

ALERT

Governor Signs Tax Relief, COVID Sick Leave Bills



Watching as Governor Gavin Newsom signs the COVID-19 small business tax relief and paid sick leave extension bills are (standing, from left): Senator Nancy Skinner (D-Berkeley), CalChamber President and CEO Jennifer Barrera, California Labor Secretary Natalie Palugyai, Assemblymember Mia Bonta (D-Oakland) and Assemblymember Wendy Carrillo (D-Los Angeles).

Governor Gavin Newsom this week signed a bill package providing \$6.1 billion in tax relief, tax credits and grants for small businesses hurt by the pandemic and extending COVID-19 paid sick leave for workers.

California Chamber of Commerce President and CEO Jennifer Barrera [joined the Governor](#) and others at a small business in Oakland for the signing of the bills, the product of extensive discussions between the Governor’s office, legislative leaders, business and labor representatives.

Collaboration

After thanking legislative leaders for their part in advancing the legislation, the Governor said he wanted to make “a particular expression of appreciation to Jennifer and the California Chamber for their willingness to work together with the California Labor Fed[eration].

“This is what it looks like when everybody works together and rows in the same direction, working to address anxieties and concerns, and compromise, and find a balance that strikes a chord with the vast majority of Californians.”

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CalChamber President and CEO Jennifer Barrera [acknowledges](#) the leadership and partnership involved in putting together the COVID-19 small business tax relief and paid sick leave extension package signed by the Governor this week at a bill signing ceremony at NIDO’s BackYard, an Oakland restaurant.

CalChamber-Led Effort Results in Small Business COVID-19 Relief



An effort led by the California Chamber of Commerce with the support of a large coalition

of allied groups has resulted in passage of legislation that will provide employers with significant and much-needed economic relief as the pandemic continues.

On February 9, Governor Gavin Newsom signed **SB 113 (Senate Committee on Budget and Fiscal Review)** as an early action item in the 2022–23 State Budget.

SB 113 and an identical bill, **AB 87 (Assembly Committee on Budget)**, restore the net operating loss (NOL) deduction and lift the cap on business incentive tax credits that were suspended and capped in the 2020–21 budget via AB 85. SB 113 was the final vehicle for the business COVID-19 relief package.

Surplus Instead of Deficit

In July 2020, the Legislature approved the Governor’s proposal to suspend the use of personal and business NOLs and limit the use of existing business tax credits to offset their tax liability for years 2020–2022 as a way to stave off a looming deficit triggered by the fallout of COVID-19.

The deficit never materialized. Instead, California experienced a gener-

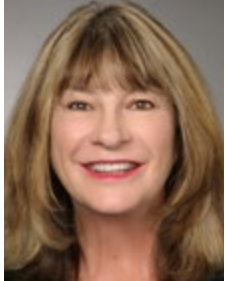
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Labor Law Corner

Things to Consider When Deciding on Disability Leave Extension



Dana Leisinger
HR Adviser

We have an employee who has been out on disability for almost a year, but we can't let him go because he's on disability. What are our options?

A commonly held misconception is that an employer can't lay off an employee because they are on disability.

For absolute job protection, the employee needs to be on a protected leave, such as pregnancy disability leave, and the federal and state family leaves, such as the Family Medical Leave Act and the California Family Rights Act.

When the employee isn't subject to those leaves, granting extra time off is something the employer needs to consider. An employer should not have a knee-jerk reaction to terminate employment when the employee needs extra time due to a disability.

Federal/State Guidelines

When the extended time becomes lengthy, or the employee didn't qualify for leave to begin with, it begins to get "tricky." Both the Equal Employment Opportunity Commission (EEOC) and the state Department of Fair Employment and Housing (DFEH) have issued guidelines asking employers to make concessions to employees who are disabled, to allow additional time off.

This is commonly called an ADA (Americans with Disabilities Act) accommodation. It requires both the employer and the employee to enter into the "interactive process," with both sides working to provide options and give input.

The employer may not deny or reject

an accommodation unless it creates a "business hardship," and establishing the business hardship often is difficult for the employer.

Seeking Legal Counsel

Nevertheless, there often comes a point where there are no options, and the employer is not obligated to hold a job open indefinitely because the employee is disabled, no matter how genuine the disability may be. This is true even where the employee is receiving benefits through either state disability insurance or workers' compensation coverage.

In these circumstances, particularly for a longtime employee, it's advisable to seek legal counsel before taking action.

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.

Business Resources

The California Privacy Rights Act: Implementing a Compliance Program in a Rapidly Evolving Data Privacy Landscape. CalChamber. February 24, Online. (800) 331-8877.

Labor and Employment

Leaves of Absence: Making Sense of It All Virtual Seminar. CalChamber. February 17-18, April 14-15, June 9-10, Online. (800) 331-8877.

HR Boot Camp Virtual Seminar. CalChamber. March 10-11, May 5-6, May 26-27, June 23-24, 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).

Maritime Transportation Data Initiative Hearings. Federal Maritime Commission. February 15, Ocean Transportation Intermediaries; February 22, UPS/FedEx/Amazon; March 1, Large

Aggregators; March 8, Maritime Labor; March 15, Available Technology Platforms; March 22 International Standards/FMC Agreements; March 29, Marine Terminal Operators; April 5, Marine Terminal Operators; April 12, Carriers (1); April 19, Carriers (2); Online. (202) 523-5725.

CleanTech Virtual Inbound Investment Mission. SelectUSA Tech. February 14-18, Online. (212) 381-9633.

California Pavilion at Singapore Airshow. Governor's Office of Business and Economic Development (GO-Biz) February 15-18. (213) 894-8725.

2022 Taiwan Trade Shows. Taiwan External Trade Development Council. Through October 31, Online and In-Person. +886-2-2725-5200.

Managing International Trade Credit Risk in 2022. U.S. Commercial Service. February 22, Online. (800) 878-8723.

India Virtual Trade Mission. GO-Biz. March 7-11, Online. (279) 666-8635.

Trade Mission to Central America 2022.

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The Workplace

COVID-19 Supplemental Paid Sick Leave: Old vs. New



In Episode 143 of The Workplace podcast, CalChamber employment law experts Matthew Roberts and Bianca Saad, and CalChamber

policy advocate Ashley Hoffman discuss California's new supplemental COVID-19 paid sick leave law, including insight on policy negotiations and what differentiates this new law from last year's version.

Given the unpredictability of the COVID-19 pandemic, government guidance and mandates may be altered at any time. Information presented in this podcast is accurate as of February 9, 2022.

Advocacy on Behalf of Business

In January, Governor Gavin Newsom and top state legislators made a joint announcement that a new 2022 supplemental COVID-19 paid sick leave law was coming, Roberts explains. The new proposal, coming via [AB 84](#) and [SB 114](#), was passed by the state Legislature on February 7 and Governor Newsom signed the [package into law on February 9](#).

As the omicron COVID-19 variant made its way across the state at the end of last year and into the beginning of this year, a new paid sick leave law became the priority of the Governor and the Democratic supermajority in the state Legislature, Hoffman explains.

The California Chamber of Commerce knew that there was no way of stopping what was coming, so the best action to take was to advocate on behalf of the business community.

One change the CalChamber worked for was a small business exemption, she says. Another was limiting the hours that could be taken under the policy. For example, under the previous COVID-19 supplemental paid sick leave law, many employees were abusing the policy, taking the full two weeks of allotted time just to get a vaccine. This new 2022 sick leave will limit that.

Also, some groups were pushing for the new law to be retroactive to October 2021, but the CalChamber was able to secure a retroactive date of January 1, 2022, Hoffman says.

Similarities, Differences

Employers will have to pivot quickly to comply with this new mandate, but fortunately, the new law is fairly similar to last year's supplemental paid sick leave in many ways, Roberts says.

Similar to 2021's iteration of the paid sick leave mandate, this new law will cover employers with 26 or more employees, Saad explains. The applicable date range is also similar to what employers saw last time, covering January 1, 2022 through September 30, 2022.

The maximum bank of hours is going to be up to a potential maximum of 80 hours for a full-time employee, and a prorated amount for part-time employees.

Another similarity, Saad says, is with how the supplemental paid sick leave is going to be paid. Nonexempt employees will be paid at the employee's regular rate of pay for the work week in which the leave is taken. Exempt employees' pay will be calculated in the same manner as other forms of paid leave time.

Notice and pay stub requirements

also exist, as they did in 2021's law. Employers should keep an eye out for when the new 2022 posters will become available as the Labor Commissioner has seven days from the new law's effective date to publish and make the poster available. If an employer has employees who don't frequent a workplace, a notice may be distributed electronically.

Regarding pay stub requirements, Saad explains there will need to be a separate line item on the itemized wage statement or pay stub. What is different this time around is that the employer will need to show how much leave an employee has actually used through that reflected pay period, as opposed to how much leave is actually available. So, if an employee hasn't used any COVID-19 supplemental paid sick leave, then the employer will need to list zero hours used.

Similar to last year, an employee may qualify for up to 40 hours of time if they're unable to work or telework for any of the following reasons:

- If they are subject to a quarantine or isolation period related to COVID-19;
- If they've been advised by a health care provider to isolate or quarantine due to COVID-19;
- If they are experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- If they are caring for a family member who is subject to a government order, or guidance for isolation, or quarantine, or if that family member has been advised by a health care provider to isolate or quarantine; or
- If the employee is caring for a child

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CalChamber Member Feedback

"Our company's long-term investment in the CalChamber is based on their behind-the-scenes efforts and tactical inside information, which gives us the data and tools we need to make better business decisions."

Frederick R. Ruiz
Chairman Emeritus/Co-Founder
Ruiz Foods

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ational surplus in 2021 that allowed for additional education funding and other spending, and the ability to maintain strong reserves.

The 2022 economic outlook remains just as strong with a massive budget surplus on the horizon. Accordingly, the tax increases adopted in 2020 as an emergency response are no longer needed. SB 113 sunsets the last year of the suspension and cap, and will assist employers in their economic recovery, incentivizing them to remain in California.

Tax Credit Benefits

A recent report from the Milken Institute found that suspending the research and development (R&D) tax credit “increased cost uncertainty for

businesses at a time when economic volatility was already high. For three decades, this incentive had helped businesses lower the risks inherent to investing in product and process improvements, but the policy change signaled a diminished commitment to innovation-led growth.”

Restoring the R&D tax credit, along with the ability to utilize NOL carryforwards, and other business incentives, would signal to employers that the state is committed to a stable investment climate for companies that want to make a commitment to California.

Relief Grants

In addition to the tax provisions, SB 113 transfers \$150 million into the California Emergency Relief Fund to fund remaining eligible waitlisted grant appli-

cants from last year’s California Small Business COVID-19 Relief Grant Program.

The California Small Business Relief Grant Program was created in November 2020 and received more than 300,000 applications, demonstrating just how vital these funds are to California’s struggling businesses.

These bills also conform state tax law to federal tax law for entities that received grants from Restaurant Revitalization Fund and Shuttered Venue Operations programs, so these entities will avoid state tax obligations that they don’t shoulder federally.

Enactment of CalChamber-supported SB 113 sends a positive message to the state’s employers that they are important to our government.

Staff Contact: Preston Young

COVID-19 Supplemental Paid Sick Leave: Old vs. New

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whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

- An employee may also qualify for time off if they need to attend a COVID-19 vaccine appointment, or if the employee is experiencing symptoms related to a COVID-19 vaccine or a vaccine booster.

Saad explains that in addition to the employee taking the time for themselves for these vaccine-related purposes, under the 2022 law, they may also take the time to go to a vaccine appointment for a family member, or if their family member is experiencing symptoms related to a COVID-19 vaccine or vaccine booster.

Safeguards to Limit Abuse

A big frustration point employers had with the 2021 COVID-19 paid sick leave law is that employees were taking whole weeks off just to get the COVID-19 vaccine and “recover from the side effects,” and employers could not do anything about it nor ask for documentation, Roberts points out.

There was much discussion about this and about whether this leave policy should apply only to vaccinated people, Hoffman says. There was a desire to give people time to get vaccinated, but given the abuse employers previously saw,

there was concern about not being able to ask for documentation.

What resulted from these discussions is that there are two different “buckets.” In one bucket, an employee has 40 hours that can be used for the qualifying reasons Saad mentions earlier, Hoffman says.

Employees may reach into a second bucket of hours if they test positive for COVID-19 or if they’re caring for a family member who is testing positive. At this point, the employer may also require documentation, either of the employee or of the family member showing a positive COVID-19 test result. If the employee refuses to show documentation, the employer may deny the sick leave.

Employees may use only 24 hours total per COVID-19 vaccine appointment, which covers time to get the vaccine and recover from side effects. If an employee needs more time, up to the full 40 hours may be given if the employee presents a doctor’s note stating the employee is still experiencing side effects.

Retroactive to January 1

The new COVID-19 paid sick leave law will take effect within 10 days of the Governor signing it, but the law will have a retroactive effective date of January 1, 2022, Saad explains.

This means that if an employee got vaccinated mid-January and took time

off, they can ask their employer to use the supplemental sick leave for that purpose. Moreover, if the employee had used a different bucket of sick leave to cover this time, they can be credited for that time from the supplemental sick leave. The onus will be on the employee to initiate this process and request the time off.

Tax Credits

The million-dollar question, Roberts says, is “who is going to pay for this?” Last year, the federal government provided a dollar-for-dollar payroll tax credit to cover the supplemental paid sick leave, but that funding is now gone. Is anything available for employers this time around?

Unfortunately, not, Hoffman replies. There are no tax credits like we saw last time and there’s been no indication that the federal government intends to renew them. However, the state Legislature this week passed a bill restoring the research and development (R&D) and net operating loss tax credits and Governor Newsom signed the legislation on February 9.

Even though these tax credits are not a dollar-for-dollar credit against sick leave specifically, they should help offset some of the cost, especially the net operating loss tax credits, she says.

California Assembly Voted to Expand CEQA and Make Housing Crisis Worse



The last thing the California Legislature should be doing during an ongoing housing

crisis is voting to pass laws that make constructing any new housing harder and more expensive in the Golden State.

Yet on January 31, the California Assembly did just that by passing **AB 1001 (C. Garcia; D-Bell Gardens)**, a bill that proposes to redress historical land use injustices by expanding the California Environmental Quality Act (CEQA) to create new avenues of litigation and limit local government's ability to mitigate environmental impacts for all types of housing projects, from 100% affordable to market-rate units.

Subjective Standards

AB 1001, **opposed** by the California Chamber of Commerce as a job killer, proposes to greatly expand CEQA by injecting new, highly subjective, nonquantifiable and litigation-bait standards into the statute.

In attempting to address environmental justice concerns through CEQA as the bill proposes, AB 1001 winds up substantially aggravating one of the state's most intractable problems: a housing crisis inextricably linked to its inability to produce housing quickly and cost effectively.

Despite the author's laudable intent, the bill is unwise and unnecessary because it will further exacerbate the ongoing housing crisis by overlaying onto local governments new subjective standards into a broken statute already abused by "Not In My Backyard" (NIMBY) housing opponents.

Hurts Housing Construction

Although CEQA is not the sole reason for the skyrocketing housing prices, it is a major element that is used to **suppress much-needed housing construction**.

That is why it is unwise for the Legislature to create new subjective standards in CEQA that will further drive up the costs on local governments to prepare the necessary environmental review documents and defend against NIMBY abuses of CEQA aimed at delaying or blocking new housing projects.

Project opponents already can levy a plethora of legal challenges to housing projects under CEQA and need to succeed on only a single element to block the project approval.

NIMBY neighbors already can **stop 100% affordable infill housing projects** under the guise of environmental protection by claiming "environmental impacts" from obstruction to their views. Injecting new subjective standards into CEQA about what is "fair" or "meaningful involvement of all incomes," as AB 1001 proposes to do, will create new avenues of litigation for anti-housing opponents to use to block or delay even more housing.

Unnecessary Proposal

AB 1001 is unnecessary because CEQA already prohibits lead agencies from approving projects with significant environmental effects to any community, including disadvantaged communities, where there are feasible alternatives or mitigation measures that lessen or avoid those impacts.

As part of CEQA's enforcement process, local agencies also must adopt a program for mitigation monitoring or reporting per CEQA Guidelines, Section 15097 (a). The purpose of these monitoring and reporting requirements is to ensure that feasible mitigation measures will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded.

Notably, CEQA already requires that any alternative or mitigation of a project's impacts must have a nexus that directly addresses the ways it will reduce or eliminate the project's impacts to that community or subgroup. (See CEQA

Guidelines, Section 15041 (a), noting need for "nexus" between required changes and a project's impacts.)

Existing Law

Additionally, AB 1001 is unnecessary because the California Legislature already passed **SB 1000 (Leyva; D-Chino; Chapter 587, Statutes of 2016)** that does exactly what this bill is trying to do, but in a more appropriate area of law where cities can evaluate their entire jurisdiction to more equitably site land uses.

SB 1000 requires every city and county to adopt environmental justice land use elements into their comprehensive, long-term general plans. This process is still underway as evidenced by the most recent 2020 Environmental Justice Guidance to cities and counties from the Governor's Office of Planning and Research.

The Legislature should allow local governments to implement the laws it recently passed before stacking on new ones that exacerbate known problems.

Empowers Project Opponents

AB 1001 empowers anti-housing project opponents by providing them with new legal arguments that local governments will be at a significant disadvantage to defend against.

Instead of comprehensive CEQA reform that promotes the legacy of protecting human health and the environment while eliminating the exploitation of the statute for non-environmental reasons, the California Assembly did the exact opposite by expanding CEQA unnecessarily to the detriment of all Californians hoping for more affordable housing.

AB 1001 awaits assignment to a Senate policy committee.

This article appeared originally as a Capitol Insider blog post.

Staff Contact: Adam Regele

Initiative to Stop Shakedown Lawsuits Gaining Momentum



Momentum is gaining to qualify the California Fair Pay and Employer Accountability Act of

2022 for the November ballot. The initiative's campaign reported reaching 25% of signatures needed to place the measure on the ballot.

The California Chamber of Commerce strongly supports this initiative and is encouraging members to learn more about the important reforms it enacts and contribute to the "yes" campaign.

CalChamber President and CEO Jennifer Barrera said that California voters are signing this petition because the reform increases worker protections.

"Voters not only support what is good for workers but understand the impact shakedown lawsuits are having on California's employers," she said. "The measure directs 100% of penalty payments for Labor Code violations to workers rather than to the state or trial lawyers."

For more information on the California Fair Pay and Employer Accountability Act and to learn how to contribute, visit <https://stoptheshakedown.com/>.

Why Reform Is Urgently Needed

Frivolous lawsuits brought under the Private Attorneys General Act (PAGA) have cost California businesses billions of dollars, all while workers are left waiting years to receive very little and attorneys walk away with millions.

The California Fair Pay and Employer Accountability Act would replace PAGA with increased enforcement mechanisms in the hands of the Labor and Workforce Development Agency (LWDA) so that workers recover wages faster and employers are no longer targeted by frivolous private litigation.

PAGA was enacted in 2004 to help the LWDA enforce California's labor laws. It allows employees to sue for any Labor Code violation as if they were the state. Because it deputizes private attorneys to file lawsuits on behalf of those employees, it has been abused. Attorneys

can leverage PAGA's penalties to get big settlements even if the claims have no merit. The employer ends up paying a hefty sum with much of the money going to the attorneys and very little going to workers or the state.

PAGA lawsuits have increased more than 1,000% since the law took effect in 2004. By 2016 and every year since, the LWDA has received between 4,600 to 6,000 PAGA notices. Employers have paid out billions of dollars in PAGA penalties since 2004.

The California Fair Pay and Employer Accountability Act would solve this problem by:

- Replacing PAGA with alternative enforcement mechanisms through the state;
- Ensuring 100% of penalties go to workers;
- Speeding up recovery of wages and penalties for workers; and
- Doubling penalties where employers willfully violate the law.

Governor Signs Small Business Tax Relief, COVID Sick Leave Bills

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SB 113 (Senate Committee on Budget and Fiscal Review) is the early action budget relief package for businesses.

SB 114 (Senate Committee on Budget and Fiscal Review) extends COVID-19 supplemental paid sick leave for workers.

Business Role

In remarks preceding the bill signing, Barrera cited the unprecedented challenges businesses have met over the past two years, noting that "Businesses, both large and small, have stepped up to the plate to protect their employees" during the pandemic.

The business relief package, she said, "is essential, not only for the immediate help of employers, but it also creates a pathway and lays the foundation for long-term economic recovery for our employers."

Small Business Relief

The \$6.1 billion in the SB 113 relief package includes:

- Nearly \$500 million in relief for restaurants and shuttered venues by conforming state tax policy with federal policy, which does not tax grants received from the federal Restaurant Revitalization Fund and Shuttered Venue Operators grant programs.

- Restoring \$5.5 billion in tax credits and deductions by restoring the research and development tax credit and the net operating loss deduction a year earlier than set when the tax incentives were removed in 2020 legislation.

- \$150 million in funding for California's Small Business COVID-19 Relief Grants Program for pandemic-affected applicants previously waitlisted when applying for the grants of up to \$25,000.

COVID-19 Leave

Through close discussions, what evolved was an improved COVID sick leave policy that is "more limited and targeted" and "removes some of the administrative challenges that employers faced during this unpredictability caused by the pandemic," Barrera said.

Small businesses with 25 or fewer employees are exempt from the legislation, which is retroactive to sick leave taken beginning January 1, 2022.

Employees will have access to up to 80 hours of COVID-19 supplemental paid sick leave through September 30, 2022. They may use that sick leave when, for example, they have been advised to quarantine, are caring for COVID-affected family members, attending a COVID-19 vaccination appointment and other situations (for more details, see the summary in [The Workplace podcast](#)).

Required Privacy Training to Be Covered in CalChamber Virtual Seminar



Two state privacy laws — one in effect since 2018 and the other taking effect in 2023

— require companies to adequately train employees who may receive consumer inquiries.

On February 24, the California Chamber of Commerce will present a 60-minute virtual seminar with the data privacy team at Perkins Coie LLP explaining “[The California Privacy Rights Act: Implementing a Compliance Program in a Rapidly Evolving Data Privacy Landscape.](#)”

Privacy Laws

The California Consumer Privacy Act (CCPA) took effect in 2018, and was further solidified in 2020 when voters passed the California Privacy Rights Act (CPRA), which will take effect on January 1, 2023.

The California Code of Regulations states that all individuals “responsible for handling consumer inquiries about the business’s privacy practices or the business’s compliance with the CCPA shall be informed of all of the requirements in the CCPA and these regulations and how to direct consumers to exercise their rights under the CCPA and these regulations.”

All businesses covered by the CCPA/CPRA must identify any employee who may receive an inquiry from a consumer about the business’s privacy practices and train those employees.

Covered Businesses

Covered businesses include for-profits that meet at least one of these requirements:

- Make more than \$25 million annually.
- Collect personal information of 50,000 or more California residents under CCPA in effect today or 100,000 or more California residents when CPRA goes into effect on January 1, 2023.

- Derive 50% or more of their revenue from the sale/sharing of California residents’ personal information.

Low Threshold

“The idea of collecting personal information from California residents turns out to be a very low threshold,” said Dominique Shelton Leipzig, partner at Perkins Coie and one of the presenters at the CalChamber virtual seminar. “When you think about it, you just need a website that collects personal information of just 137 California residents per day to get to the 50,000 person threshold today.”

Although the number will go up to 274 under the CPRA, Shelton Leipzig added, “that’s almost every business with a website.”



Dominique Shelton Leipzig

Training Requirements

To comply with the law, training must include:

- Consumer rights under the CCPA/CPRA;
- How consumers can exercise those rights; and
- The business’s responsibility in responding to those inquiries/rights.

CCPA/CPRA provisions will be enforced by the newly created California Privacy Protection Agency. Businesses covered by the CCPA/CPRA should

make sure they’re complying with the consumer rights provided by these laws and that their employees who may receive an inquiry are properly trained by the compliance deadline of January 1, 2023.

Because training responsibilities already exist under the CCPA that’s in effect right now, Shelton Leipzig recommends that companies which haven’t yet undergone that training complete CCPA/CPRA training this year.

“I would suggest to go ahead and include sort of a combo of CCPA training and training that looks ahead to what goes into effect January 1, 2023, which is the California Privacy Rights Act that just amends the existing law, so you can get it all done in one fell swoop,” she said.

Ultimately, if companies don’t meet the January 1, 2023, deadline for compliance with the CPRA, the California Privacy Protection Agency can impose penalties of up to \$7,500 per violation if children are involved or up to \$2,500 per violation if children are not involved.

“And then, there’s a private right of action for anybody,” Shelton Leipzig added. “Consumers can bring an action if there has been a negligent data breach.”

Compliance Seminar

The CalChamber virtual seminar “will cover all of the things the training requires,” said Shelton Leipzig, as well as what attendees can do “to get a coherent, actionable program in place, even if you don’t have a big, huge legal department.”

Businesses also will learn how to set up a six-phase approach for complying with the CPRA that will work with the existing CCPA.

Registration for the CalChamber [virtual compliance seminar](#) is open to CalChamber members and nonmembers at the CalChamber Store, [store.calchamber.com](#), for \$124.99 (\$99.99 for CalChamber Preferred or Executive members).

No recording is associated with the virtual seminar, so be sure to attend the live training.

In Memoriam: Former CalChamber Exec Vice President Dave Ackerman



David G. Ackerman

David G. Ackerman, former executive vice president and chief lobbyist for the California Chamber of Commerce, passed away recently. He was 75.

For decades, Ackerman was one of the most respected business voices in the State Capitol. He devoted his career to strengthening California's economy, improving the lives of Californians, and helping clients and members who wanted to do business in the state.

He served as CalChamber executive vice president and chief lobbyist from 1986 through 1988. As president of his own advocacy firm, he continued to represent the CalChamber as special consultant for transportation for two decades, from 1989 to 2009.

Ackerman joined the CalChamber staff after more than three years as Governor George Deukmejian's under-

secretary for business, transportation and housing. In that role, Ackerman had principal responsibility for the activities of the Department of Commerce and development of California's transportation policies.

For many years, Ackerman was executive vice president of Californians for Better Transportation, a coalition of highway and transit advocacy organizations.

He also had served as chief of staff to California's lieutenant governor, Republican staff director for the Assembly Ways and Means Committee, and as deputy to the chair of the Los Angeles County Board of Supervisors.

He was an alumnus of UCLA, where he earned a B.A. in political science, and of California State University, Chico, from which he received an M.A. in public administration.

CalChamber-Sponsored Seminars/Trade Shows

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U.S. Commercial Service. March 27–28, Guatemala. (800) 872-8723.
Cybersecurity Business Development Mission to South America. U.S. Department of Commerce, International Trade Administration. April 5–8, Uruguay, Chile, Peru. (800) 872-8723.

30th Annual Africa and Diaspora International Conference. Center for African Peace and Conflict Resolution, California State University, Sacramento. April 28–30, Sacramento. (916) 278-6282.

Trade Mission to South America. U.S. Department of Commerce, Interna-

tional Trade Administration. May 15–20. (800) 872-8723.

Annual Export Conference. National Association of District Export Councils. May 19–20, Washington D.C.

Maritime Transportation Data Summit. Federal Maritime Commission. June 1, Washington D.C. (202) 523-5725.

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