

ALERT

CalChamber: Practical Steps to Ease Supply Chain Crisis



In a **letter** this week to Governor Gavin Newsom and members of

the California Legislature, the California Chamber of Commerce offered a series of practical steps the state can take to ease the supply chain crisis and alleviate congestion at California ports.

The recommendations were submitted ahead of a November 3 joint hearing of the Assembly and Senate select committees on ports and goods move-

ment on “The Perfect Storm: California’s Port Congestion and Goods Movement Crisis.”

California’s ports move more than 40% of the goods throughout the United States and handle more containers per ship call than any other port complex in the world. The supply chain constraints the nation is facing touch almost every business in California, driving up costs for business and consumers alike.

Port congestion has caused the ports to increase fees and fines associated with longer-term storage of containers at ports and port facilities, even though

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CalChamber Poll Shows Economic Security Top of Mind for Voters



Increasing cost of living and fear of falling further behind add up to California voters apprehensive about their future. The seventh annual CalChamber poll, The People’s Voice, 2021, found that voters remain focused on economic security, personal safety, and bread-and-butter issues.

More than 8 of 10 voters report feeling the effects of inflation, with more than a third stating they are buying less because prices are higher. These cost pressures color voter attitudes about general well-being, prospects for the future, and state policies.

Since 2015, more than 8 out of 10 Californians have regularly reported that “earning enough income to enjoy a middle-class lifestyle is becoming almost impossible in my part of California.” In 2021, 85% of Californians agreed with that statement — as did more than 9 of 10 voters in the Bay Area.

American Dream Fading

Voters also report that the American Dream is fading for them. Asked about the American Dream — that if you work hard, you’ll get ahead — for the first time a majority of voters responded that while it once held true, it does not anymore, compared with 37% who believe it still

See CalChamber Poll: Page 12

Governor’s Top Advisers Share Anecdotes



Photo by Matt Lara

CalChamber President and CEO Allan Zarembert (left) moderates as Jim DeBoo, executive secretary to Governor Gavin Newsom, and Ana Matosantos, Cabinet secretary, talk about what it’s like to work in the Governor’s office at the CalChamber Public Affairs Conference on October 27. More photos inside.

Inside

[Vote Record: Pages 5–10](#)

Labor Law Corner

Classifying Long-Term Worker as ‘Temporary’ May Cause Problems



Dana Leisinger
HR Adviser

I hired a temporary worker a few months ago. I saw that under work classifications, a temp's time can be extended for one additional nine-day period. Do I have to lay them off after that period?

The work classification referenced above is not a law; it is just a recommendation. If an employee stays hired as a temp for several months/year(s), it can become problematic.

Temps usually are provided with less generous benefits — if any at all. This discussion addresses putting a temp on the company payroll versus going through a temp agency.

Key Case

A key case on this issue involved Microsoft Corp. more than 20 years ago. At that time, Microsoft employed thousands of temporary workers, many for more than a year at a time. A class action lawsuit was filed on behalf of the temp workers, who claimed they stayed classified as temps so the company could avoid providing them with better benefits, such as stock options, pensions, and health benefits. (All direct hires in California now must be trained on sexual harassment prevention in a timely fashion, and are entitled to sick pay, unlike 20 years ago.)

Those temps said they felt like second-class citizens: Their badges were a different color than the regular employees, they were denied benefits, they couldn't buy items at the company store, and they were not allowed to use the corporate health club or attend company parties.

Microsoft settled the lawsuit to avoid years of potential litigation, but this case points out the dangers of leaving workers classified as temps for too long. If workers sense that the classification is just a subterfuge to avoid paying them what regular workers make, it can become a bone of contention.

Avoid Pitfalls

Many employers use temporary workers for a number of reasons, including many very valid ones. If a company does indeed have this practice, it is a good idea to seek legal advice to avoid any dangerous pitfalls, especially if the company's practice is to use temps for several months or longer at a time.

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

Send email address changes to alert@calchamber.com. Publisher: Jennifer Barrera. Executive Editor: Ann Amioka. Art Director: Neil Ishikawa. Capitol Correspondent: Sara Proffitt.

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CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor and Employment

HR Boot Camp Virtual Seminar.

CalChamber. December 9 and December 10, Online. (800) 331-8877.

2022 Employment Law Updates Virtual Seminar. CalChamber, January 7, 11, 14, 21, 2022, Online. (800) 331-8877.

International Trade

Expo Dubai 2021. Expo 2020 Dubai UAE. Through March 31, 2022, Dubai, United Arab Emirates. (+971) 800 EXPO (3976).

36th Trade Expo Indonesia Digital Edition. Indonesia Ministry of Trade. Through December 20, Online. +62 (21) 829-2661.

Taiwan Trade Shows. Taipei Economic & Cultural Office, San Francisco. Through December 27, Online. (415) 362-7680.

Israel Defense Expo. Israel Defense & HLS Expo and Israeli Chamber of Commerce. November 9–11, Tel Aviv, Israel. +972-3-691-4564 x 300.

Future-Proof Taxation. American-Hel-

lenic Chamber of Commerce. November 15–16, Online. +30 210-699-3559. Smart City Expo World Congress 2021. U.S. Commercial Service. November 16–18, Barcelona, Spain. (704) 248-6976.

CalChamber Calendar

ChamberPAC Advisory Committee:

December 9, San Francisco

Board of Directors:

December 9–10, San Francisco

International Trade Breakfast:

December 10, San Francisco

Annual Meeting:

December 10, San Francisco

Next Alert: November 19

CalChamber Public Affairs Conference

Pollsters, Pundits, Public Officials Offer Insights on Past, Future Political Landscape



Marva Diaz (left) of Marva Diaz Strategies moderates an October 26 discussion on how the new maps drawn by the Citizens Redistricting Commission will affect communities and current elected officials. Also weighing in are panelists (from left) Matt Rexroad of Redistricting Insights, attorney Christine Pelosi and Charles Bell of McAndrews & Hiltachk LLP.



Adam Rosenblatt (right) of Core Decision Analytics and Robert Green of Pierpont Consulting & Analytics LLC present highlights from the CalChamber's seventh annual state-wide voter survey on October 26. The survey found voters are concerned about their future, economic security and personal safety. See story on Page 1.



The reporter-owners of Puck discuss their in-depth reporting on technology, entertainment and politics during the Public Affairs Conference lunch-time session on October 27. Video streaming, Disney's succession moves and Netflix's controversies were major topics of discussion. From left are Puck founding partners Peter Hamby, Teddy Schleifer, Tina Nguyen and Matt Belloni.

Photos by Matt Lara



CalChamber Member Feedback

"The CalChamber is a dynamic leader for the business community on statewide issues and has successfully engaged with our management team to keep elected officials informed and accountable for their actions."

Gregory S. Bielli
President and Chief Executive Officer
Tejon Ranch Company



Making observations on the legislative year just completed and providing a preview of what to expect in 2022 are (from left) CalChamber President and CEO Jennifer Barrera (moderator), Assembly Members Tom Daly (D-Anaheim) and Evan Low (D-Campbell), and Senators Scott Wilk (R-Santa Clarita), Tom Umberg (D-Santa Ana) and Steve Glazer (D-Contra Costa). The lively afternoon discussion on October 27 was the closing session of the CalChamber Public Affairs Conference.



Covering the need for legal climate change and reform of the Private Attorneys General Act (PAGA) at a morning session on October 27, the second day of the Public Affairs Conference, are moderator Ashley Hoffman, CalChamber policy advocate; Assembly Member Cottie Petrie-Norris (D-Laguna Beach); Senator Anna Caballero (D-Salinas); Assembly Member Vince Fong (D-Bakersfield); and David Lanier, former state secretary of labor. Panelists reviewed how courts have expanded the reach of PAGA, predatory lawsuits faced by businesses, legislative reform attempts and the reform initiative filed by the CalChamber and other business groups, the California Fair Pay and Employer Accountability Act, currently awaiting completion of a title and summary by the state Attorney General's office.



(From left) CalChamber Senior Policy Advocate Leah Silverthorn moderates an October 27 session examining the connections between energy supply and climate change with Senators Bob Archuleta (D-Pico Rivera), Bill Dodd (D-Napa), Susan Rubio (D-Baldwin Park) and Assembly Members Rebecca Bauer-Kahan (D-Orinda) and Autumn Burke (D-Inglewood). The group talked about major issues in climate change and energy, including new goals for emissions reductions and innovative ways businesses can help respond to the climate crisis.



Veteran campaign consultants Rob Stutzman (left) of Stutzman Public Affairs, Christy Wilson of Wilson Public Affairs and Adam Stoll of Winner & Mandabach Campaigns provide an overview of battles predicted on statewide ballot measures in 2022 at an October 27 morning session.

CalChamber Vote Record: Major Bills 2021



This report for the first year of the 2021–2022 legislative session focuses on California legislators' floor votes on California Chamber of Commerce priority bills.

This is the 47th vote record the CalChamber has compiled in response to numerous requests by member firms and local chambers of commerce that would like a gauge by which to measure the performance of their legislators.

To help readers assess legislators' records, the charts group bills into eight subject areas: climate change, health care, housing and land use, labor and employment, privacy and cybersecurity, recycling, transportation and infrastructure, and workplace safety.

Partial Picture

No vote record can tell the entire story of a legislator's attitude and actions on issues of importance to business. To fully evaluate your legislative representative, consult the legislative journals and examine your legislator's votes in committee and on floor issues.

You can view these via links at www.calchambervotes.com.

Many anti-business bills were rejected by legislators in policy or fiscal committees, thus stopping proposals before they reached the floor for a vote. The vote record does not capture these votes.

Most bills in this report cover major business issues that are of concern to both small and large companies.

The CalChamber recognizes that there are many bills supported or opposed by business that are not included in this vote record and analysis.

Factors Considered

The CalChamber considers the following factors in selecting vote record bills:

- The bills and votes reflect legislators' attitudes toward private enterprise, fiscal responsibility and the business climate.

- Each bill was a CalChamber priority in a particular field. Priority bills generally have appeared in the "Status Report" sections of *Alert*.

- The bills were voted upon by either the full Senate or Assembly. This year, the vote record covers 10 votes in the Senate and 12 votes in the Assembly.

- Unless otherwise noted, final floor votes are shown. Concurrence votes are considered final votes.

When 'Not Voting' Helps

Sometimes a legislator is unwilling to vote against a colleague, but is willing to support the CalChamber's opposition to a bill. In such cases, a legislator may abstain from voting, which will hinder passage of a bill, just as a "no" vote does.

To recognize that not voting can aid the CalChamber's opposition to a bill, the vote record includes the number of times legislators did not vote "aye" on a CalChamber-opposed bill in the total for the column listing actions "in accord with" the CalChamber's position, if the legislator was not absent for the day.

Priority Bills

Climate Change

- **AB 1395 (Muratsuchi; D-Torrance) Limits Technological Development.** Proposes to limit the technology necessary to reach our carbon neutrality goals by more than doubling our state goal while also imposing limits on technology-assisted carbon reductions, sending market signal to not develop carbon removal or storage technology. Passed Assembly, June 3, 42-21. Failed passage in Senate, September 10, 14-12. CalChamber Opposed.

Health Care

- **SB 524 (Skinner; D-Berkeley) Increases Health Care Costs.** Increases prescription drug costs for consumers by preventing certain network designs between health plans, insurers, pharmacy benefit managers, and pharmacies. Passed Assembly, September 2, 57-7. Senate concurred in Assembly amendments, September 3, 35-0. Vetoed. CalChamber Opposed.

Housing and Land Use

- **SB 9 (Atkins; D-San Diego) Pro-Housing Production.** Streamlines more infill housing while providing

substantial local control to land use development by allowing property owners to convert single-family homes into multiple units or divide the properties and build up to two residential units on each lot, all without triggering the California Environmental Quality Act (CEQA), so long as all units are consistent with all local land use laws. Passed Assembly August 26, 45-19. Senate concurred in Assembly amendments, August 30, 28-7. Signed — Chapter 162. CalChamber Supported.

- **SB 10 (Wiener; D-San Francisco) Pro-Housing Production.** Provides local cities and counties with full authority to streamline upzoning in their jurisdiction for up to 10 additional middle income density housing units per parcel, without triggering CEQA, if they choose. Passed Assembly, August 23, 44-12. Senate concurred in Assembly amendments, August 30, 28-6. Signed — Chapter 163. CalChamber Supported.

- **SB 12 (McGuire; D-Healdsburg) Wildfire Housing Bill.** Establishes legally treacherous land use hurdles that would provide NIMBY opponents with additional tools to block the development of housing in very high fire severity zones even though housing projects will be required to develop to the highest building code and fire resiliency standards in the world. Passed Senate, June 1, 31-8. Failed passage in Assembly Housing and Community Development Committee, July 12, 4-2. Granted reconsideration. CalChamber Opposed.

Labor and Employment

- **AB 257 (Lorena Gonzalez; D-San Diego) Fast Food Industry: Franchises; Wage and Hour.** Undermines the existence of the franchise model by holding franchisors responsible for all conduct by individual franchisees. Establishes Fast Food Sector Council that would have unprecedented authority to write its own labor and employment laws for fast food restaurant employees, circumventing the California Legislature and other regulatory agencies' position in establishing such laws. Failed passage in Assembly, June 3, 38-27. CalChamber Opposed.

- **AB 616 (Stone; D-Scotts Valley) Forced Unionization Process for Agricultural Employees.** Limits an

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CalChamber Vote Record: Major Bills 2021

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employee's ability to independently and privately vote for unionization in the workplace, by essentially eliminating a secret ballot election and replacing it with the submission of representation cards signed by over 50% of the employees, which leaves employees susceptible to coercion and manipulation by labor organizations. Also, unfairly limits an employer's ability to challenge any order by the Agricultural Labor Relations Board (ALRB) by forcing employers to post an unreasonable bond, and then limits an employee's ability to decertify a union, by forcing them to go through the ballot election process instead of submission of representation cards. Also includes an unnecessary presumption of retaliation that is effectively unlimited in scope because it would apply for the duration of an election campaign, which could last for a year or more. Passed Senate, August 26, 24-11. Assembly concurred in Senate amendments, September 1, 52-19. Vetoed. CalChamber Opposed/**Job Killer 2021**.

• **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. The remaining provisions had the potential to cause further harm to the hospitality industry by forcing a new service provider for a hotel to hire the previous contracted provider's employees and navigate statutory barriers erected around operational positions, staffing redundancies, technical abilities, and staffs' general ability to meet the hotel's needs. The mandate would have increased operating costs, threatened small businesses, and represented a significant shift in how the law approaches contracting. Passed Senate, September 10, 23-12.

Assembly concurred in Senate amendments, September 10, 51-19. Vetoed. CalChamber Opposed/**Former Job Killer 2021**.

• **SB 62 (Durazo; D-Los Angeles) Increased Costs and Liability on Employers.** Significantly increases the burden on nonunionized employers in the garment manufacturing industry in California, by eliminating piece rate as a method of payment even though it can benefit the employee, expanding joint and several liability for any wage violations to the entire supply chain, and shifting the evidentiary standards in a Labor Commissioner hearing to limit the ability for an employer to defend against an alleged wage violation. These additional requirements will encourage companies to contract with manufacturers outside of California, thereby limiting the demand and workforce of garment manufacturers in California. Passed Assembly, September 8, 50-19. Senate concurred in Assembly amendments, September 10, 26-10. Signed — Chapter 329. CalChamber Opposed/**Job Killer 2021**. **Privacy and Cybersecurity**

• **AB 13 (Chau; D-Monterey Park) Automated Decision Systems for Procurement.** Allows local agencies to require businesses to submit impact assessments to audit automated decision systems as a requirement for successfully submitting bids to cities, but does not clearly define the framework for doing so, and does not account for intellectual property or the effect on businesses that will be excluded from bidding on such contracts because they do not have the resources to conduct such reports. Passed Assembly, June 1, 52-16. Placed on Senate Appropriations Committee Suspense File, August 16. CalChamber Opposed.

• **AB 814 (Levine; D-San Rafael) Limits on Contact Tracing.** Prohibits the use of all data that is used to assist with contact tracing and imposes a mandatory deletion requirement, discouraging businesses from using any helpful information or data that can be useful to assist in contact tracing efforts. Passed Assembly, June 1, 60-13. Placed on Senate Appropriations Committee Suspense File, August 16. CalChamber Opposed Unless Amended.

Key to This Section

Y means voted for bill.

N means voted against bill.

● means not voting.

— means absent.

Boldface type indicates votes in accord with CalChamber position.

Red columns are Job Killers.

Recycling

• **AB 1371 (Friedman; D-Glendale) Packaging Ban.** Bans critical packaging materials from being able to be sold or distributed in California without regard for whether any adequate substitutes are available nor how such a policy would lead to more waste created by spoilage and breakage and additional greenhouse gas (GHG) emissions from much heavier packaging. Failed passage in Assembly, June 3, 36-28. CalChamber Opposed.

Transportation and Infrastructure

• **SB 339 (Wiener; D-San Francisco) Ensure Transportation Funding.** Extends the Road User Charge Advisory Committee and allow the Transportation Agency to conduct pilot studies to evaluate potential replacements for gas tax funding for roads and infrastructure. Passed Assembly, September 1, 51-19. Senate concurred in Assembly amendments, September 2, 27-10. Signed — Chapter 308. CalChamber Supported.

Workplace Safety

• **SB 410 (Leyva; D-Chino) Selective Exception from Thorough Financial Analysis for Cal/OSHA Regulations.** Specifically exempts Cal/OSHA regulations from the Standardized Regulatory Impact Assessment (SRIA) process, which provides thorough economic analysis and Department of Finance oversight for proposed regulations and is presently applicable to all regulations with a financial impact of more than \$50 million. Passed Senate, May 17, 22-9. Placed on Assembly Inactive File, September 8. CalChamber Opposed.

2021 Senate Vote Record

	Climate Change	Health Care	Housing and Land Use	Labor and Employment	Privacy and Cybersecurity	Recycling	Transportation and Infrastructure	Workplace Safety	In Accord with CalChamber	Not in Accord with CalChamber	Absent						
	AB 1395 Technological Development	SB 524 Increases Health Care Costs	SB 9 Infill Housing	SB 10 Upzoning	SB 12 Wildfire Housing	AB 257 Fast Food Franchises	AB 616 Forced Unionization	AB 1074 Return to Work Mandate	SB 62 Increased Costs/Liability	AB 13 Automated Decision Systems	AB 814 Limits on Contact Tracing	AB 1371 Packaging Ban	SB 339 Transportation Funding	SB 410 Cal/OSHA Financial Analysis			
Allen, Ben (D)	Y	Y	•	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	1	9	0
Archuleta, Bob (D)	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	6	0
Atkins, Toni (D)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3	7	0
Bates, Patricia (R)	N	•	N	N	N	N	N	N	N	N	N	N	N	N	7	3	0
Becker, Josh (D)	Y	Y	Y	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	2	8	0
Borgeas, Andreas (R)	N	Y	N	Y	N	N	N	N	N	N	N	N	N	N	7	3	0
Bradford, Steven (D)	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	6	0
Caballero, Anna (D)	N	Y	Y	Y	Y	Y	•	•	Y	Y	Y	Y	Y	Y	7	3	0
Cortese, Dave (D)	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	6	0
Dahle, Brian (R)	N	—	Y	Y	N	N	N	N	N	N	N	N	N	N	8	1	1
Dodd, Bill (D)	N	Y	Y	Y	Y	—	N	Y	Y	Y	Y	Y	Y	Y	6	3	1
Durazo, María Elena (D)	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	6	0
Eggman, Susan Talamantes (D)	—	Y	Y	Y	Y	Y	—	—	—	Y	Y	Y	Y	Y	3	4	3
Glazer, Steve (D)	•	Y	N	Y	Y	N	N	•	•	Y	Y	Y	Y	Y	7	3	0
Gonzalez, Lena (D)	Y	Y	Y	Y	Y	Y	Y	•	•	Y	Y	Y	Y	Y	4	6	0
Grove, Shannon (R)	N	Y	Y	Y	•	N	N	N	N	N	N	N	N	N	8	2	0
Hertzberg, Bob (D)	•	Y	Y	N	Y	—	Y	Y	Y	Y	Y	Y	Y	Y	3	6	1
Hueso, Ben (D)	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	5	5	0
Hurtado, Melissa (D)	N	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	7	3	0
Jones, Brian (R)	N	Y	N	Y	N	N	N	N	N	N	N	N	N	N	7	3	0
Kamlager, Sydney (D)	Y	Y	•	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	1	9	0
Laird, John (D)	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	2	8	0
Leyva, Connie (D)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3	7	0
Limón, Monique (D)	Y	—	•	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	2	7	1
McGuire, Mike (D)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3	7	0
Melendez, Melissa (R)	N	•	N	•	N	N	N	N	N	N	N	N	N	N	7	3	0
Min, Dave (D)	Y	Y	Y	Y	Y	Y	•	Y	Y	Y	Y	Y	Y	Y	4	6	0
Newman, Josh (D)	•	Y	•	•	Y	—	Y	Y	Y	Y	Y	Y	Y	Y	2	7	1
Nielsen, Jim (R)	N	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	8	2	0
Ochoa Bogh, Rosilicie (R)	N	Y	N	Y	N	N	N	N	N	N	N	N	N	N	7	3	0
Pan, Richard (D)	•	Y	Y	Y	Y	Y	•	Y	Y	Y	Y	Y	Y	Y	5	5	0
Portantino, Anthony (D)	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	2	8	0
Roth, Richard (D)	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	6	0
Rubio, Susan (D)	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	6	0
Skinner, Nancy (D)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3	7	0
Stern, Henry (D)	—	—	—	—	Y	Y	—	—	—	—	—	—	—	—	0	2	8
Umberg, Tom (D)	•	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	•	•	•	4	6	0
Wieckowski, Bob (D)	Y	Y	Y	Y	Y	—	Y	Y	Y	Y	Y	Y	Y	Y	3	6	1
Wiener, Scott (D)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3	7	0
Wilk, Scott (R)	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	6	4	0

2021 Assembly Vote Record

	Climate Change	Health Care	Housing and Land Use	Labor and Employment	Privacy and Cybersecurity	Recycling	Transportation and Infrastructure	Workplace Safety	In Accord with CalChamber	Not in Accord with CalChamber	Absent
	AB 1395 Technological Development	SB 524 Increases Health Care Costs	SB 9 Infill Housing SB 10 Upzoning	SB 12 Wildfire Housing	AB 257 Fast Food Franchises AB 616 Forced Unionization	AB 1074 Return to Work Mandate SB 62 Increased Costs/Liability	AB 13 Automated Decision Systems AB 814 Limits on Contact Tracing	AB 1371 Packaging Ban	SB 339 Transportation Funding	SB 410 Cal/OSHA Financial Analysis	
Aguiar-Curry, Cecilia (D)	•	Y	Y Y	•	• Y	Y Y	•	Y	7	5	0
Arambula, Joaquin (D)	•	Y	Y Y	Y Y	Y Y	Y Y	•	•	4	8	0
Bauer-Kahan, Rebecca (D)	Y	Y	N N	N	Y Y	Y Y	Y	Y	2	10	0
Bennett, Steve (D)	Y	Y	— —	—	Y Y	Y Y	Y	Y	1	9	2
Berman, Marc (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Bigelow, Frank (R)	N	N	N •	N	N N	N N	N	N	9	3	0
Bloom, Richard (D)	Y	Y	N N	Y	Y Y	Y Y	Y	Y	1	11	0
Boerner Horvath, Tasha (D)	Y	Y	N N	Y	Y Y	Y Y	Y	•	0	12	0
Bonta, Mia (D)*	*	*	* *	*	* *	* *	*	*	0	2	0
Bryan, Isaac (D)**	Y	Y	• —	Y	Y Y	Y Y	Y	Y	1	10	1
Burke, Autumn (D)	•	Y	• •	•	Y Y	Y Y	•	Y	4	8	0
Calderon, Lisa (D)	•	Y	Y Y	Y	Y Y	Y Y	•	Y	5	7	0
Carrillo, Wendy (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Cervantes, Sabrina (D)	•	Y	Y —	Y	Y Y	Y Y	•	•	3	8	1
Chau, Ed (D)	Y	Y	• Y	Y	Y Y	Y Y	Y	Y	2	10	0
Chen, Phillip (R)	N	•	— •	N	• N	N	N	N	9	2	1
Chiu, David (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Choi, Steven (R)	N	•	• •	N	N •	N	N	N	9	3	0
Cooley, Ken (D)	Y	Y	Y Y	N	• Y	•	Y	Y	7	5	0
Cooper, Jim (D)	•	Y	Y Y	N	• •	•	Y	Y	9	3	0
Cunningham, Jordan (R)	•	•	• Y	N	N N	N N	N	N	9	3	0
Dahle, Megan (R)	N	N	Y Y	N	N N	N N	N	N	11	1	0
Daly, Tom (D)	N	Y	N •	N	• •	•	Y	•	8	4	0
Davies, Laurie (R)	N	N	N —	N	N N	N N	N	N	9	2	1
Flora, Heath (R)	N	•	Y Y	N	N N	N N	N	•	11	1	0
Fong, Vince (R)	N	Y	Y Y	N	N N	N N	•	N	10	2	0
Frazier, Jim (D)	Y	•	N N	•	• •	•	Y	N	7	5	0
Friedman, Laura (D)	Y	Y	N •	Y	Y Y	Y Y	Y	Y	1	11	0
Gabriel, Jesse (D)	Y	Y	N Y	Y	Y Y	Y Y	Y	Y	2	10	0
Gallagher, James (R)	N	•	Y •	N	N N	N N	N	N	9	3	0
Garcia, Cristina (D)	Y	Y	Y •	•	Y Y	Y Y	•	Y	4	8	0
Garcia, Eduardo (D)	Y	Y	Y Y	Y	Y Y	Y Y	•	Y	4	8	0
Gipson, Mike (D)	N	Y	Y Y	•	Y Y	Y Y	•	Y	6	6	0
Gonzalez, Lorena (D)	Y	Y	Y Y	Y	Y —	Y	Y	Y	3	8	1
Gray, Adam (D)	N	Y	Y —	N	N •	•	•	N	9	2	1
Grayson, Tim (D)	•	Y	Y Y	•	• •	•	Y	•	10	2	0
Holden, Chris (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Irwin, Jacqui (D)	Y	Y	N Y	•	Y Y	Y Y	Y	Y	3	9	0
Jones-Sawyer, Reginald (D)	Y	Y	Y •	Y	Y Y	Y Y	Y	Y	2	10	0
Kalra, Ash (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0

Failed passage in Assembly Housing and Community Development Committee.

Placed on Assembly Inactive File.

*Sworn into office September 7, 2021.

**Sworn into office May 28, 2021.

2021 Assembly Vote Record

	Climate Change	Health Care	Housing and Land Use	Labor and Employment	Privacy and Cybersecurity	Recycling	Transportation and Infrastructure	Workplace Safety	In Accord with CalChamber	Not in Accord with CalChamber	Absent
	AB 1395 Technological Development	SB 524 Increases Health Care Costs	SB 9 Infill Housing SB 10 Upzoning	SB 12 Wildfire Housing	AB 257 Fast Food Franchises AB 616 Forced Unionization	AB 1074 Return to Work Mandate SB 62 Increased Costs/Liability	AB 13 Automated Decision Systems AB 814 Limits on Contact Tracing	AB 1371 Packaging Ban	SB 339 Transportation Funding	SB 410 Cal/OSHA Financial Analysis	
Kiley, Kevin (R)	N	•	— Y	Y	N N	Y N	N	N	9	2	1
Lackey, Tom (R)	N	Y	Y Y	Y	N N	N N	N	N	10	2	0
Lee, Alex (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Levine, Marc (D)	Y	Y	N Y	Y	Y Y	Y Y	Y	Y	2	10	0
Low, Evan (D)	•	Y	Y Y	•	Y Y	Y Y	Y	Y	6	6	0
Maienschein, Brian (D)	•	Y	• •	Y	Y Y	Y Y	•	•	3	9	0
Mathis, Devon (R)	N	•	Y •	N	N N	N N	N	•	10	2	0
Mayes, Chad (NPP)	•	•	Y Y	N	N N	•	•	Y	10	2	0
McCarty, Kevin (D)	Y	Y	— —	Y	Y Y	Y Y	Y	Y	1	9	2
Medina, Jose (D)	Y	Y	Y Y	•	Y Y	Y Y	Y	Y	5	7	0
Mullin, Kevin (D)	Y	Y	Y Y	Y	Y Y	Y Y	•	Y	4	8	0
Muratsuchi, Al (D)	Y	Y	N N	Y	Y Y	Y Y	Y	Y	1	11	0
Nazarian, Adrin (D)	Y	Y	N N	Y	Y Y	Y Y	Y	Y	1	11	0
Nguyen, Janet (R)	N	—	— —	N	• N	N N	N N	N	8	0	4
O'Donnell, Patrick (D)	•	Y	N N	Y	Y Y	Y Y	Y	Y	3	9	0
Patterson, Jim (R)	N	•	• Y	N	N N	N N	N N	N	10	2	0
Petrie-Norris, Cottie (D)	Y	Y	N N	N	Y Y	Y Y	•	•	4	8	0
Quirk, Bill (D)	Y	N	Y Y	Y	Y Y	Y Y	Y	Y	4	8	0
Quirk-Silva, Sharon (D)	Y	Y	Y Y	N	Y •	Y	•	Y	6	6	0
Ramos, James C. (D)	Y	•	Y Y	•	Y Y	Y Y	Y	•	7	5	0
Rendon, Anthony (D)	Y	—	Y Y	Y	Y Y	Y Y	Y	Y	3	8	1
Reyes, Eloise Gomez (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Rivas, Luz (D)	Y	Y	• •	Y	Y Y	Y Y	Y	Y	1	11	0
Rivas, Robert (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Rodriguez, Freddie (D)	•	Y	Y Y	•	Y Y	Y Y	Y	Y	6	6	0
Rubio, Blanca (D)	•	Y	• Y	N	• Y	•	Y	Y	7	5	0
Salas, Rudy (D)	N	Y	Y N	•	Y •	Y	Y	•	5	7	0
Santiago, Miguel (D)	Y	Y	• •	Y	Y Y	Y Y	Y	Y	1	11	0
Seyarto, Kelly (R)	N	N	N N	N	N N	N N	•	•	9	3	0
Smith, Thurston "Smitty" (R)	N	N	N •	N	N N	N N	N N	N	9	3	0
Stone, Mark (D)	Y	Y	Y N	Y	Y Y	Y Y	Y	Y	2	10	0
Ting, Philip (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Valladares, Suzette (R)	N	•	Y —	N	N N	N N	N	Y	9	2	1
Villapudua, Carlos (D)	•	Y	Y Y	•	Y Y	•	Y	Y	7	5	0
Voepel, Randy (R)	N	N	N N	N	N N	N N	N N	N	9	3	0
Waldron, Marie (R)	—	•	N •	—	N N	N N	N N	—	6	3	3
Ward, Christopher (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Weber, Akilah (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Wicks, Buffy (D)	Y	Y	Y Y	Y	Y Y	Y Y	Y	Y	3	9	0
Wood, Jim (D)	Y	Y	Y Y	Y	Y Y	Y •	Y	Y	4	8	0

Failed passage in Assembly Housing and Community Development Committee.

Placed on Assembly Inactive File.

CalChamber Best Business Votes 2021

Legislators are listed in descending order according to how often they voted in accord with the California Chamber of Commerce position (first number) versus how often their votes were not in accord with the CalChamber position (second number) in 2021. Total votes may not match the vote record because the tally for absences is not included in this list. Votes when a legislator was absent are not included in calculating percentages.

80% or more with CalChamber	60%-79% with CalChamber	40%-59% with CalChamber	Less than 40% with CalChamber
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Senate

Dahle, Brian (R)	8-1
Grove, Shannon (R)	8-2
Nielsen, Jim (R)	8-2
Bates, Patricia (R)	7-3
Borgeas, Andreas (R)	7-3
Caballero, Anna (D)	7-3
Glazer, Steve (D)	7-3
Hurtado, Melissa (D)	7-3
Jones, Brian W. (R)	7-3
Melendez, Melissa (R)	7-3
Ochoa Bogh, Rosilicic (R)	7-3
Dodd, Bill (D)	6-3
Wilk, Scott (R)	6-4
Hueso, Ben (D)	5-5
Pan, Richard (D)	5-5
Archuleta, Bob (D)	4-6
Bradford, Steven (D)	4-6
Cortese, Dave (D)	4-6
Durazo, María Elena (D)	4-6
Gonzalez, Lena (D)	4-6
Min, Dave (D)	4-6
Roth, Richard (D)	4-6
Rubio, Susan (D)	4-6
Umberg, Tom (D)	4-6
Eggman, Susan Talamantes (D)	3-4
Hertzberg, Bob (D)	3-6
Wieckowski, Bob (D)	3-6
Atkins, Toni (D)	3-7
Leyva, Connie (D)	3-7
McGuire, Mike (D)	3-7
Skinner, Nancy (D)	3-7
Wiener, Scott (D)	3-7
Limón, Monique (D)	2-7
Newman, Josh (D)	2-7
Becker, Josh (D)	2-8
Laird, John (D)	2-8
Portantino, Anthony (D)	2-8
Allen, Ben (D)	1-9
Kamlager, Sydney (D)	1-9
Stern, Henry (D)	0-2

Assembly

Dahle, Megan (R)	11-1
Flora, Heath (R)	11-1
Fong, Vince (R)	10-2
Grayson, Tim (D)	10-2
Lackey, Tom (R)	10-2
Mathis, Devon (R)	10-2
Mayes, Chad (NPP)	10-2
Patterson, Jim (R)	10-2
Chen, Phillip (R)	9-2
Davies, Laurie (R)	9-2
Gray, Adam (D)	9-2
Kiley, Kevin (R)	9-2
Valladares, Suzette (R)	9-2
Nguyen, Janet (R)	8-0
Bigelow, Frank (R)	9-3
Choi, Steven (R)	9-3
Cooper, Jim (D)	9-3
Cunningham, Jordan (R)	9-3
Gallagher, James (R)	9-3
Seyarto, Kelly (R)	9-3
Smith, Thurston "Smitty" (R)	9-3
Voepel, Randy (R)	9-3
Daly, Tom (D)	8-4
Waldron, Marie (R)	6-3
Aguiar-Curry, Cecilia (D)	7-5
Cooley, Ken (D)	7-5
Frazier, Jim (D)	7-5
Ramos, James C. (D)	7-5
Rubio, Blanca (D)	7-5
Villapudua, Carlos (D)	7-5
Gipson, Mike (D)	6-6
Low, Evan (D)	6-6
Quirk-Silva, Sharon (D)	6-6
Rodriguez, Freddie (D)	6-6
Calderon, Lisa (D)	5-7
Medina, Jose (D)	5-7
Salas, Rudy (D)	5-7

Arambula, Joaquin (D)	4-8
Burke, Autumn (D)	4-8
Garcia, Cristina (D)	4-8
Garcia, Eduardo (D)	4-8
Mullin, Kevin (D)	4-8
Petrie-Norris, Cottie (D)	4-8
Quirk, Bill (D)	4-8
Wood, Jim (D)	4-8
Cervantes, Sabrina (D)	3-8
Gonzalez, Lorena (D)	3-8
Rendon, Anthony (D)	3-8
Berman, Marc (D)	3-9
Carrillo, Wendy (D)	3-9
Chiu, David (D)	3-9
Holden, Chris (D)	3-9
Irwin, Jacqui (D)	3-9
Kalra, Ash (D)	3-9
Lee, Alex (D)	3-9
Maienschein, Brian (D)	3-9
O'Donnell, Patrick (D)	3-9
Reyes, Eloise (D)	3-9
Rivas, Robert (D)	3-9
Ting, Phil (D)	3-9
Ward, Christopher (D)	3-9
Weber, Akilah (D)	3-9
Wicks, Buffy (D)	3-9
Bauer-Kahan, Rebecca (D)	2-10
Chau, Ed (D)	2-10
Gabriel, Jesse (D)	2-10
Jones-Sawyer, Reginald (D)	2-10
Levine, Marc (D)	2-10
Stone, Mark (D)	2-10
Bennett, Steve (D)	1-9
McCarty, Kevin (D)	1-9
Bryan, Isaac (D)**	1-10
Bloom, Richard (D)	1-11
Friedman, Laura (D)	1-11
Muratsuchi, Al (D)	1-11
Nazarian, Adrin (D)	1-11
Rivas, Luz (D)	1-11
Santiago, Miguel (D)	1-11
Bonta, Mia (D)*	0-2
Boerner Horvath, Tasha (D)	0-12

*Sworn into office September 7, 2021.
 **Sworn into office May 28, 2021.

CalChamber Offers Practical Steps to Ease Supply Chain Crisis

From Page 1

companies are scrambling to move these containers as fast as possible.

Most experts agree that even with 24/7 operations, ports will continue to see delays resulting primarily from shifts in supply and demand as manufacturing, shipping, and transport continue to grapple with the COVID-19 pandemic worldwide.

Below is a sampling of the solutions the CalChamber presented to legislators.

Short-Term Solutions

One of the steps the state should take in the short term, the CalChamber stated, is to **identify and prioritize medical and health care supplies** to keep hospitals and health care facilities fully supplied. The Administration should work with suppliers and California health care systems to identify and prioritize containers that contain medical supplies and to prioritize related routes. California can work directly with health care distributors to identify delayed containers, ships, and ground transport and provide priority for those goods and services.

Other short-term actions include:

- **Facilitate maximum port-to-port rail routes:** All routes that connect to on-dock and near-dock rail services that serve California's ports should be evaluated for weight exemptions and other measures to increase efficiencies. This should include all transfer container facilities and intermodal yards that connect California's ports to the transcontinental rail system that transports cargo across North America.

- **Ensure that off-port storage is organized, secure and accurate:** California should continue to work with the federal government and the ports to ensure sufficient tracking and tracing and adequate security at off-site locations during this temporary endeavor, along with a strong and accurate communications system. The State should also evaluate upgrades to IT appointment systems which will help streamline pick up and drop off of containers. These measures will also serve to avoid bad actors taking advantage of short-term solutions and to reduce losses.

- **Work with ports and terminals to maintain feasible extended gate hours:**

Increasing predictability of gate hours will provide more time for the trucking community to adjust to extended hours and provide shorter dwell time for drivers. The Administration should work with the ports and marine terminal operators to identify terminal gate hours that can feasibly be kept open for at least the next 90 days, including weekend gate hours.

- **Encourage local government land use variances/permit streamlining:**

Once it has identified surplus properties, the State should evaluate barriers to temporary use. The State should also identify policy and/or financial mechanisms to encourage streamlining of entitlements or permits and remove unnecessary land use restrictions for this temporary use. The Administration could also consider setting timelines for use of each property depending upon proximity to the ports and/or priority routes. This is likely to be a multi-year supply chain crunch, the CalChamber pointed out, which will interfere with the normal business operations and planning for facilities in California and elsewhere. Identifying which properties are targeted for staging and the length of time for each category will be helpful in allowing companies to plan for the medium- and long-term.

Medium- and Long-Term Solutions

Some of the medium- and long-term solutions the CalChamber recommended were:

- **Set a timeline for identification and training of additional drivers (medium term):** The Administration should set dates for interim milestones for identifying and tracking driver-shortage issues. In addition, California could look at temporarily encouraging/allowing out-of-state trucks to assist at the ports, while continuing to provide incentives for in-state hiring.

- **Evaluate supply chain issues in critical sectors (medium term):** The Administration should continue to work with stakeholders to evaluate choke points in the supply chain, in addition to

issues inherent to port congestion. Costs, interstate travel, and ensuring consistency across transportation sectors may also be a factor in supply chain delays. For example, agricultural goods represent some of the largest share of exports. On-time export of food is integral to keeping costs down in California as well as ensuring California remains a leader in the agricultural sector. In addition, the State should evaluate investments in water-side infrastructure capacity and chokepoints, including evaluating funding support for dredging, navigational infrastructure, and pilotage system overhead, which other ports in the U.S. have implemented in recent years.

- **Align electrification timelines with automation upgrades:** Recent evaluations rank California's ports amongst the lowest in the world based on time at berth. Although the California ports are attempting to operate efficiently with the tools they have at hand, significant infrastructure investments will be necessary to continue to achieve efficiencies on par with world leading ports, in addition to east coast and southern ports in the U.S.

- **Increase mobility through priority routes:** Once identified, California should immediately and aggressively identify and propose projects to address freight bottlenecks within these priority freight routes. Bottlenecks that create inefficiencies result in congestion and delay for both commercial and personal vehicles using the highways in those trade corridors and excess air emissions. The State already identified numerous priority freight routes through its latest update of the California Freight Mobility Plan. The State can build upon this work and that already performed by local metropolitan transportation organizations through their Regional Transportation Plans including identification of priority bottlenecks.

To read the full list of recommendations, visit https://advocacy.calchamber.com/wp-content/uploads/2021/11/CalChamber_Supply_Chain_Comments.pdf.

Staff Contact: Leah Silverthorn

CalChamber Poll Shows Economic Security Top of Mind for Voters

From Page 1

holds true. This ratio has flipped since just three years ago, when a plurality of Californians believed the American Dream still held true.

This anxiety feeds on reports of the California Exodus, and in turn stokes that very impulse.

News and social media have reported anecdotes of high-profile companies leaving the state, as well as the historic slowdown in California's population growth, fueled in large part by domestic migration of middle- and working-class Californians to opportunities in other states.

Personal Knowledge

Voters are well acquainted with this trend.

Asked if they are aware of "any major employers or businesses leaving your community in recent years to relocate to another state," nearly half of voters statewide, including 59% of voters in the Bay Area, answered "yes."

Some 44% of voters statewide

reported that in the past year they knew someone personally who moved out of California because of job loss or cost of living. In the Inland Empire and Central Valley, 58% of voters said they knew someone personally who moved for these reasons.

About a quarter of voters in Southern California and the Central Valley reported knowing someone personally who lost their job because their employer left the community.

Job Creation Pessimism

Californians do not perceive the state to be in a recession. A strong majority (59%) say "a lot" or "some" new jobs are being created in their part of California.

On the other hand, of the voters who report job creation, a majority (53%) say those jobs "tend to be dead ends and do not lead to the middle class," as opposed to the 47% who say those jobs "lead to higher pay and lead to the middle class living."

The pessimism about the kinds of jobs created is new, and is especially reflected

among women, older voters and in the Central Valley and Inland Empire.

Continuing a troubling trend, among voters with kids living at home, 62% agree with the statement that "my children would have a better future if they left California." Since 2015, a growing proportion of parents have agreed with this sentiment.

More to Come

The CalChamber poll also closely examined numerous policy issues of interest to voters and employers. Subsequent articles will take a deep dive into those issues.

The CalChamber poll was conducted by Core Decision Analytics and Pierrepont Consulting and Analytics with online interviews from October 9–12, 2021 with 1,003 online interviews of California 2022 general election voters. The margin of error for this study is +/- 3.09% at the 95% confidence level and larger for subgroups. This is the seventh year CalChamber has published a voter survey.

Contact: Loren Kaye

Compliance Updates You Can Count On

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