

ALERT

The People's Voice: Coronavirus Edition

Poll Shows Strategies Voters Favor to Restore Economy



California voters are understandably anxious about the health and economic crises facing families and

workplaces. The California Chamber of Commerce commissioned a brief survey to better understand how voters want state leaders to address key economic issues as the clock ticks down on the 2020 legislative session.

The chilling events over the past three months have moved California voters to a more pessimistic frame of mind.

Asked if the United States is going in the “right direction” or “wrong track,” voters chose wrong track by a more than 4 to 1 margin, 82%–18%, accelerating their jaded view of national affairs, which had trended 2 to 1 negatively over the past three years.

Voters also view California affairs pessimistically. By a 60%–40% margin, voters believe the state is on the wrong track, reversing the past three years’ assessment, which averaged a slight majority pegging the state in the right direction.

Voters are similarly bleak on the condition of race relations. A strong

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Job Killer Rehiring/Retention Mandate Moves in Senate



A California Chamber of Commerce-opposed job killer bill that will unnecessarily slow the ability of certain businesses to reopen following a state

of emergency passed a Senate policy committee this week.

AB 3216 (Kalra; D-San Jose) imposes an onerous and stringent process for specific employers to return employees to the workforce, which will delay rehiring and subject employers to litigation for any alleged mistakes.

As amended August 5, the bill imposes novel, retroactive and unworkable “right of recall” requirements for specified industries. It also subjects these businesses to a new private right of action and Private Attorneys General Act (PAGA) liability at a time they can least afford it, further jeopardizing their ability to reopen.

Impedes Reopening

Among other provisions, AB 3216 requires covered employers to offer to recall laid-off workers in order of seniority and to provide such employees at least 10 business days to respond. The CalChamber and coalition of groups opposing AB 3216 point out that the requirement would stifle and delay a business returning to normal operations following an emergency.

For example, AB 3216 would require the employer to offer a position to the most

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Communications Specialist Rejoins CalChamber



Jennifer Johnson, IOM

Jennifer Johnson, IOM, longtime specialist in chamber of commerce communications, has returned to the California Chamber of Commerce as director of local chamber relations.

Johnson will act as chief CalChamber liaison with the local chamber of commerce legislative action team and local chamber partners in the ongoing effort to provide easy-to-use labor and employment compliance materials to businesses throughout the state.

She also will serve as vice president of the Western Association of Chamber Executives (W.A.C.E.), an organization managed by the CalChamber and dedicated to promoting the profes-

sional growth of chamber of commerce executives.

“I’m delighted to welcome Jennifer back to our team,” said Dave Kilby, CalChamber executive vice president, corporate affairs. “Her knowledge of community challenges and experience with local chambers will benefit both our local chamber partners and CalChamber in these turbulent times.”

For the last year, Johnson has been the communications and marketing manager for the Fresno Chamber of Commerce, where she created and coordinated a variety of chamber communications, led the launch of the chamber’s new website and was the liaison with local partners for the Revive Fresno County campaign.

Before her stint in Fresno, she served at CalChamber for more than a decade, eight years of which she spent supporting

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Labor Law Corner

Calculating Leave Eligibility When Company Closed Temporarily



Dana Leisinger
HR Adviser

Our company shut down in March due to the coronavirus, and then reopened the first of June. Now one of my employees is asking to take Family Medical Leave Act (FMLA) leave. Does the employee have to start the year requirement all over again?

Not necessarily. To qualify for FMLA, an employee must have worked 1,250 hours in the year immediately preceding the start of the leave, and have worked for a year for the employer.

If there was a break in service during seven years of employment, however, as long as the total time is a year or more (and the employee has worked the requisite number of hours), this qualifies for FMLA.

Calculating Hours Worked

In the example noted above, the employee had been hired in April 2019, so he had almost met the year mark when the company shut down. By working in June and July 2020, he has now met the year mark.

Additionally, any break in service caused by a military service obligation would be excused.

As to “hours worked,” hours of service means hours actually worked by the employee. It does not mean hours paid.

Paid nonworking time—such as vacations, holidays, furloughs, sick leave, or other time off (paid or otherwise)—does not count for purposes of calculating one’s FMLA eligibility.

Therefore, if an employee was furloughed for a lengthy period or taking

the emergency family leave under the Families First Coronavirus Response Act (FFCRA) to care for a child, that time is not considered hours worked, even though the latter is paid.

Impact on Leave Available

Indeed, the time taken for the emergency family leave will be counted against an employee’s total 12 weeks available under FMLA.

Therefore, if an employee takes eight (8) weeks to care for his/her children under the emergency family leave, there will be only four (4) weeks remaining for the traditional FMLA.

These are definitely challenging times, and if an employer has doubts or questions about the qualifications of FMLA, an attorney should be consulted.

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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Labor Law

HR Boot Camp Virtual Seminar.

CalChamber. August 20–21, Virtual Seminar; September 10–11, Virtual Seminar. (800) 331-8877.

California Leaves for Expecting Employees. CalChamber. September 17, Webinar. (800) 331-8877.

Business Resources

Proposition 65 Annual Conference. Prop. 65 Clearinghouse. September 21, Online. (415) 391-9808.

International Trade

Asian Development Bank Contracting Opportunity Webinar Focused on Transportation Infrastructure.

Governor’s Office of Business and Economic Development (GO-Biz), U.S. Commercial Service and CalAsian Chamber of Commerce/

Sacramento Minority Business Development Agency (MBDA) Export Center. August 18, Webinar. (916)

389-7485.

International Affairs and Trade Development Interagency Committee. GO-Biz. August 19, Online meeting. (916) 319-9954.

USMCA: What Has Changed and How to Comply. NASBITE International. August 19, Webinar. (443) 640-1064.

Market Research Skills – Rural Export Center. U.S. Commercial Service. August 20, Webinar. (800) 872-8723.

Thriving in the Digital Trade Economy Under USMCA. U.S. Commercial Service. August 25–October 20, Webinar Series. (800) 872-8723.

Asian Development Bank Contracting Opportunity Webinar Focused on Healthcare. GO-Biz, U.S. Commercial Service and CalAsian Chamber of Commerce/MBDA Export Center. August 25, Webinar. (916) 389-7485.

Upcoming Energy Projects in Canada. U.S. Commercial Service. August 26, See CalChamber-Sponsored: Page 9

The Workplace

COVID-19 Litigation Trends, Takeaways



In **Episode 82** of The Workplace podcast, CalChamber Executive Vice President and General Counsel Erika Frank talks with

employment litigation expert Kristen Nesbit, partner at Fisher Phillips, Los Angeles, about the types of COVID-19-related litigation employers are seeing and what employers can do to protect their business.

Types of Claims Filed

We are still in the early stages of the pandemic, but employers already are seeing claims being filed against them, Nesbit says. In fact, last month the law firm saw COVID-19-related litigation claims increase 43% from the previous month.

The lawsuits, she says, are a hybrid mix of issues, but the top four litigation matters Nesbit is seeing are based on:

- Discrimination;
- Failure to accommodate leave laws or work from home requests;
- Workers' compensation/unsafe workplace (including lack of personal protective equipment); and
- Retaliation.

Out of the four, the two most common lawsuits are on discrimination and leave law conflicts. Usually these claims stem from the decisions employers make on which employees are chosen for reduced hours, laid off or furloughed, Nesbit explains. In particular, claims may come from employees who are part of a protected class and were furloughed.

Frank points out that this type of situation may occur if a pregnant employee went out on leave at the onset of the COVID-19 pandemic and was then laid off during the crisis.

Similarly, claims may arise if the employee was on a disability leave of absence under the Family and Medical Leave Act (FMLA) or California Family Rights Act (CFRA), Nesbit adds.

But the law is clear: just because an employee is in a protected class, it does not shield the employee from being a part of a reduction in force or furlough, she says.

Establish Objective Criteria for Reduction in Force

This is why it is critical that employers use legitimate nondiscriminatory, objective reasons to justify why a worker who is in a protected category was selected for a layoff, Nesbit stresses.

When preparing for furloughs or reductions in force, employers should identify key objective criteria and go through a company analysis of the impact those choices will have on affected employees, Nesbit says. This ensures that when the employer does select workers for layoffs, the decisions can be justified objectively; otherwise, the door may be open for litigation, she cautions.

Moreover, it is important that employers have clear documentation of their decision-making process in case they have to present themselves before a judge or jury and justify their motives. The documentation also can be useful to employers so that they can do a gut check and analyze their own decisions, Nesbit explains.

For example, analyzing the lists of furloughed employees may reveal that the majority of workers are over the age of 40, or perhaps all the affected workers are men. After the analysis, the employer will then have the opportunity to reassess their motives to ensure they were not discriminatory.

Claims Based on Leave Requests

Similar to other COVID-19-related lawsuits, claims based on leave requests are a hybrid, Nesbit tells Frank. For example, she says, a gender discrimination lawsuit may be filed along with a complaint that the employee was not accommodated in their leave of absence request.

As of now, claims are not necessarily related to the Families First Coronavirus Response Act, but instead derive from the

employer's lack of flexibility or employers putting increased demands on telework employees, Nesbit explains.

Particularly in California, where many schools are expected to conduct virtual learning, Nesbit anticipates many lawsuits will arise related to leaves and failure to accommodate.

Nesbit points out that due to the pandemic, employees may have to care for sick family members or look after their children during work hours. Employers should also be aware that the burden of child care and schooling is falling mostly on mothers. So, for example, establishing practices such as setting meetings at noon, when parents have to prepare lunch for their children, may be putting a burden on their female workers.

Anticipate an Increase in Litigation

Nesbit advises employers to make sure "you treat your employees the way you would want to be treated in the same situation." Because COVID-19-related laws are constantly changing, she anticipates that litigation will rise. Thus, it is very important that employers are nimble, flexible and practical.

"...because when you have to explain yourself to a fact finder—whether it is to a court, to an administrative law judge, to a jury—you want them to be able to feel that these decisions were very difficult, were very thought out, and these were practical decisions that were made..." Nesbit says. "...genuinely say we worked with this employee, we tried to accommodate them, we asked them to follow our policies and protocols, and it was only then when we exhausted all the reasonable, practical things we could do as an employer that we had to make this difficult decision."

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Still No Clear Compliance Path for Wildfire Smoke Regulation



In the midst of COVID-19, it is easy to forget the host of other regulations and obligations with which businesses must comply in California.

As summer temperatures continue to be high and winds pick up, one regulation to keep an eye on is Cal/OSHA's Wildfire Smoke Protection Emergency Regulation (Section 51.41.1), which (among other provisions) requires employers to have N95 respirators on hand for their employees when the Air Quality Index (AQI) for PM2.5 hits 150—or close down.

N95 Shortages

As we all know, COVID-19 has made N95 shortages a worldwide issue for much of 2020, and what scant supplies can be

located are prioritized for health care. With this shortage hanging in the air, the question employers have been asking is: How are we supposed to purchase what can't be purchased? Or, in other words, what do you want us to do when the AQI rises if N95 masks aren't available or are infeasibly expensive due to COVID-19?

For a while, it seemed like a solution was forthcoming. Shortly before the June Cal/OSHA Standards Board meeting, the California Chamber of Commerce sent a public letter to Cal/OSHA Chief Doug Parker and others outlining this difficult scenario and requesting some alternative compliance mechanism be found.

Nothing Published

Shortly thereafter, at the June 18 Standards Board meeting, staff indicated that they were testing alternatives such as KN95 respirators, and intended to publish

a list of suitable alternative compliance devices. Though the indication was promising, two months later, there is no published alternative compliance mechanism.

This leaves businesses across the state stuck between the same proverbial rock and a hard place—compete with health care for scant N95s at unprecedented prices in order to stockpile for the *potential* of a wildfire, or close down if AQIs rise?

We have only just started the wildfire season in California, which generally lasts until fall. Both July and August have seen multiple wildfires (though none appear to have raised AQIs to the 150 threshold).

Cal/OSHA should act immediately to provide an alternative so that employers have a realistic option to protect their employees in the unfortunate event of another wildfire.

Staff Contact: Robert Moutrie

Job Killer Rehiring/Retention Mandate Moves in Senate

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senior employee, then wait 10 business days for the employee to accept or reject the offer to return to work before moving on to the next most senior employee. Depending on the size of the employer, the requirement could delay the reopening process for weeks, months or years.

Moreover, AB 3216 requires covered employers to extend the rehire offer not only to an employee who held the same position, but also to any employee who “is or can be qualified for the position.” This vague and unworkable language would appear to require the employer to offer almost any position to employees by order of seniority because virtually any employee “is or can be qualified” for a given position with appropriate training.

The requirement will further delay the reopening process to the detriment of both the business and the workers.

New Liability

Any violation of AB 3216's complex and confusing requirements subjects a covered business to an entirely new private right of action and imposes costly liability for hiring and reinstatement rights, front and back pay calculated at specified highest rates of pay, and the value of any benefits the employee would receive.

Moreover, because AB 3216 estab-

lishes a new section of the Labor Code, any violation would subject a business to liability under PAGA, which applies even for minor or technical violations and requires no showing of harm to employees.

The bill also includes a one-sided provision that mandatory attorney fees shall be awarded only to the prevailing employee, further incentivizing costly litigation against employers.

Similar local ordinances recently adopted in both the City of Los Angeles and Los Angeles County include a “right to cure” provision that allows an employer the opportunity to address any alleged violation of the law before any costly civil enforcement can begin.

Constitutional Concerns

The long-lasting retroactive “right of recall” contained in AB 3216 is legally suspect and would likely be struck down if challenged. Any law that substantially impairs pre-existing contractual obligations violates the contract clauses of both the federal and California constitutions.

Under California law, and absent an agreement otherwise, all employment “may be terminated at the will of either party on notice to the other.” Employers hired employees assuming that, if the viability of the business was threatened, they could lay off these workers without

being subject to a possible cause of action.

In fact, during the current crisis, some employers have offered severance packages to employees impacted by the pandemic with the understanding that they would not be rehired.

Preserving Union Status

AB 3216 is part of a longstanding effort by organized labor to enact legislation to protect incumbent unions. Similar to failed legislation from 2011, AB 3216 mandates that subsequent employers hire the predecessor's employees, thereby allowing the incumbent union to demand recognition of its status as the workers' bargaining representative.

The decision of whether to have a union in the workplace should be left to the employers and employees, after following the proper procedures outlined by the National Labor Relations Act. Neither party should be forced into such a relationship.

Key Vote

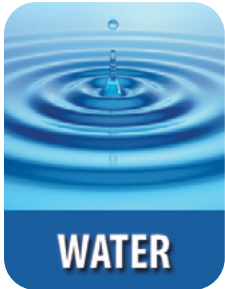
AB 3216 passed the Senate Labor, Public Employment and Retirement Committee on August 11, 3-2:

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

Noes: Hill (D-San Mateo), Morrell (R-Rancho Cucamonga).

Staff Contact: Jennifer Barrera

Governor Issues Framework to Help State Get Ready for Water Supply Challenges



Governor Gavin Newsom has released a framework to help prepare the state's water supply for the anticipated impacts of climate change.

The **Water Resilience Portfolio**, released July 29, was prepared by the California Natural Resources Agency, California Environmental Protection Agency, and California Department of Food and Agriculture. It identifies policy priorities to address challenges to California's water supply, like more extreme droughts and floods, overdrafted groundwater basins, and aging infrastructure.

Californians for Water Security (CWS), a broad coalition that includes the California Chamber of Commerce and labor, business, environmental, community and water leaders, applauded the blueprint, calling it a comprehensive vision for preparing the state for future challenges to its water supply.

Portfolio Priorities

The Water Resilience Portfolio outlines 142 state actions that tie directly to the Governor's efforts to carry out recent laws regarding safe and affordable drinking water, groundwater sustainability and water-use efficiency.

Of critical importance, the actions also elevate priorities to secure voluntary agreements in key watersheds to improve flows and conditions for fish; protect the long-term functionality of the State Water Project; and modernize California's main water distribution infrastructure by constructing a single-tunnel Delta Conveyance.

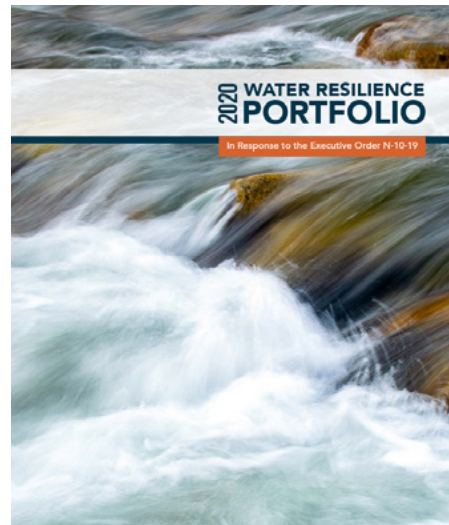
Given the recent drastic downturn in the state's budget situation due to the COVID-19 pandemic, the Newsom administration acknowledged that the pace of progress on the actions in the portfolio will depend upon the resources available, but outlined a number of priorities.

These priorities include:

- Implementing the Safe and Affordable Drinking Water Act of 2019;
- Supporting local communities to

successfully implement the Sustainable Groundwater Management Act of 2014;

- Achieving voluntary agreements to increase flows and improve conditions for native fish in the Sacramento-San Joaquin Delta and its watersheds;



- Modernizing the Delta water conveyance system to protect long-term functionality of the State Water Project;
- Updating regulations to expand water recycling;
- Accelerating permitting of new smart water storage;
- Expanding seasonal floodplains for fish and flood benefits;
- Improving conditions at the Salton Sea;
- Removing dams from the Klamath River; and
- Better leveraging of information and data to improve water management.

State agencies intend to track and share progress on portfolio implementation with an annual report and stakeholder gathering.

More information on the portfolio is available at www.waterresilience.ca.gov.

CalChamber Position

The CalChamber supports a comprehensive solution to the state's chronic water shortage to ensure all Californians have access to clean and affordable water. Delta conveyance in conjunction with increased storage, new technologies, and

water use efficiency techniques will help provide a reliable and consistent water supply.

To assure a future robust economy, every avenue needs to be explored to further increase business's access to affordable water.

The CalChamber supports the voluntary agreements process as a viable means of meeting environmental objectives of the Bay-Delta Water Quality Control Plan.

Stakeholders are working with regulators and environmentalists to improve conditions for fish and wildlife on the San Joaquin River and its tributaries. They are voluntarily reducing their water draw at certain times of the year, modifying some business practices to use less water, and contributing to conservation habitats in the Delta.

A voluntary process to achieve environmental goals is preferable to mandatory restrictions.

CWS and the CalChamber support a Delta Conveyance project that would:

- **Protect water security for two-thirds of the state.** Without action, water supplies through our main distribution infrastructure will continue to decrease.
- **Improve the reliability and security of our water system** by fixing aging infrastructure using the most innovative technologies and engineering practices.
- **Protect water supplies from earthquakes, floods and natural disasters** by delivering them through a modern water pipeline, rather than solely through today's deteriorating levee system.
- **Prepare for the impacts of climate change** by improving our ability to move and store water to account for extreme swings in drought and flood and to protect against salinity caused by sea-level rise.
- **Restore habitats and more natural water flows** above ground in rivers and streams in order to reduce impacts on endangered fish and other wildlife.

• **Serve as a critical component** of a comprehensive water portfolio.

For more information, visit <http://www.watersecurityca.com>.

Staff Contact: Valerie Nera

34 CalChamber Member Companies Rank Among Best Places to Work in the Bay Area



Thirty-four California Chamber of Commerce member companies were recently highlighted by the *San Francisco*

Business Times / Silicon Valley Business Journal as some of the best companies to work for in the Bay Area in 2020.

The list, published annually, commends businesses whose employees rate them the highest on values like a collaborative culture, compensation and benefits, and management practices. The list is designed to highlight the companies that stand out for having exceptional workplaces with highly engaged workforces.

These companies have gone above and beyond to support their employees, especially during the COVID-19 pandemic. The special section listing the best places to work commented: "These companies have rapidly adjusted policies to remain resilient and connect with employees in the best way possible, while relying on cultural values established in better times as a guidestar through the current uncertainty."

The list was broken into five categories: "smallest" companies with 25–49 employees, small companies with 50–99 employees, midsize companies with 100–249 employees, large companies with 250–999 employees and "largest" companies with more than 1,000 employees.

The 34 CalChamber member companies that made the list are:

Smallest Companies

- **Pacific Ridge Builders**, a general contractor, ranked No. 2.

- **Realize CPA LLP**, a tax advisory firm, ranked No. 15.
- **SD Mayer & Associates LLP**, an accounting, business advisory, and wealth management company, ranked No. 24.

Small Companies

- **Rodan Builders**, a general contractor, ranked No. 6.

Midsize Companies

- **Lattice**, a performance management software company, ranked No. 2.
- **Syserco**, an energy management company, ranked No. 3.
- **Filice Insurance Agency**, a health insurance and employee benefits company, ranked No. 7.
- **Demandbase**, a business-to-business marketing firm, ranked No. 9.
- **Course Hero**, an online learning platform, ranked No. 10.
- **Farella Braun + Martel LLP**, a law firm, ranked No. 11.
- **Dome Construction**, a general contractor, ranked No. 12.
- **Zumper**, a residential real estate platform, ranked No. 14.
- **Human Interest**, a 401(k) provider for small and medium-sized businesses, ranked No. 19.
- **ANX Home Healthcare and Hospice Care**, a family health services company, ranked No. 22.
- **Recurly**, a digital real estate company, ranked No. 28.
- **OneDigital Health & Benefits**, a health care broker, ranked No. 31.

Large Companies

- **XL Construction**, a general contractor, ranked No. 1.

- **Segment**, a customer data infrastructure company, ranked No. 3.

- **Slalom**, a consulting firm focused on strategy, technology and business transformation, ranked No. 5.

- **Swinerton Builders**, a general contractor, ranked No. 11.

- **Golden State Lumber**, a retail building materials dealer, ranked No. 13.

- **Sprig Electric**, an electrical contracting company, ranked No. 16.

- **Frank, Rimerman + Co. LLP**, a certified public accounting and advisory firm, ranked No. 17.

- **Moss Adams**, a public accounting firm, ranked No. 18.

- **Prometheus Real Estate Group**, a residential real estate company, ranked No. 19.

- **Hanson Bridgett LLP**, a private practice law firm, ranked No. 24.

- **Sheppard Mullin**, a law firm, ranked No. 27.

- **BPM LLP**, an accounting firm, ranked No. 28.

Largest Companies

- **Salesforce**, a customer relationship management company, ranked No. 3.

- **Webcor**, a full-service, self-performing general contractor, ranked No. 4.

- **Rosendin Electric**, an electrical construction company, ranked No. 7.

- **Telecare Corp.**, a mental health care company, ranked No. 9.

- **Cruise Automation**, a self-driving vehicle manufacturer, ranked No. 10.

To view the full list of the "Best Places to Work in the Bay Area in 2020," visit <https://www.bizjournals.com/sanfrancisco/news/feature/best-places-to-work>.



Poll Shows Strategies Voters Favor to Restore Economy

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majority (58%) believe race relations are getting worse, with 27% answering they are staying about the same, and only 14% believing relations are getting better. Among the most pessimistic about the state of racial harmony were voters living in the Central Valley and Bay Area, low income, renters and political independents.

A slight corrective to this pessimism are attitudes on personal finances. Even in the midst of a historic economic downturn, voters report only a slight deterioration in their financial well-being. Less than a quarter of voters (22%) report being somewhat or much better off, while about half (49%) report their household finances are about the same, and 28% say they are somewhat or much worse off.

In late 2019, 31% of voters reported they were better off, 43% about the same, and 26% worse off.

Top Issues

Asked to identify the two most important issues facing California today, voters predictably chose COVID-19 and the economy. No other issues were even close, although homelessness and housing costs/availability carved a second tier position.

Notably, civil rights/racial equality/police brutality was a third-tier issue for all voters and most groups, but rose to a second-tier status among young voters and residents of the Inland Empire.

Mirroring national sentiment, a majority of California voters indicated that income inequality is a very important issue, but with an interesting take on policy solutions. A significant plurality (43%) and most demographic groups favored “offering public school alternatives for California children in disadvantaged communities so they have a better chance to get ahead in life.” The next-favored preference (39%) was to “reduce regulations on business so they will create jobs in California.” Least favored (18%) was to “raise taxes for programs to reduce income inequality.” The tax option trailed in every demographic; Democrats favored equally this option and reducing business regulations.

The Legislature is scheduled to adjourn its 2020 session in just over

two weeks. Few of the bills left on its agenda will boost the economic recovery; many will hinder it. But the Legislature should know that voters, including most Democrats, are supportive of key strategies that would improve prospects for recovery and allow employers to maintain and expand their workforces.

Strategies Voters Favor

Top of the list is to adopt policies making it easier for businesses to allow employees to telecommute or work from home when possible. Obviously, this trend has accelerated throughout our economy, but many state regulations inhibit employers from spreading this practice throughout the workforce.

Half of voters indicated they were very favorable toward this policy, with another third somewhat favorable. Legislators would enjoy the gratitude of voters if they expanded their ability to telecommute, especially from the policy’s strongest supporters: women, low income, renters and Democrats.

Another overwhelmingly popular policy initiative is providing a shelter from litigation for businesses offering critical services, goods or facilities during the pandemic state of emergency. More than 7 in 10 voters (39% very favorable, 34% somewhat favorable) support quashing frivolous litigation from a customer claiming they contracted COVID-19 while on premises, while still preserving the ability to sue if the business was grossly negligent.

Sixty percent of voters favor accelerating the construction and permitting of new housing, a desperately needed economic boost that has been unaddressed for years.

Another 60% of voters also support pausing the creation of new nonessential regulations by state agencies, unless they are urgently needed to protect public health. State rulemakers have been resistant to reducing the yoke of regulation even as businesses have struggled to maintain their footing during the pandemic.

Voters also supported postponing for a year the automatic increase in the minimum wage. By a 2 to 1 margin (52%–26%), voters agreed that postponing the increase would encourage rehiring

of unemployed workers and a quicker economic recovery.

Finally, voters also support resolving the employment status of thousands of workers employed by companies that contract with other businesses, such as an IT consulting firm that might contract with another business to upgrade a computer system. These workers are caught up in the dispute over the gig economy, even though they currently work for employers or have their own business.

A strong majority of voters agreed those workers should be removed from the uncertainty surrounding the new independent contractor law.

Even in their pessimistic frame of mind, voters are strongly supportive of affirmative efforts to improve California’s economic recovery. The Legislature and Governor should take note that the voters are unimpressed with business as usual and are looking for policies that will actually deliver more jobs and a sustainable economic recovery.

Pierrepoint Consulting & Analytics (PCA) and Core Decision Analytics (CODA) conducted online interviews from July 24–27, 2020 among N=1,102 California likely 2020 general election voters. The overall margin of error for this study is +/- 2.95% at the 95% confidence level and larger for subgroups.

Contact: Loren Kaye

Communications Specialist Rejoins CalChamber

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a broad range of projects and activities related to local chambers of commerce.

Johnson holds a B.A. in liberal studies with an emphasis on U.S. history, *magna cum laude*, from California State University, Northridge, where she also earned a multiple subject California teaching credential.

She is a graduate of the three-year W.A.C.E. Academy program, as well as the U.S. Chamber of Commerce Foundation’s Institute for Organization Management (IOM) program.

A View from the United Kingdom

Cultural Parallels, Mutual Interests Form Core of Strategic Trading Partnership



The following answers to questions posed by the California Chamber of Commerce are from Andrew Whittaker, consul general, British Consulate General San Francisco.

United Kingdom-California Relations

Please describe your thoughts on the unique relationship between the United Kingdom and California?

California is a significant piece of the United Kingdom's special relationship with the United States, both as a strategic partner given the size of our bilateral trade, investment within the state, cultural parallels and mutual overarching interests, such as reducing our carbon footprint, but also as a cultural friend.

Every year, more than 686,000 Brits visit California, spending an average of \$905 million within the state. California is the only state where the U.K. maintains two consulates (San Francisco and Los Angeles). It is well-known that we share strong linkages in the tech, engineering, bioscience and entertainment industries.

This past June at the annual Conference of Mayors, Los Angeles Mayor Eric Garcetti spearheaded a resolution to bring the U.K. and the U.S. closer through supporting a comprehensive trade agreement. Currently the U.K. is the second largest foreign investor in California and U.K. subsidiaries employ more than 110,000 Californians. California exports more than \$17.8 billion worth of goods and services to the U.K. annually and is the fifth largest export market for the state.

Climate is another area where both the U.K. and California are committed

to taking action to slow manmade effects on the environment. The U.K. is hosting COP26 [United Nations Climate Change Conference] in November 2021—of which we know California will be an important partner—where we'll further discuss this pressing issue: from the pandemic response and economic recovery and how that will join up with sustainability, including green finance, to the transition to zero-emission vehicles, both of which we know are important to California.



Andrew Whittaker, consul general, British Consulate General San Francisco

Pandemic Impact on United Kingdom

As countries all over the world feel the pandemic, what is the economic impact of COVID-19 on the United Kingdom?

COVID-19 is the biggest threat our country (and most countries) have faced in decades. All over the world we are

seeing the devastating impact of this invisible killer, which is why the U.K. government is working to a scientifically led, step-by-step action plan—taking the right measures at the right time.

The U.K. has taken unprecedented action to increase National Health Service capacity by increasing the numbers of beds, key staff and lifesaving equipment on the front line to give people the care they need.

During this difficult time, the U.K. government recognizes the extreme disruption the necessary actions are

having on people's lives, their businesses, their jobs and the nation's economy.

That is why the U.K. has announced a number of measures supporting public services, workers and businesses to protect against the current economic emergency, including:

- Setting up a £12 billion (\$15.2 billion) economic response to support businesses, households and public services—including a £5 billion (\$6.58 billion) COVID-19 Response Fund to support the NHS.

- On March 17, the U.K. extended the support available to individuals and businesses, including a business rates holiday, grants to smaller businesses and a package of government-backed and guaranteed loans, which make available above an initial £300 billion (\$394.56 billion) of guarantees.

- On March 20, the U.K. government announced a package to help individuals affected by the crisis. This covered a

Coronavirus Job Retention Scheme, as well as changes to our welfare system, including Universal Credit and Statutory Sick Pay, making support quicker and easier to access, as well as more generous.

- Then on the March 26, we announced even more support to help the

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Cultural Parallels, Mutual Interests Form Core of Strategic Partnership

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self-employed, with the Self-Employment Income Support Scheme.

U.S.-U.K. Free Trade Agreement

What does the U.S.-U.K. Free Trade Agreement (FTA) currently under negotiation mean for the United Kingdom?

A U.K.-U.S. FTA will provide the opportunity to boost trade, jobs and growth for both economies, and will allow us to help shape the global economy as it recovers. The U.S. and the U.K. are the first and fifth largest economies in the world respectively and maintaining a deep trade and investment relationship is of the utmost importance, particularly as

we depart from the European Union. An ambitious trading relationship with one of our closest partners will only deepen our ties.

That said, an FTA will help to improve the resilience of our supply chains through diversity and opening new markets for business, bringing investment, better jobs, higher wages and lower prices, at a time when we need them most. This FTA is an important part of the long-term economic recovery, providing new opportunities for businesses and entrepreneurs in every industry.

We also look at the FTA as an opportunity to set global best practices by future-proofing the agreement to take

account of changing technology and developing areas of the economy, such as securing cutting-edge provisions which maximize opportunities for digital trade across all sectors of the economy.

Both of our countries are global leaders in producing “unicorn” companies—private companies worth over \$1 billion—in these rapidly developing sectors, and an FTA can create the conditions for the creation of many more. It will also enhance the mutual trading relationship in key areas such as food and drink, advanced manufacturing and services.

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CalChamber-Sponsored Seminars/Trade Shows

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Webinar. (800) 872-8723.

Intelligent Manufacturing in Europe
Coffee Chat: Sweden, Denmark and UK. U.S. Commercial Service. August 27, Webinar. (800) 872-8723.

How to Make the USMCA Work for You – Changes in Customs and Origin Rules. U.S. Commercial Service. September 1–October 27, Webinar

Series. (800) 872-8723.

EXIM 2020 Annual Conference.
Export-Import Bank of the United States. September 9–11, Virtual Conference. (800) 565-3946.

Legal Strategies for Success – Governance, Compliance and Representation Agreements. U.S. Commercial Service. September 10, Webinar Series. (800) 872-8723.

Asia EDGE (Enhancing Development and Growth through Energy) Trade Mission. U.S. Commercial Service. September 13–22, Bangkok, Ho Chi Minh City, Hanoi, Jakarta. (202) 482-3492 or (914) 682-6712.

Construction Indonesia 2020. PT Pamerindo Indonesia and Informa Markets. September 16–18, Jakarta, Indonesia. +49-3999905-0.

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