

ALERT

CalChamber Opposition Stops 5 Job Killer Bills

Another 5 Amended to Remove Worst Provisions



Strong opposition from the California Chamber of Commerce helped to stop five job killer bills from advancing in the state Legislature.

The bills failed a key deadline to move from policy committee to fiscal committee on April 30.

In addition, the CalChamber has removed the job killer tag on five bills due to amendments.

For a complete list of this year's job killers, visit www.calchamber.com/jobkillers.

Job Killers Stopped

The job killer fiscal bills that missed the deadline to pass out of the policy committee are:

- **AB 1295 (Muratsuchi; D-Torrance) Housing Development Ban:** Would have removed local land use authority and exacerbated the housing crisis by prohibiting cities and counties from entering into a residential development agreement in Very High Fire Severity Zones, which would have stripped local communities of their land

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CalChamber Commends Governor, Legislature for Providing Small Business Relief



The California Chamber of Commerce welcomed news last week that Governor

Gavin Newsom signed into law a measure that will bring California into partial conformity with the federal government's treatment of deductible business expenses paid using Paycheck Protection Program (PPP) funds.

"We commend the leadership of the Governor and the Legislature in providing federal tax conformity for many of the 750,000 businesses in California that received Paycheck Protection Program loans to survive the pandemic," said Allan Zaremberg, president and CEO of the California Chamber of Commerce.

"The Governor's signature on AB 80 is particularly important for companies in the restaurant, hospitality, lodging, and tourist-based industries who have been dealing with devastating financial consequences from the pandemic for more than a year.

"While the bill exempts publicly traded companies and businesses that didn't suffer a 25 percent loss in revenues, it will help those most impacted by devastating financial losses associated

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Still Time to Register

Virtual Capitol Summit & Host Breakfast

This year's CalChamber Capitol Summit and the 95th Annual Sacramento Host Breakfast will be held virtually on the Zoom platform.

The Capitol Summit is scheduled for May 12, 10 a.m.–11:30 a.m. The Host Breakfast is set for May 13, 8 a.m.–9 a.m.

Major sponsors of the Virtual Capitol

Summit are the Automobile Club of Southern California, Crowe and Esquire Plaza. The gold sponsor is CSAA Insurance Group.

There is no fee to participate. Separate registration is required for each event.

To register, visit www.calchamber.com/summit.



May 12-13, 2021



VIRTUAL CAPITOL SUMMIT & SACRAMENTO HOST BREAKFAST

Register Today: www.calchamber.com/summit

Inside

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Labor Law Corner

Retroactive COVID Paid Sick Leave Due When Employee Requests It



David Leporiere
HR Adviser

I have a business with approximately 40 employees, and I just read something that said California passed a law making COVID sick leave retroactive to January 1 of this year. Is that true? Do I need to go through all my employees' absence records and pay out this sick leave to employees who were absent during the first quarter of this year?

The answer to your first question is yes. In March of this year, the California Legislature passed SB 95, which provides for supplemental paid sick leave for employees of businesses with more than 25 employees for absences related to COVID-19.

COVID-19 Absences

The bill enacted California Labor Code Section 248.2, which, in pertinent part, requires employers to provide up to two weeks of paid time off to employees for absences related to COVID-19.

The bill goes into detail as to the specific reasons for which an employee can receive the paid sick leave, but generally speaking, the reasons are similar to those provided last year under the federal Families First Coronavirus Response Act (FFCRA), with the addition of time off to get vaccinated or to recover from the side effects of getting vaccinated for the coronavirus.

As to the retroactivity piece, Section 248.2(e)(1) states that the provisions of this section are retroactive to January 1, 2021.

Due Upon Request

There is some good news for employers, however. Subsection (e)(2)(A) states that the retroactive sick leave becomes due only upon the oral or written request of the employee.

As such, you needn't perform a self-audit to determine if you owe monies to your employees for absences earlier in the year. You need address the issue only on a case-by-case basis, once an employee makes an oral or written request for the retroactive pay.

If you choose, you can conduct an audit so that you are prepared for the requests and can identify your potential liability, but the obligation to pay out the retroactive supplemental paid sick leave becomes mandatory only if one or more of your employees makes the request for the back pay.

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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CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor and Employment

Like Clockwork: California's Precise

Rules for Meal and Rest Breaks.

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

Managing CFRA Leave as a Large

Employer. CalChamber. May 27-28,

Two-Day Intensive Webinar. (800) 331-8877.

Leaves of Absence: Making Sense of It

All. CalChamber. June 10-11, Virtual Seminar. (800) 331-8877.

HR Boot Camp Virtual Seminar.

CalChamber. June 24-25, Online. (800) 331-8877.

International Trade

A Conversation on Issues Facing California

Agriculture with California Secretary of Food and Agriculture Karen

Ross. CalChamber. May 10, Online.

(916) 444-6670, ext. 233.

Virtual Trade Mission Preparation and

eTrade Readiness. California International Trade Center. May 13, Online.

(562) 938-5290.

Digital Business Solutions: Introduction to Website Globalization for Manu-

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CalChamber Calendar

Capitol Summit:

May 12, Online

Board of Directors:

May 12-13, Online

Host Breakfast:

May 13, Online

Next Alert: May 21

The Workplace

What Employers Are Asking Right Now



In Episode 117 of The Workplace podcast, CalChamber Executive Vice President and General Counsel Erika Frank and

employment law expert Jennifer Shaw discuss some of the most common questions employers have been asking recently, including internet reimbursements for remote workers, providing paid sick leave for employees quarantining from recent travel, time keeping, and more.

COVID-19 Travel Advisory

A common question that Shaw is getting at her law firm pertains to the travel advisory issued by the California Department of Public Health (CDPH) and SB 95, California's new supplemental COVID-19 sick leave mandate. If an unvaccinated employee takes a vacation and travels, under the [CDPH guidelines](#) they will have to self-quarantine before coming in to work. Does an employer have to provide paid sick leave under SB 95 to cover the quarantine?

Shaw says yes. The focus of SB 95 is to stop the spread of COVID-19, and this legislation is meant to help people stay out of the workplace and prevent COVID-19 from spreading further. So while the employee should not have traveled, employers need to prevent the virus from spreading.

This issue is coming up more and more, especially as places like Europe are opening up and people are getting the travel bug, she adds.

Frank agrees, sharing that the travel guidelines and provisions are a hot topic at the [CalChamber Labor Law Helpline](#) as well.

Internet Reimbursement

A recent Ninth Circuit decision pertaining to reimbursing travel expenses for traveling nurses has gotten people talking about internet reimbursements for remote workers. Some people are saying the court's decision means that employers cannot give a flat reimbursement fee to cover internet expenses.

Shaw explains that employers are particularly worried about this issue because neither the Labor Commissioner nor the Department of Labor has given guidance about what constitutes a reasonable reimbursement for home internet expenses.

Shaw says it's fine for employers to offer flat reimbursement for internet expenses, so long as the employer has a provision stating that if the employee has an issue with the reimbursement then they can talk to the company about it.

Remote Work and Productivity

Another issue employers are talking about right now is the loss of productivity they're seeing among their remote workers.

Whether it is not completing an 8-hour work shift or running errands in the middle of the day, Shaw says clients are phoning in saying it feels like the Wild Wild West with remote workers. How can they be reined in and held accountable without upsetting them and making them quit?

The answer, Shaw says, is to have more interaction. It's harder to manage someone remotely than it is to manage someone who is right next door to you.

Frank says that even tech companies — well known to offer 100% remote work options to employees — are walking back on their policies and shifting their thinking by asking employees to come into the workplace at least a portion of the time.

Meal and Rest Periods, Time Keeping

It's been many years since the *Brinker Restaurant Corp. v. Superior Court (Hohnbaum)* decision, and yet employers still have questions about it, Shaw says. And this is because employers are often asked by employees whether they can waive their meal and rest breaks.

Shaw also is often asked whether a meal period can be rounded. It cannot.

Another common question is what her favorite time clock manufacturers are or what payroll company she prefers.

California employers are constantly having to abide by new time keeping requirements, and time keeping software manufacturers — many of which are

located out of state — often have trouble keeping up with all the new rules.

It's a big problem that Shaw says is causing employers to stop using electronic time keeping and revert back to using handwritten time sheets.

Technological advancements are not always bulletproof, Frank points out, so employers cannot sit back and relax and think that everything is going to be done for them. A lot of time keeping companies have not yet adjusted their systems to account for the new California supplemental paid sick leave and putting the accruals on paystubs.

Now is the right time for employers to ensure that they're complying with the new paystub requirement under the supplemental sick leave law, Frank urges.

The hard part of this issue is that employers have the statute and some [FAQs](#), and that's it, Shaw says. There are many unanswered questions and employers will likely not get answers anytime soon.

So, if there ever was a time for an employer to be strategic it is now, she says.

Employing Minors

The last topic Frank and Shaw address pertains to the employment of minors.

Employers often want to know how to obtain work permits for minors, and the answer is that the school districts have a system in place for obtaining one, Shaw explains.

Employers also ask if there are any duties that minors are not allowed to do. Shaw answers that minors cannot operate certain equipment, such as baler compactors, deli slicers and toaster ovens. In fact, many employers are being fined by the California Division of Occupational Safety and Health (Cal/OSHA) because minors are operating these types of equipment.

Some employers have asked whether minors can be paid less. Although a training wage is allowed for certain industries, it is not permissible under California law, Shaw says.

She adds that stereotypes which paint young workers as irresponsible or older workers as wise are myths and these traits vary person by person. Paying someone a lower wage due to their age is not a great idea, she says.

CalChamber Opposition Stops 5 Job Killer Bills

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use authority and applied a one-size-fits all ban on development throughout large swaths of California. *In Assembly Local Government Committee. Failed deadline to move from policy committee to fiscal committee, April 30, 2021.*

- **AB 1400 (Kalra; D-San Jose)**

Government-Run Health Care: Would have eliminated private insurance and choice-based health care by creating an exorbitantly expensive new state-run health care system that would have cost California more than \$400 billion, which ultimately would have been funded by taxpayers, and delayed access to providers, diminished quality of health care, and eliminated jobs in California. *Failed deadline to move from policy committee to fiscal committee, April 30, 2021.*

- **SB 55 (Stern; D-Canoga Park)**

Housing Development Ban: Would have removed local land use authority by prohibiting any residential or commercial construction in either Very High Fire Severity Zones or State Responsibility Area, which would have effectively banned development activity in 1/3 of the state of California and exacerbated the existing housing crisis. *In Senate Governance and Finance Committee. Failed deadline to move from policy committee to fiscal committee, April 30, 2021.*

- **SB 467 (Wiener; D-San Francisco)**

Oil and Gas Development Ban: Would have eliminated thousands of high-paying California jobs and required California to import even more foreign oil by shutting down approximately 95% of oil and gas production in California. *Failed passage in Senate Natural Resources and Water Committee, April 13, 2021.*

- **SB 499 (Leyva; D-Chino)**

Housing Development Ban: Would have prohibiting cities and counties from designating any land uses that have potential to adversely impact disadvantaged communities, even if any potential impacts

could be mitigated. In doing so, the bill would have removed local land use authority, created new costly California Environmental Quality Act (CEQA) litigation and worsened the state's housing crisis. *In Senate Governance and Finance Committee. Failed deadline to move from policy committee to fiscal committee, April 30, 2021.*

Job Killer Tag Removed

The job killer tag was removed from the following bills:

- **AB 1003 (Lorena Gonzalez; D-San Diego)**

Criminal Liability for Good Faith Mistakes: Prior to amendments, would have proposed to criminalize small employers, managers, and supervisors, who in good faith, make a mistake in the application of the law, that even the Labor Commissioner and the courts disagree with on how to interpret. *Job killer tag and opposition removed due to April 22, 2021 amendments narrowing the application of the bill to only criminalize fraudulent and knowingly unlawful conduct by bad actors.*

- **AB 1041 (Wicks; D-Oakland)**

Significant Expansion of Family Leave and Paid Sick Leave: Prior to amendments, would have significantly expanded multiple existing leave requirements in California that apply to employers of five or more, including small employers with limited employees who are struggling as a result of the pandemic, by allowing an employee to take leave to care for any family member or any person of their choosing without limitation, and subjecting the employer to costly litigation under the Fair Employment and Housing Act or the Labor Code Private Attorneys General Act (PAGA), for any alleged interference, interruption, discouragement, or denial. *Job killer tag removed due to April 22, 2021 amendments narrowing the bill so that the only additional persons that an employee can take leave to care for is one*

designated person per 12-month period.

- **AB 1074 (Lorena Gonzalez; D-San Diego)**

Onerous Return to Work Mandate: Prior to amendments, would have imposed an onerous and stringent process that is unlimited in time for specific employers to return employees to the workforce for specified industries, including hotels and restaurants that have been disproportionately impacted by this pandemic, which would have delayed rehiring and employers' ability to re-open after being forced to close or reduce operations due to COVID-19. *Job killer tag removed due to April 19, 2021 amendments eliminating COVID-19 related recall provisions from the bill.*

- **AB 1465 (Reyes; D-San Bernardino)**

Workers' Compensation: Medical Provider Networks: Prior to amendments, would have mandated the creation of state-run Medical Provider Network for workers' compensation claims, which would have imposed millions of dollars of costs on the current system as well as the state while reducing injured workers' access to quality care. *Job killer tag and opposition removed due to April 26, 2021 amendments narrowing the bill to only require a study of access to workers' compensation care in medical provider networks.*

- **SB 606 (Lena Gonzalez; D-Long Beach)**

Expansion of Cal/OSHA Authority and Enforcement: Significantly expands Cal/OSHA authority by creating new "egregious employer" category in Labor Code, creates a new category of "enterprise-wide" citations that face different appeal and abatement practices. Finally, creates multiple new presumptions of retaliation that are duplicative of existing protections and will generate litigation. *Job killer tag removed due to March 25, 2021 amendments limiting certain overbroad provisions, but CalChamber remains opposed due to structural changes to Cal/OSHA enforcement.*

World Trade Month Spotlights Importance of Global Trade to State, U.S. Economies



Susanne T. Stirling

After a year of global uncertainty, international trade continues to be in the spotlight and its importance is once again being highlighted this month as we celebrate

World Trade Month.

The economic advances that international commerce makes possible are clear, despite the regular attacks, and World Trade Month activities each May appropriately provide many opportunities to acknowledge the importance of global trade to the economies of California and the United States.

COVID Challenges

This year's world trade festivities bring more clarity to the full scope of challenges the world experienced during the height of the COVID-19 pandemic in 2020, as many observers analyze where the pandemic leaves international trade for the future.

The world is still dealing with side effects from the initial shock of the pandemic, including supply chain disruptions around the world and port congestion. California ports, among the world's busiest, are facing shipment delays, a scarcity of shipping containers, and high shipping rates.

The good news is that consumer demand is on the rise once again. In March 2021, the World Trade Organization (WTO) predicted a quick recovery in world trade as merchandise trade expanded more rapidly than expected in the second half of 2020.

The WTO predicts the volume of world merchandise trade will increase by 8% in 2021, after having fallen 5.3% in 2020. Trade growth will then slow to 4% in 2022, which would leave it below the pre-pandemic trend, according to the WTO. The WTO also sees an uneven economic recovery for global trade as the outlook is threatened by regional dispari-

ties, sustained weakness in services trade, and lagging vaccination timetables.

Maintaining and improving worldwide free trade remains critical given that most companies which export have an easier time riding out fluctuations in the U.S. economy and are more likely to stay in business.

Commentary By Susanne T. Stirling

California Trade Connections

California's diverse economy relies heavily on exports and imports of both goods and services by California-based companies. The trade network is complex and interconnected, involving exports and imports through California's transportation gateways, as well as inflows and outflows of human and capital resources.

The statistics underscore the importance of our international connections. In 2020, California exported \$156.1 billion to 227 foreign economies, a decrease from \$173.3 billion in 2019 due to the COVID-19 pandemic, according to the U.S. Department of Commerce.

California's top export markets are Mexico, Canada, China, Japan and South Korea. Even with the decrease, California maintained its perennial position as a top exporting state, accounting for 10.29% of total U.S. exports.

Trade a Long-Standing Priority

With trade being a top-tier national issue, the California Chamber of Commerce continues to communicate its international trade priorities to secure a national free trade agenda.

Such an agenda is in keeping with the CalChamber's long-standing support of expanding international trade and investment, fair and equitable market access for California products abroad, and eliminating disincentives that impede the international competitiveness of California business.

About a third of CalChamber members are engaged in international

commerce, and more than two-thirds are small or medium-sized enterprises.

2021 Trade Priorities

Specifically, the CalChamber is focused on the following issues:

- **Revamp the World Trade Organization (WTO)** to ensure our trading partners adhere to fair and transparent trade practices, while being held accountable if they violate international rules.

The WTO is the only global international organization dealing with the rules of trade between nations. Its main function is to ensure that trade flows as smoothly, predictably and freely as possible. At its heart are the WTO agreements, negotiated and signed by the bulk of the world's trading nations, and ratified or approved in their parliaments or legislatures. The goal is to help producers of goods and services, exporters and importers conduct business.

With a new WTO administration, the European Union and other major nations have come together to push for reforming and revamping the organization. Countries have supported the United States' drive for greater transparency and discipline within the WTO, but also have stated it is important to uphold the global commercial order under growing tensions, not dismantle it.

The CalChamber is hopeful the major trading economies can reach consensus on a path forward for the WTO in 2021. The revamp should address the functioning of the Appellate Body, encourage greater transparency and enhance discipline for members who fall behind on reporting obligations.

- **Lower tariffs and nontariff barriers** to support expansion of U.S. exports as a long-term goal. Raising tariffs results in higher prices to the consumer for the specific product protected and in limited choices of products for consumers. Further, they cause a net loss of jobs in related industries, retaliation by U.S. and California trading partners, and violate the spirit of our trade agreements.

To be clear, the CalChamber supports efforts to ensure our trading partners adhere to fair and transparent trade prac-

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COVID-19 Updates: California Continues Push to Boost Vaccinations; U.S. Small Business Agency Launches Restaurant Revitalization Program



This week, California continued the effort to vaccinate hard-to-reach communities

against the coronavirus and the U.S. Small Business Administration opened applications for bars and restaurants to seek emergency assistance.

As part of the vaccination push, the Governor’s office released a [PSA](#) in which Governor Gavin Newsom and former Governors Edmund G. Brown Jr., Arnold Schwarzenegger, Gray Davis and Pete Wilson encourage all Californians to get the COVID-19 vaccine.

“I got my shot,” the Governors say in the video. “Don’t miss your shot.”

As of May 6, more than 31 million vaccines have been administered statewide, according to the state website at [covid19.ca.gov](#).

The website at [myturn.ca.gov](#) includes links for visitors to check for available vaccination appointments and get answers to common questions about the COVID-19 vaccine, such as how it works and what to expect after vaccination.

Restaurant Revitalization

The Restaurant Revitalization Fund, the \$28.6 billion program created by the American Rescue Plan Act signed in March, aims to provide restaurants and other eligible businesses with funding to help them stay open.

Restaurants can receive funding equal to their pandemic-related revenue loss up

to \$10 million per business and no more than \$5 million per physical location, according to the U.S. Small Business Administration (SBA). Recipients are not required to repay the funding as long as the funds are used for eligible uses no later than March 11, 2023.

Eligible businesses include: restaurants; food stands, food trucks, food carts; caterers; bars, saloons, lounges, taverns; snack and nonalcoholic beverage bars; bakeries (onsite sales to the public comprise at least 33% of gross receipts); brewpubs, tasting rooms, taprooms (onsite sales to the public comprise at least 33% of gross receipts); breweries and/or microbreweries (onsite sales to the public comprise at least 33% of gross receipts); wineries and distilleries (onsite sales to the public comprise at least 33% of gross receipts); inns (onsite sales of food and beverage to the public comprise at least 33% of gross receipts); licensed facilities or premises of a beverage alcohol producer where the public may taste, sample, or purchase products.

Funds may be used for: business payroll costs (including sick leave); payments on any business mortgage obligation; business rent payments (not including prepayment of rent); business debt service (both principal and interest, but not including any prepayment of principal or interest); business utility payments; business maintenance expenses; construction of outdoor seating; business supplies (including protective equipment and cleaning materials); business food and beverage expenses (including raw materials); covered

supplier costs and business operating expenses.

The SBA is prioritizing review of applications from “priority groups” through May 24 (the 21st day after applications opened on May 3) and will open the process to other eligible applicants thereafter until the funds are exhausted.

Priority groups include small businesses that are at least 51% owned by one or more individuals who are women, veterans or socially and economically disadvantaged.

Socially disadvantaged individuals are “those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.”

Economically disadvantaged individuals are “socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business who are not socially disadvantaged.”

Program Information

The SBA has posted a five-minute overview of the application process on [YouTube](#), along with recordings of the longer webinars explaining the application process.

The Restaurant Revitalization Fund [program guide](#) and a [sample application form](#), along with details on the documentation required, are available in the COVID-19 relief options section of the SBA website at [www.sba.gov](#).

CalChamber-Sponsored Seminars/Trade Shows

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Manufacturers Part 1. U.S. Commercial Service. May 13, Online. (800) 878-8723.

China Medical Equipment Fair. California Small Business Export Program. May 13–16, Shanghai, China. (714) 951-5446.

Orange County World Trade Week - Trade: The Path to Recovery and Growth in 2021. Southern California District Export Council. May 18–20, Online.

Inland Empire World Trade Virtual Conference: Doing Business in Asia. Mt. San Jacinto College. May 19, Online.

95th Annual World Trade Week: Exploring the International Trade Landscape. Foreign Trade Association. May 20, Online. (888) 223-6459.

A Seat at the Table: In Conversation with H.R.H. Princess Reema bint Bandar, Ambassador of the Kingdom of Saudi Arabia to the United States. World Trade Center Washington D.C. and the

World Trade Center Dublin. May 25, Online. (202) 759-0074.

2021 Virtual Export Conference. National Association of District Export Councils (NADEC). May 26 and May 27, Online.

Federal Maritime Commission Trade and Compliance Seminar. Foreign Trade Association. May 27, Online. (888) 223-6459.

International Trade Expo. AmCham Colombia. June 2–3, Virtual. +571 5877828.

World Trade Month Spotlights Importance of Global Trade

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tices and are held accountable when they violate international rules.

Further, the CalChamber supports reducing and eventually eliminating nontariff barriers, whether those obstacles are due to sanitary or phytosanitary certificates, lack of streamlined regulatory procedures, quotas, embargos, assessments, and similar monetary and other challenges imposed to limit imports into a country.

• Renew Trade Promotion

Authority, which expires July 1, 2021, to enable the United States to easily pursue new trade deals. Trade promotion authority (formerly called fast track trade negotiating authority) is the process by which Congress gives authority to the President and/or U.S. Trade Representative to enter into trade negotiations in order to lower U.S. export barriers.

Traditionally, trade promotion authority follows the conclusion of negotiations for a trade agreement; enabling legislation is submitted to Congress for approval. Every president since Franklin D. Roosevelt has been granted the authority to negotiate market-opening trade agreements in consultation with Congress.

Major U.S. trading partners are participating in numerous agreements, and trade promotion authority is a prerequi-

site to meaningful U.S. participation.

Without trade promotion authority, the United States will be compelled to sit on the sidelines while other countries negotiate numerous preferential trade agreements that put U.S. companies at a competitive disadvantage. Trade promotion authority not only opens markets and broadens opportunities for U.S. goods and firms; it will make the United States the leader in global trade.

• **Advance bilateral, regional and multilateral trade agreements** which are critical to consumers, workers, businesses, farmers and ranchers.

By approving trade promotion authority, Congress can help strategically address the range of U.S. trade negotiations being pursued: conclusion to a U.S.-United Kingdom free trade agreement; a possible U.S.-European Union free trade agreement, conclusion to a U.S.-Kenya free trade agreement; and even a possible U.S. re-admission to the Trans Pacific Partnership (TPP) — now Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) — as well as other future trade negotiations.

The United States is among the world's leading exporters due to increased market access achieved through trade agreements. Trade promotion authority is vital for the President of the

United States to negotiate new multilateral, bilateral and sectoral agreements that will continue to tear down barriers to trade and investment, expand markets for U.S. farmers and businesses, and create higher-skilled, higher-paying jobs for U.S. workers.

Susanne T. Stirling is vice president of international affairs for the California Chamber of Commerce, www.calchamber.com/international.



**WORLD TRADE MONTH
MAY 2021**
**WORLD TRADE WEEK
MAY 16-22, 2021**

World Trade Week, which occurs during the third full week of May, was initiated by the Los Angeles Chamber, officially established in 1935 by President Franklin D. Roosevelt and is recognized annually by presidential proclamation. More recently, the celebration has evolved into World Trade Month with the support of the U.S. Department of Commerce.

California Agricultural Issues Will Be Focus of CalChamber Virtual Event



Karen Ross

Mark Jansen

“A Conversation on Issues Facing California Agriculture” will be presented online by the California Chamber of

Commerce on Monday, May 10, from 2 p.m.–3 p.m. (PT).

Karen Ross, secretary of the California Department of Food and Agriculture (CDFA), will be the guest for the virtual program, hosted by Mark Jansen, president and CEO of Blue Diamond Growers and immediate past chair of the CalChamber.

CalChamber President and CEO Allan Zaremberg will welcome attendees to the virtual program.

Ross has served as state secretary of food and agriculture since 2011, when she was first appointed by Governor Edmund G. Brown Jr. Governor Gavin Newsom reappointed her to the post in 2019, citing her leadership experience

in agricultural issues nationally, internationally, and here in California, in areas including environmental stewardship, climate change adaptation, and trade.

Since taking the helm at Blue Diamond in 2010, Jansen has transformed the operation into a \$1.6 billion global branded manufacturer. He has led brand growth for Haagen-Dazs, Betty Crocker, Totino's, Pillsbury, Red Baron, Freschetta, Blue Diamond and Almond Breeze.

Registration

To register for the virtual gathering, to be held on Zoom, visit [this link](#).

CalChamber Commends Governor, Legislature for Small Business Relief

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with COVID-19 shutdowns to stay afloat as we emerge from the pandemic.

“The key to a full economic recovery in California will be a continued focus on actions that support small businesses and provide them with needed regulatory and financial relief,” said Zaremberg.

AB 80

Under the legislation, **AB 80** by Assemblymember Autumn Burke (D-Inglewood), the forgiven PPP loans that businesses received from the federal government during the pandemic will not be counted as taxable income, and these businesses can also deduct the costs of expenses that those loans paid for.

This is additional state tax relief for the small businesses that have been struggling and will help them in efforts to reopen and plan for the future. However, **AB 80** specifically prohibits two cate-

gories of taxpayers from deducting expenses: (1) publicly traded companies; and (2) taxpayers that failed to meet the 25% reduction in gross receipts test that the federal government required to receive the second round of PPP loans.

In signing the measure into law, Governor Newsom commented: “California’s small businesses have been hampered and hammered by this pandemic, and we are using every tool at our disposal to help them stay afloat. Help is on the way in the form of a \$6.2 billion tax cut, which will provide support, not to large publicly traded companies, but to the mom-and-pop businesses — the beauty salons, restaurants and dental offices — which have been resilient during this difficult time. This small business tax relief is exactly what is needed to keep businesses open so they can continue paying their employees.”

Economic/Regulatory Relief

The CalChamber is continuing to support all efforts to provide economic and regulatory relief to businesses impacted by COVID-19 related shutdowns.

According to the CalChamber, publicly traded companies should also be eligible for the same conformity provisions that are outlined in **AB 80**. The ownership structure of a company should have no bearing on whether the company should benefit from this type of tax incentive. Publicly traded companies employ workers, pay taxes and suffer losses every bit as much as privately held companies. This distinction is not a proxy for profitability, size, employment, location or any other attribute; it is merely an indication of ownership, which is irrelevant to whether a company suffered losses, closed operations, or required assistance.



LIVE WEBINAR | MAY 20, 2021 | 10 AM TO 11:30 AM PT

Like Clockwork: California's Precise Rules for Meal and Rest Breaks

Is your company following California's precise meal and rest break requirements? This includes providing hourly workers with opportunities to take their breaks and doing everything you can to communicate what's required and when.

Rest assured, CalChamber's legal experts will cover this topic in detail, including steps to protect your company from liability.

Cost: \$199.00 | Preferred/Executive Members: \$159.20



Meal and rest break compliance is a highly litigated area of law.

LEARN MORE at calchamber.com/may20