

# ALERT

## CalChamber Urges Members to Support Fair Pay Initiative



Replacing the state's Private Attorneys General Act (PAGA) will help California workers

and businesses. That's a key message at the website providing updates on the California Fair Pay and Employer Accountability Act at [stopheshakedown.com](http://stopheshakedown.com).

The California Chamber of Commerce **strongly supports** this proposed initiative and is encouraging members to learn more about the important reforms it enacts and contribute to the "yes" campaign. Supporters may make monetary contributions through the [website](#).

The initiative campaign has reported **continuing momentum** toward qualifying the PAGA reform initiative for the November ballot.

### Need for Reform

Frivolous lawsuits brought under 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

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## State Lifts Universal Indoor Mask Requirement



California's universal mask requirement for vaccinated individuals expired this week, but unvaccinated

persons still are required to mask up in indoor public settings and businesses, according to the [California Department of Public Health \(CDPH\)](#).

### Indoor Masking

In guidance issued last week (available [here](#)), universal indoor face covering is also required, regardless of vaccination status, in certain places, including:

- On public transit (such as airplanes, ships, ferries, trains, subways, buses, taxis, and ride shares) and in transportation hubs (such as airports, bus terminals, marinas, train stations, seaports or other ports, subway stations, or any other areas that provide transportation).

- Indoors in K-12 schools, child care settings;
- Emergency shelters and cooling and heating centers;
- Health care settings;
- State and local correctional facilities and detention centers;
- Homeless shelters; and
- Long-term care settings and adult and senior care facilities.

The CDPH recommends that fully vaccinated individuals continue indoor masking when the risk may be high. Surgical masks or higher-level respirators

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## 2022 CalChamber Issues Guide Posted on Web



The California Chamber of Commerce **2022 Business Issues and Legislative Guide** is available now on the CalChamber website at [www.calchamber.com/businessissues](http://www.calchamber.com/businessissues).

This easy-to-reference publication presents the CalChamber **Agenda for California Recovery** — private sector solutions that will help businesses do business and stay competitive in a global economy.

As California begins to emerge from the pandemic and as a part of this agenda, the CalChamber recommends that state policy makers exercise caution and restraint when considering new poli-

cies and regulations. The pandemic has created a significant degree of uncertainty for everyone. As the **Guide** explains more, in order for California to maintain a competitive advantage, policy makers need to carefully navigate the new, post-pandemic normal.

Hard copies of the **Guide** have been mailed to CalChamber preferred and executive members who signed up to receive the printed **Guide**.

An e-book edition of the **Guide**, compatible with smartphones, tablets and desktop computers with an e-book reader installed can be downloaded free at [www.calchamber.com/businessissues](http://www.calchamber.com/businessissues). A PDF file also is available.

In addition, issue articles can be viewed as web pages and downloaded as individual PDF files. All electronic files include clickable links to many of the sources cited in the issue articles.

### Inside

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## Cal/OSHA Corner

# Toxic Substance Exposure Requires Record Retention for 30 Years



**Mel Davis**  
Cal/OSHA Adviser

*As a manufacturer of products containing small amounts of toxic or harmful substances listed on the Registry of Toxic Effects of Chemical Substances (RTECS), what are my responsibilities if an incident occurred that exposed one or more of my employees to a chemical/substance used in the finished product and a medical summary request is made regarding the employee? How long do I need to keep the record of exposure?*

Section 3204 of the General Industry Safety Orders specifies how the employer

is to assure that medical information for employees exposed to toxic or harmful substances in the workplace is available upon request.

General Industry Safety Orders Section 3204, Access to Employee Exposure and Medical Records, was promulgated and adopted on March 8, 1981, with various amendments being adopted through May 2, 2019.

This regulation provides employees, their designated representatives and authorized representatives of the Chief of the Division of Occupational Safety and Health (Cal/OSHA) a right of access to relevant exposure and medical records.

Also, the regulation establishes a definitive time period for which the employee's records are to be maintained by the employer, which is the duration of employment plus 30 years.

Records for employees who are employed less than one year, however, do not need to be maintained, provided

the records are given to the terminated employee upon leaving.

### Regulation Scope

The scope and application of the regulation applies to the following employer/employee situations:

- Each employer who makes, maintains, contracts for, or has access to employee exposure or medical records, or analysis thereof, pertaining to employees exposed to toxic substances or harmful physical agents;
- All employee exposure and medical records, and analysis thereof, of employees exposed to toxic substances or harmful physical agents, regardless of whether the records are related to specific occupational safety and health standards;
- Employee exposure and medical records, and analysis thereof, made or maintained in any manner by the employer, both on an in-house and on a

*See Toxic Substance: Page 9*

### California Chamber Officers

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## CalChamber-Sponsored Seminars/Trade Shows

More at [www.calchamber.com/events](http://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

HR Boot Camp Virtual Seminar. CalChamber. March 10–11, May 5–6, May 26–27, June 23–24, Online. (800) 331-8877.

Leaves of Absence: Making Sense of It All Virtual Seminar. CalChamber. April 14–15, June 9–10, 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 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.

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.

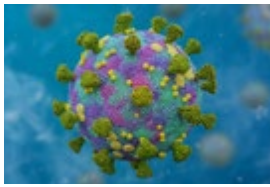
Trade Mission to Central America 2022. U.S. Commercial Service. March 27–28, Guatemala. (800) 872-8723.

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.

Next Alert: March 4

## COVID-19 Paid Sick Leave Workplace Posting Now Available



As [previously reported](#), on February 9, Governor Gavin Newsom signed into law

SB 114, which has revived COVID-19 Supplemental Paid Sick Leave and will provide eligible employees with up to 80 hours of paid leave for COVID-19-related qualifying reasons.

And while the law has a 10-day grace period before employers must begin complying with its various requirements

on February 19, 2022, it is retroactive to January 1, 2022, and will remain in effect through September 30, 2022.

In addition to complying with the leave provision requirements by February 19, 2022, employers must also include certain information on employee paystubs and display a poster about the law in the workplace. This workplace posting, which the law required the Labor Commissioner's office to create and make available no later than February 16, is now available on the Labor Commissioner's website. The posting is available in [English](#) and [Spanish](#).

Employers must post the notice in a conspicuous location at their worksite and provide it to employees working remotely. Under the law, employers are expressly authorized to electronically distribute the poster to their remote workforce, such as via email.

At the time of publication, frequently asked questions (FAQs) for the law have not yet been published. Employers should review and continue to monitor the Labor Commissioner's COVID-19 Supplemental Paid Sick Leave FAQs [page](#) for updated guidance on the new leave.

**Staff Contact:** [Bianca Saad](#)

## State Lifts Universal Indoor Mask Requirement

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(e.g., N95s, KN95s, KF94s) with a good fit are highly recommended.

For businesses where unvaccinated individuals must wear face coverings, the CDPH says businesses, venue operators or hosts may choose to:

- Provide information to all patrons, guests and attendees regarding vaccination requirements and allow vaccinated individuals to self-attest that they are in compliance prior to entry.
- Implement vaccine verification to determine whether individuals are required to wear a mask.

The revised CDPH guidance also contains face covering requirement exceptions for certain individuals, such as children under two years old, persons with medical conditions or disabilities, hearing-impaired individuals and those persons for whom wearing a face covering would create a workplace risk.

### Monitor Local Orders

Although CDPH guidance is relaxing statewide face covering requirements, employers still need to monitor local health orders. To align with the new CDPH guidance, 11 Bay Area counties lifted their universal face covering orders effective February 16. However, other jurisdictions, such as Santa Clara County and Los Angeles County, will continue to require indoor face coverings regardless of vaccination status for the time being.

Employers also must continue to comply with the Division of Occupational Safety and Health (Cal/OSHA) COVID-19 Emergency Temporary Standard (ETS) face covering requirements. Generally, the revised CDPH guidance is more closely aligned with ETS requirements. The ETS requires unvaccinated individuals to wear face coverings indoors and generally allows fully vaccinated individuals to forgo

face coverings; however, the ETS has additional face covering requirements in certain circumstances, such as employee screening, close contacts and outbreaks.

Employers should continue to monitor and review guidance from Cal/OSHA, the CDPH and local health departments for any changes to COVID-19 workplace requirements.

**Staff Contact:** [James Ward](#)

## CalChamber Calendar

*ChamberPAC Advisory Committee:*

March 10, Half Moon Bay

*Board of Directors:*

March 10–11, Half Moon Bay

*International Trade Breakfast:*

March 11, Half Moon Bay



## CalChamber Member Feedback

*"The CalChamber excels at being the lead spokesperson for job creators in California. Our company sees a quantifiable return on investment from the CalChamber's advocacy work every year."*

**John F. Boyle**  
President and Chief Executive Officer  
Automobile Club of Southern California



# California Keeps Top Trading State Status



Trade statistics released this month by the U.S. Department of Commerce show that California remained a

top trading state in 2021.

California exported \$175.12 billion worth of goods to the world in 2021. As usual, computer and electronic products made up the bulk of exports at 22.6% (\$39.69 billion).

Non-electrical machinery followed at 11.6% and \$20.32 billion; followed by chemicals at 10% and \$17.58 billion; transportation equipment at 9.2% and \$16.14 billion; and agricultural products at 8% and \$14.17 billion.

California was the top importing state and the second largest exporting state in 2021. The increase in trade, both exports and imports, during the COVID-19 pandemic contributed in part to congestion seen in California ports this past year.

## Trade Overview

In 2021, the United States exported a total of \$1.753 trillion in goods to the world and imported \$2.832 trillion, creating a goods deficit of \$1.079 trillion. U.S. exports increased by 22.5% in 2021, while imports also increased by 21.23%.

California's \$175.12 billion of exports in 2021 was an increase of 10.86% from the previous year's total of \$156.1 billion, according to the U.S. Department of Commerce statistics.

Manufactured exports from California totaled \$149.311 billion in 2021; this was a 10.52% increase from \$133.601 in 2020. Exports recovered to be closer to pre-pandemic levels as California manufacturing exports totaled \$149.634 billion in 2019. Transportation equipment exports were one of the few products that showed a decline in 2021, decreasing by 7.13%.

Agricultural and livestock product exports from California totaled \$14.65 billion in 2021, a 6.08% increase from \$13.76 billion in 2020. Exports of processed foods increased 11.71% from 2020, totaling \$11.07 billion in 2021.

California's exports of waste and scrap, and oils, gas, minerals and ores both increased significantly in 2021 from recent levels. Waste and scrap exports

totaled \$6.38 billion in 2021, an increase of 27.43% from \$4.63 billion in 2020.

Exports of oil, gas, minerals and ores totaled \$981 million in 2021. This was an increase of 66.67% from \$327 million in 2021 and an increase of 25.38% from 2019 levels.

## Imports

For 2021, California's import trade totaled \$470.749 billion, up 15.9% from the previous year and up 13.38% from 2019. Imports increased in almost all categories, but most notably California's No. 1 import of computers and electronic products increased by 12.1% from 2020.

Imports of miscellaneous manufactured goods and electrical equipment, appliances, and components also increased by 30.52% and 21.24%, respectively, from 2020.

Imports of oil and gas also saw a significant increase of 45.48% in 2021. Imports of agriculture and livestock increased by 14.61% in 2021, totaling \$17.008 billion.

The only industries that saw decreased imports in 2021 were textile mill products and fish and marine products. Textile mill products decreased by 44.19%, after an unusually high import year in 2020. Fish and other marine products decreased by 4.73% between 2021 and 2020.

## Trading Partners

California's **top five export markets** remained the same in 2021, in order: Mexico, Canada, China, Japan and South Korea. There was some shuffling with the next five export partners to round out the top 10. Taiwan remained as California's sixth largest export partner, followed by Germany, Hong Kong, India taking the ninth spot, and finally, the Netherlands.

- Exports from California to Mexico totaled \$27.23 billion in 2021, maintaining the country's spot as California's top export partner. Exports increased by 11.96% compared to 2020.

- Canada remained California's second largest export destination with \$17.89 billion in exports. Exports to Canada increased by 10.54% in 2021 compared to 2020.

- California exports to China totaled \$16.719 billion in 2021, a 10.23% increase from the year before.

- Exports from California to Japan

totaled \$11.86 billion in 2021. Exports increased by 10.91% between 2020 and 2021.

- South Korean imports of California goods totaled \$11.625 billion in 2021, a 15.78% increase compared to 2020.

- Taiwan remained California's sixth largest export partner in 2021, importing \$8.94 billion worth of goods, a 17.31% increase from 2020.

- Exports from California to Germany totaled \$7.6 billion in 2021, a 14.99% increase from 2020.

- California exports to Hong Kong totaled \$6.76 billion in 2021, a significant decrease of 6.67% from the previous year.

- India moved up into the ninth position from the 10th last year with \$6.673 billion worth of imports. California exports to India increase by 25.98% from 2020 to 2021.

- Exports from California to the Netherlands totaled \$6.107 billion in 2021, a 7.25% increase from 2020.

## CalChamber Position

California is one of the 10 largest economies in the world with a gross state product of more than \$3 trillion. International trade and investment are major parts of our economic engine that broadly benefit businesses, communities, consumers and state government. California's economy is diverse, and the state's prosperity is tied to exports and imports of both goods and services by California-based companies, to exports and imports through California's transportation gateways, and to movement of human and capital resources.

Although trade is a nationally determined policy issue, its impact on California is immense. California exports to more than 225 foreign markets. Trade offers the opportunity to expand the role of California's exports. In its broadest terms, trade can literally feed the world and raise the living standards of those around us.

The California Chamber of Commerce supports expansion of international trade and investment, fair and equitable market access for California products abroad, and elimination of disincentives that impede the international competitiveness of California business.

**Staff Contact: Susanne T. Stirling**

# Californians Among Ambassador Nominees Moving Forward in U.S. Senate This Year

*Biden Administration Finally Sees Movement on Ambassador Nominations*



After a year in office, the Biden administration has finally received U.S. Senate confirmations for many

of the persons it nominated over the past year to serve as U.S. ambassadors to other nations.

The U.S. Senate rushed through the barrage of nominations before the end of its 2021 session. Any nominees who were not voted on in 2021 have to go back to President Joe Biden to be renominated and begin the process over again.

As of mid-January 2022, 113 of the 186 U.S. ambassadorships remain vacant; 59 of those are pending U.S. Senate confirmation, while the remaining 54 are still awaiting a nominee from the Biden administration.

## Californians

Californians Eric Garcetti and Meg Whitman are among those awaiting final Senate confirmation, while Californians Jonathan Kaplan, Denise Campbell Bauer and Cynthia Telles have already assumed their posts.

**Los Angeles Mayor Eric Garcetti** was nominated by President Biden to be the Ambassador to India in July 2021. Finally, in January of this year, Garcetti's nomination has begun to move in the U.S. Senate, being approved by the Foreign Relations Committee. Garcetti has been mayor of Los Angeles since 2013, with his term ending in December 2022. Garcetti served as national co-chair of the Biden campaign and as co-chair of Biden's vice-presidential vetting team. Garcetti co-founded Climate Mayors, leading more than 400 U.S. mayors to adopt the Paris Climate agreement. Garcetti also served as an intelligence officer in the U.S. Navy Reserves for 12 years and was a Rhodes Scholar. Garcetti awaits full Senate confirmation before his posting becomes official; when that happens, the Los Angeles City Council will appoint an interim Mayor of Los Angeles.

**Margaret (Meg) Whitman**, candidate for California Governor in 2010 and a business executive, was nominated by President Biden to be the Ambassador to Kenya on December 13, 2021. Whitman is a member of the boards of Procter & Gamble and General Motors, as well as the National Board Chair at Teach for America. Whitman is the former CEO of Quibi, a streaming content platform, former president and CEO of Hewlett Packard, eBay, and FTD. Whitman has held leadership positions at Hasbro, StrideRite, and the Walt Disney Corporation; she is also a former partner at Bain and Co. Whitman has received many honors, including induction into the U.S. Business Hall of Fame and Harvard Business School's Alumni Achievement Award, having earned her M.B.A. at the university.

**Ambassador Jonathan Eric Kaplan** was nominated by President Biden to serve as the U.S. Ambassador to Singapore in August 2021 and was confirmed in November 2021. Ambassador Kaplan is an entrepreneur and innovator who previously served as the chairperson of the EducationSuperHighway, a nonprofit based in San Francisco. Ambassador Kaplan has served as chairperson and CEO of FishSix Restaurant Corporation, chairperson and CEO of Pure Digital Technologies, where he invented the Flip video camera. Ambassador Kaplan also has served as president and CEO of Sega.com, as well as MovieStreet. Ambassador Kaplan served as an adviser for the Young Presidents Organization and was the 2010 Ernst & Young Northern California Entrepreneur of the Year.

**Ambassador Denise Campbell Bauer** was nominated to serve as the U.S. Ambassador to France in July 2021 and confirmed in December 2021. Ambassador Campbell Bauer previously served from 2013 to 2017 as Ambassador to Belgium, where she led one of the largest embassies in Europe and focused on building transatlantic security partnerships and expanding international trade. Ambassador Campbell Bauer

is a nonprofit leader and advocate for women's voices in politics and policy, and in 2019 was the executive director of Women for Biden. Ambassador Campbell Bauer began her career in Los Angeles, where she worked as a journalist for major news organizations. Ambassador Campbell Bauer graduated from Occidental College and speaks French.

**Ambassador Cynthia Ann Telles** was nominated to serve as the U.S. Ambassador to Costa Rica in June 2021 and confirmed in December 2021. Ambassador Telles is a clinical professor in the UCLA Department of Psychiatry at the UCLA David Geffen School of Medicine and serves on the executive committee of the UCLA Semel Institute for Neuroscience and Human Behavior. Ambassador Telles also has been the director of the UCLA Spanish-Speaking Psychosocial Clinic for three decades and is the founding director of the UCLA Hispanic Neuropsychiatric Center of Excellence. Ambassador Telles has held positions on various councils and commissions in the city of Los Angeles, including the Board of Airport Commissioners. Ambassador Telles also served on the White House Commission on Presidential Scholars, the board of the Kaiser Foundation Health Plan and Hospitals, and as chair of the Board of the California Endowment.

## Ambassadors

An ambassador is the highest-ranking representative on behalf of the President to the country or international organization to which they are assigned. An ambassador's mission is to represent the interests and policies of the United States, forming an important part of U.S. foreign policy. A key role for ambassadors, according to the U.S. Department of State, is to coordinate the activities of the foreign service officers and staff under them, but also representatives of other U.S. agencies within the country. At some overseas posts, there may be as many as 27 federal agencies working together with embassy staff.

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## Ambassador Nominations Moving Forward in U.S. Senate This Year

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There are two kinds of ambassadors, a career ambassador, and a political ambassador. A political ambassador is generally a supporter of the President from outside of the U.S. Department of State who serves at the pleasure of the President. A political ambassador customarily tenders their resignation upon the inauguration of a new president. A career ambassador is a foreign service officer within the U.S. Department of State who tends to have specific qualifications for the job and may have in-country knowledge. These positions generally are for a three-year tour per ambassadorship. Both career and political ambassadors must be confirmed by the U.S. Senate. A good Senate will scrutinize the qualifications of each ambassador for their nominated position.

### Confirmed/Nominated

The confirmed or nominated ambassadors from the past year (2021) for California's top trading partners as well as other countries of interest are outlined below, **in order of California's top export partners (2021)**:

- **Mexico: Ken Salazar**, nominated 6/23/21, confirmed 8/11/21. Ambassador Salazar was elected the Colorado Attorney General in 1998, becoming the first Latino to hold statewide office in Colorado. Ambassador Salazar was elected to the U.S. Senate for Colorado in 2004. In 2009, President Barack Obama nominated Ambassador Salazar to serve as Secretary of the Interior. Most recently, Ambassador Salazar was named a partner at WilmerHale in 2013 and opened their Denver office.

- **Canada: David Cohen**, nominated 7/26/21, confirmed 11/2/21. Before his posting, Ambassador Cohen had been with Comcast Corporation since 2002 where his roles most recently included: senior advisor to the CEO; senior executive vice president; and the company's first chief diversity officer. Ambassador Cohen has served on the boards of many nonprofits, including: chair of the Trustees of the University of Pennsylvania and its Executive Committee; on the Executive Committee of the Greater Philadelphia Chamber of Commerce; Penn Medicine; UnidosUS; and the National Urban League.

- **China: Nicholas Burns**, nominated 9/16/21, confirmed 12/16/21.

Ambassador Robert Nicholas Burns is a former career diplomat serving as Under Secretary of State for Political Affairs, Ambassador to NATO and to Greece, State Department spokesman, and on the National Security Council staff on Soviet and Russian affairs. Ambassador Burns most recently served as professor of the practice of diplomacy and international relations at Harvard's Kennedy School of Government. Ambassador Burns is also the former executive director of the Aspen Strategy Group and Security Forum. Ambassador Burns has taught, written and spoken often on current U.S.-China relations as he has traveled to China since 1988 and worked with the Chinese government on a wide variety of issues.

- **Japan: Rahm Emanuel**, nominated 9/13/21, confirmed 12/17/21. Ambassador Emanuel is well-known for serving as Mayor of Chicago and, prior to that, as President Obama's chief of staff. Ambassador Emanuel also has served as a member of the U.S. House of Representatives and within the Clinton administration.

- **South Korea: Philip Goldberg**, career position, nominated 2/11/2022, still pending. Ambassador Goldberg currently serves at the U.S. Ambassador to the Republic of Colombia. Over his career, Ambassador Goldberg has served as Chargé d'Affaires of the U.S. Embassy in Havana, Cuba; Ambassador to the Philippines; Ambassador to Bolivia; Chief of Mission of the U.S. Office in Pristine, Kosovo; and Chargé d'Affaires and Deputy Chief of Mission in Santiago, Chile. Ambassador Goldberg also served as Senior State Department Fellow at the Institute for the Study of Diplomacy at Georgetown University, Assistant Secretary of State for Intelligence and Research, and notably was the State Department's coordinator for implementing the United Nations Resolution 1874 on North Korea Sanctions. Ambassador Goldberg achieved the rank of Career Ambassador in 2018 and has received a Presidential Distinguished Rank Award, two Presidential Meritorious Rank Awards, and the National Intelligence Silver Seal Medallion.

- **Taiwan.** Due to political reasons, Taiwan does not receive an ambassador. However, the U.S. Department of State does have a director for the

Taiwan office. The current director is Sandra Oudkirk. Oudkirk has been with the Department of State for 30 years and joined the Bureau of East Asian and Pacific Affairs as the U.S. senior official for the Asia-Pacific Economic Cooperation (APEC) and Deputy Assistant Secretary for Australia, New Zealand and the Pacific Islands in May 2019.

- **Germany: Amy Gutmann**, nominated 7/13/21, still pending. Gutmann is a political scholar and currently is the longest-serving president of the University of Pennsylvania. If confirmed by the U.S. Senate, Gutmann would be the first female U.S. ambassador to Germany. She has a close connection with the country, as her father escaped Germany at the beginning of the Holocaust.

- **Hong Kong.** Hong Kong is currently California's eighth largest export partner. The current presence of the U.S. Department of State Hong Kong is a U.S. consular office where Hanscom Smith has served as Consul General of Hong Kong and Macau since July 2019. Consul General Smith is a career member of the Senior Foreign Service, where he most recently served as the Acting Deputy Assistant Secretary of State responsible for China. He previously served as Consul General in Shanghai, director of the Office of Chinese and Mongolian Affairs for the Department of State, and in different capacities at various U.S. embassies around the world.

- **India: Eric Garcetti** (see above).

- **Netherlands: Vacant.**

- **Singapore: Jonathan Eric Kaplan** (see above).

- **United Kingdom and Northern Ireland: Jane Hartley**, nominated 1/19/22, still pending. Ambassador Hartley served as Ambassador to France and Monaco from 2014–2017, where she worked to strengthen U.S. and French bilateral relations as well as focused on counterterrorism for which she received the Legion of Honor from the President of France. Ambassador Hartley previously served as CEO to the Observatory Group and the G7 Group, which were economic and political advisory firms. Ambassador Hartley sits on many boards, including the Executive Committee of the Kennedy School at Harvard

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## Ambassador Nominations Moving Forward in U.S. Senate This Year

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University, the Carnegie Endowment for International Peace, and is a member of the Council on Foreign Relations.

• **Belgium: Michael Adler, nominated 10/4/21, confirmed 12/17/21.**

Ambassador Adler was previously chairman and CEO of the Adler Group, Inc, one of the largest real estate companies in South Florida, where he played a significant role in the growth and development of South Florida as a major center for international trade. Ambassador Adler also is a civic and community leader as he has held key leadership roles in many charities and nonprofits, including serving as the Chairman of Mount Sinai Medical Center where he currently sits on the Board of Trustees.

• **Australia: Caroline Kennedy, nominated 12/15/21, still pending.**

Caroline Kennedy served from 2013–2017 as U.S. Ambassador to Japan, where she played a critical role in the commemoration of the 70th anniversary of the end of World War II which culminated in the historic visit of President Obama to Hiroshima and Japanese Prime Minister Shinzo Abe to Pearl Harbor. In 2017, Ambassador Kennedy founded the International Poetry Exchange Project to virtually connect students in Japan, Korea, the Philippines, and the Bronx. In November 2021, Ambassador Kennedy was awarded the Grand Cordon of the Rising Sun, the highest honor for which foreigners are eligible, for her efforts to strengthen the U.S.-Japan alliance. Prior to her time in Japan, Ambassador Kennedy was at the forefront of education reform in New York City, helping to create public-private partnerships as the CEO of the Office for Strategic Partnerships at the NYC Department of Education. Ambassador Kennedy is a member of the Board of Advisors for the International Rescue Committee and is on the Board of the Carnegie Corporation. Ambassador Kennedy is a New York Times best-selling author of 11 books and serves as the Honorary President of the JFK Library Foundation.

### Ambassadors to International Organizations

• **United Nations: Linda Thomas Greenfield, nominated 1/20/21, confirmed 2/23/21.** Ambassador Thomas-Greenfield is a career diplomat who

retired from a 35-year career in public service in 2017. During her short-lived retirement, Ambassador Thomas-Greenfield led the Africa Practice at the Albright Stonebridge Group. As a diplomat, Ambassador Thomas-Greenfield served as the Assistant Secretary of State for African Affairs, and prior to that as the Director General of the Foreign Service and Director of Human Resources. Ambassador Thomas-Greenfield previously served as ambassador to Liberia under the Obama administration and has held previous postings at the United Nations, in Pakistan, Kenya, Gambia, Nigeria, and Jamaica.

• **European Union: Mark Gitenstein, nominated 7/28/21, confirmed 12/17/21.** Ambassador Gitenstein is a close friend of President Biden and a longtime aide, most famously known for his role as chief counsel to the Judiciary Committee during the Robert Bork hearings. Ambassador Gitenstein previously served as Ambassador to Romania during the Obama administration from 2009–2012. As Ambassador to Romania, Ambassador Gitenstein was involved in a Europe-wide effort to promote democracy and the rule of law. Until recently, Ambassador Gitenstein had spent decades as a lawyer and lobbyist at the global law firm Mayer Brown.

• **World Trade Organization: María Pagán, nominated 8/10/21, still pending.** While awaiting confirmation to be the U.S. representative to the World Trade Organization (WTO), María Pagán is serving as Deputy General Counsel for the U.S. Trade Representative. Pagán has been the lead U.S. attorney on numerous trade agreement negotiations, including the Trans-Pacific Partnership (TPP), Peru and Colombia free trade agreements, and the revised WTO Agreement on Government Procurement. Pagán has been with the USTR since 2003. Before that, she worked for the U.S. Department of Commerce for a decade.

• **Chief of Protocol, U.S. Department of State: Rufus Gifford, sworn in on 1/3/22.** Ambassador Gifford was most recently the Deputy Campaign Manager of Biden for President. However, Ambassador Gifford's prior role as the U.S. Ambassador to Denmark popularized him abroad as he was the focus of a 10-episode Danish series called "I Am

the Ambassador." His time in Denmark centered around his efforts to address the effects of climate change, build international coalitions, and invest in clean energy. As Chief of Protocol, Ambassador Gifford will travel with President Biden on his overseas trips, greet foreign leaders who visit the United States, and serve as a liaison to all foreign diplomats who are serving in the United States.

• **U.S. Executive Director, International Monetary Fund: Elizabeth Shortino, nominated 2/4/22, still pending.** Elizabeth Shortino has served as the Acting U.S. Executive Director since February 2021 as she had previously worked within the Executive Director's office. Shortino has more than 17 years of experience in public service, having also held positions at the U.S. Office of Management and Budget and the U.S. Department of Treasury. Before her public service, Shortino worked as a management consultant for Cap Gemini Ernst & Young. Shortino received her master's degree in international relations from Johns Hopkins University School of Advanced International Studies with a specialization in quantitative methods and economic theory.

### Additional Ambassadors to Key California Trading Partners

- Malaysia: Brian McFeeters, career position, nominated 7/21/20, confirmed 12/21/20.
- Brazil: Elizabeth Bagley, nominated 1/19/22, still pending.
- Vietnam: Marc Evans Knapper, career position, nominated 4/19/21, confirmed 12/17/21.
- Ireland: Claire Cronin, nominated 7/13/21, confirmed 12/17/21.
- Chile: Bernadette Meehan, nominated 7/13/21, still pending.
- Israel: Thomas Nides, nominated 7/22/21, confirmed 11/3/21.
- Switzerland and Liechtenstein: Scott Miller, nominated 8/10/21, confirmed 12/17/21.
- Spain and Andorra: Julissa Reynoso Pantaleon, nominated 7/28/21, confirmed 12/17/21.
- Philippines: MaryKay Carlson, nominated 2/4/2022, still pending.

*Information compiled by Nicole Ellis, CalChamber international affairs and media relations specialist.*

**Staff Contact: Susanne T. Stirling**

# SoCalGas Proposes to Develop Largest U.S. Green Hydrogen Energy System

*Project to Help Decarbonize LA Basin, Move State Toward Climate Goals*



This week, Southern California Gas Co. announced its proposal to develop what would be the

nation's largest green hydrogen energy infrastructure system (the "Angeles Link") to deliver clean, reliable renewable energy to the Los Angeles region.

As proposed, the *Angeles Link* would support the integration of more renewable electricity resources like solar and wind and would significantly reduce greenhouse gas emissions from electric generation, industrial processes, heavy-duty trucks, and other hard-to-electrify sectors of the Southern California economy.

The proposed *Angeles Link* would also significantly decrease demand for natural gas, diesel, and other fossil fuels in the Los Angeles Basin, helping accelerate California's and the region's climate and clean air goals.

"The challenges we face on climate require solutions of scale and urgency," said Scott Drury, chief executive officer of SoCalGas. "The *Angeles Link* is designed to meet those challenges head-on. Today in Southern California we're announcing plans for one of the world's largest clean energy infrastructure systems, to help tackle emissions for which there are no easy answers. Those emissions — from power plants, industry, and heavy-duty trucks — very much 'count' and must be significantly reduced to reach our and the State's climate goals."

## Project Potential

As the nation's largest manufacturing hub, the LA Basin is home to many potential green hydrogen users. As proposed, *Angeles Link's* green hydrogen could:

- Displace up to 3 million gallons of diesel fuel per day by replacing diesel powered heavy-duty trucks with hydrogen fuel cell trucks.
- Eliminate up to nearly 25,000 tons of smog-forming nitrogen oxide (NOx) per year.
- Provide the clean fuel to convert up to four natural gas power plants to green hydrogen.

As contemplated, the *Angeles Link*

would deliver green hydrogen in an amount equivalent to almost 25% of the natural gas SoCalGas delivers today. Building the system to provide a clean alternative fuel could, over time and combined with other future clean energy projects, reduce natural gas demand served by the Aliso Canyon natural gas storage facility, facilitating its ultimate retirement while continuing to provide reliable and affordable energy to the region.

"California policy makers, thought leaders, business, academic, labor, and environmental communities all agree green hydrogen is vital to achieving our climate and clean air goals," Drury continued. "With relationships to thousands of industrial end users, a regulatory framework that promotes a transparent and robust stakeholder process serving the public interest, and an extraordinary workforce to do the job safely, SoCalGas is well positioned to work with California to capitalize on this pioneering opportunity to build what would be America's largest green hydrogen hub. The *Angeles Link* project, if approved and completed, is poised to extend our state's position as a leader on clean energy well into the future while helping to attract billions of dollars in new investment and maintaining and creating thousands of skilled jobs."

## Next Steps

### *Green Hydrogen Is Key to Reaching Net Zero Emissions by 2045*

Renewable green hydrogen has the potential to deliver significant emissions reductions in industries and sectors where renewable electricity alone cannot. Research studies conducted by Energy and Environmental Economics, Inc. and the National Renewable Energy Laboratory highlight the need for clean fuels like green hydrogen to achieve Los Angeles' LA100 net zero goals and California's mid-century climate goals.

Global investments in green hydrogen are helping to reduce its cost. Locally, HyDeal Los Angeles, an initiative of the Green Hydrogen Coalition, a nonprofit supported by the Los Angeles Department of Water and Power (LADWP), SoCalGas, Mitsubishi Power, and others aims to make green hydrogen cost-competi-

tive with traditional fuels — and achieve at-scale green hydrogen procurement at \$1.50/kilogram in the LA Basin by 2030.

The proposed *Angeles Link* is key to helping the region achieve its goals, and is an extension of SoCalGas' role as an industry leader in hydrogen. In 2015, the company launched the first power-to-gas hydrogen demonstration project in the United States. Today, SoCalGas has 10 hydrogen pilot projects in motion and is testing moving hydrogen through existing natural gas infrastructure.

### *Preliminary Actions*

To promote the public's interest in transparency and accountability, SoCalGas filed an application with the California Public Utilities Commission on February 17 requesting approval to track costs related to developing the *Angeles Link*. SoCalGas proposes a phased approach with a robust stakeholder process each step of the way. The application includes descriptions of each phase, including developing a detailed project application as part of Phase 3. With this application submission, the proposed *Angeles Link* is in its initial stage of development; subsequent stages will require further regulatory review and discretionary approvals, among other things.

### *SoCalGas' Clean Fuels Initiatives Supporting California's Climate Goals*

In support of California's climate goals and in alignment with Paris Agreement recommendations, SoCalGas set a net zero emissions goal for scopes 1, 2, and 3 greenhouse gas emissions by 2045. SoCalGas' *Aspire 2045* strategy focuses on helping California navigate the energy transition to a carbon-neutral economy with a resilient, clean gas grid.

## More Information

To read SoCalGas' new *Aspire 2045 Sustainability Strategy*, [click here](#).

SoCalGas President Maryam Brown introduces the *Angeles Link* project in a video overview on [YouTube](#). Brown also is third vice chair of the CalChamber Board of Directors.

More information about SoCalGas' proposed *Angeles Link* project is available at [socalgas.com/angeleslink](https://socalgas.com/angeleslink).



## CalChamber Urges Members to Support Fair Pay Initiative

*From Page 1*

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 PAGA 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.

### Initiative Reforms

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.

## Toxic Substance Exposure Requires Record Retention for 30 Years

*From Page 2*

contractual (for example, fee-for-service) basis. Each employer shall assure that the preservation and access requirements are complied with regardless of the manner in which the records are made or maintained.

### Definition

"Toxic substance or harmful physical agent" is defined as any chemical substance, biological agent (bacteria, virus, agent, fungus, etc.), or physical stress (noise, heat, cold, vibration, repetitive

motion, ionizing and non-ionizing radiation, hypo- or hyperbaric pressure, etc.) which:

- Is regulated by any California or federal law or rule due to hazard to health;
- Is listed in the latest printed edition of the National Institute for Occupational Safety and Health (NIOSH) Registry of Toxic Effects of Chemical Substances (RTECS);
- Has yielded positive evidence of an acute or chronic health hazard in human, animal, or other biological testing conducted by, or known to, the employer; or
- Is the subject of a safety data sheet

kept by or known to the employer which indicates that the material may pose a hazard to human health.

The full text of Section 3204 may be found by going to <https://dir.ca.gov/Title8/3204.html>.

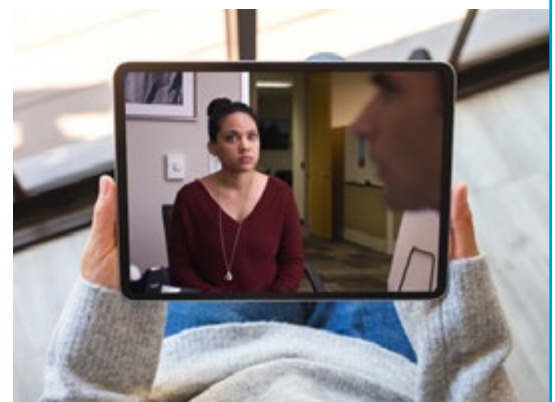
*Column based on questions asked by callers on the Labor Law Helpline, a service to California Chamber of Commerce preferred and executive members. For expert explanations of labor laws and Cal/OSHA regulations, not legal counsel for specific situations, call (800) 348-2262 or submit your question at [www.hrcalifornia.com](http://www.hrcalifornia.com).*

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