go to such lengths with respect to diversity and inclusion,” one employee said.

• Farmers Insurance, an insurer of automobiles, homes and small businesses (No. 97). Leaders at Farmers Insurance not only listen to employees’ ideas—they put them into motion. The company’s physical and virtual labs, iLab and xLab, allow employees to brainstorm ideas. One idea—using virtual reality (VR) as a training tool—has now been adopted by the company in a partnership with VR company Talespin.

To view the full “Fortune 100 Best Companies to Work for 2020” list, visit https://fortune.com/best-companies/2020/.
Chief Justice Calls for Homelessness Study

In her State of the Judiciary address this week, California Chief Justice Tani Cantil-Sakauye described how the judicial branch remains accountable, champions the needs of the people, her plan to appoint a workgroup to study homelessness and why the justice of today is important.

The workgroup, Cantil-Sakauye said in her March 10 address, will study how the judiciary can become better partners in the crisis of homelessness.

Assigned to report back to the Chief Justice later this year, the workgroup will consider questions such as: how the courts can become more proactive in addressing the homeless population; whether surplus property can be transferred to the executive branch and repurposed for housing; and laws that need to be amended to better serve California’s homeless population.

“I firmly believe that the justice we do today will affect our communities of tomorrow,” Cantil-Sakauye said.

Accountability

The judiciary holds itself accountable by “doing justice in the name of justice,” which means a three-dimensional access to justice, “that is that justice be equal, that it be physical and that it be online,” Cantil-Sakauye said.

She noted that the Judicial Council passed along to the trial courts the one-time innovative grant funding from the California Legislature based on their ability to increase equal access in their jurisdictions.

Some of the programs include a human trafficking prevention court in Fresno and a veteran’s court in San Francisco.

For physical access, the Judicial Council was able to repair and maintain more than 500 court facilities and build new ones in critical areas.

For online access, the Judicial Council used Skype to help Butte County and other rural county users who come to court or need self-help, expanding online access to 23 rural jurisdictions.

In Monterey, the council created a mobile app to enable court users to access court cases and calendars, and pay traffic tickets on their smartphones, Cantil-Sakauye said.

Champion of Needs

Over the last few years, California courts have become “more than a place that resolves disputes,” Cantil-Sakauye said; they are “centers for social justice.”

During her administration, she said, the judiciary has become the champion of “the needs of the impoverished and overlooked.”

Programs developed and worked on by the judicial branch include legal reforms to justice system practices that placed a heavier burden on those with the fewest resources. For example:

• A pretrial service was developed as an alternative to money bail.
• Translation services are available to people who are unable to understand English as well as they need to in order to interact with court services.

In honor of Justice Ming Chin, who is retiring on August 31, Cantil-Sakauye recalled a Supreme Court opinion he authored that recognized battered women’s syndrome as a legal defense in 1996.

The following year, Cantil-Sakauye created the first-ever domestic violence court in Sacramento. Justice Chin’s decision, “changed the legal landscape forever,” she explained, as it allowed courts to understand the effect of domestic violence not only on the present victims and families, but on future generations.

The chief justice closed her address by thanking Justice Chin for his public service and visionary leadership. His career, she said, demonstrates that “when we are open-minded, when we deliberate fairly, and when we come together for necessary changes, we can preserve and create and expand access to justice for all in California.”
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