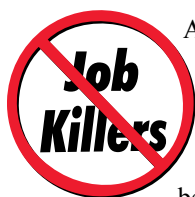


ALERT

Pay Data Publication Bill to Be Heard in Senate



A California Chamber of Commerce **job killer** bill that will encourage lawsuits against businesses and make hiring more burdensome will be heard in the Senate Judiciary Committee on Tuesday.

The bill, **SB 1162 (Limón; D-Goleta)**, encourages litigation against employers based on the publication of broad, unreliable data collected by the state. The proposal also undermines employers' ability to hire, imposes administrative and recordkeeping requirements that are impossible to implement, and subjects employers to a private right of action and penalties under the Private Attorneys General Act (PAGA).

In an April 19 letter to Senate Judiciary members, the CalChamber explained why SB 1162 would harm California businesses. The CalChamber pointed out that:

Similar Bill Vetoed by Gov. Brown

Similar to what is proposed in SB 1162, a 2017 bill, AB 1209 (Lorena Gonzalez; D-San Diego), would have required the publication of data from

employers on mean wage differentials between male and female employees.

In a *Sacramento Business Journal* article that year, a member of the plaintiff's bar stated: "By posting this on the Secretary of State's website, the government is basically giving us (plaintiff lawyers) the data we need to go in there and hammer companies."

Governor Edmund G. Brown Jr. vetoed AB 1209 due to this exact concern, stating in his veto letter: "...it is unclear that the bill as written, given its ambiguous wording, will provide data that will meaningfully contribute to efforts to close the gender wage gap. Indeed, I am worried that this ambiguity could be exploited to encourage more litigation than pay equity."

Bill Provisions Unworkable

- **Disclosing Pay Scales:** Section two of SB 1162 contains several provisions that are difficult if not impossible to implement.

First, proposed section 432.3(c) (2) requires third parties to provide the pay scale to applicants that view the job posting. It then holds the employer

See Pay Data: Page 4

CalChamber Welcomes New Chief Financial Officer



Gretel Tortolani

Gretel Tortolani joined the California Chamber of Commerce earlier this month as executive vice president and chief financial officer.


She leads CalChamber's membership and employment compliance business, which includes employment compliance products, such as required state, federal and local employment posters and pamphlets; sexual harassment prevention training; reference guides; compliance seminars and webinars; and an online employee handbook creator.

Immediately before joining the CalChamber team, Tortolani was chief financial officer at Otis McAllister, Inc., an Oakland-based international food distribution company.

She previously served as chief financial officer and vice president of human resources at Operation Dignity, Inc., an Emeryville nonprofit providing housing and supportive services to veterans and the homeless.

As chief financial officer and controller for the consultancy agency she started, GTCFO2Go LLC, she provided chief financial officer services, financial analyses and advice to early-stage startups and later-stage companies.

See CalChamber Welcomes: Page 8



JUNE 1-2, 2022

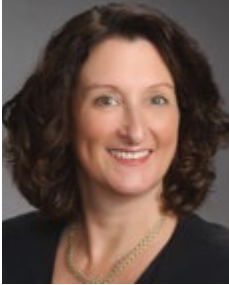
CAPITOL SUMMIT & SACRAMENTO HOST BREAKFAST

Inside

Job Killer Bill Endangers Worksites: Page 3

Labor Law Corner

Avoid Surprises by Checking in with Employee During Family Leave



Ellen S. Savage
HR Adviser

Is there any requirement to notify an employee in writing when their federal and/or state family leave is ending?

Employers are not required to provide written notification under either the federal Family and Medical Leave Act (FMLA) or California Family Rights Act (CFRA) at the end of an employee's family leave.

There are, however, several important reasons an employer should communicate with an employee periodically throughout the family leave, preferably in writing, and especially as the expected end date of the leave approaches.

Too often an employee fails to return to work on the date the employer expects them back due to a lack of clear communication between employer and employee.

Clarity About Return Date

At the start of an employee's family leave, an employer is required under both the FMLA and CFRA to provide a written designation notice, but the family leave regulations don't require the designation to provide a specific end date of the leave or a specific return-to-work date.

This often leads to confusion about what date an employee needs to be back and means that clear ongoing documented communication between employer and employee about the exact expected return date is critical.

Leave Extensions

Employees who originally provided medical certification for a leave shorter than the full 12 weeks allowed under the law often will need to extend their leave beyond the original expected return date.

It's not uncommon for employees to believe that a promise by their health care provider to send a note to their employer automatically extends their leave and protects their job, without any action on their part. All too often, the health care provider fails to send the medical certification to the employer, and the employer has no idea what has happened to the employee when they fail to return on the originally anticipated date.

Instead, for an extension of leave, the employee should contact the employer to request the extension, which would then need to be supported by another medical certification.

If an employer does unexpectedly receive a new certification supporting the

See Avoid Surprises: Page 4

California Chamber Officers

Kailesh Karavadra
Chair

Gregory S. Bielli
First Vice Chair

Janet A. Liang
Second Vice Chair

Maryam S. Brown
Third Vice Chair

Donna L. Lucas
Immediate Past Chair

Jennifer Barrera
President and Chief Executive Officer

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.

Permission granted to reprint articles if credit is given to the California Chamber of Commerce Alert, citing original publication date of article, and reprint is emailed to Alert at address above.

Email: alert@calchamber.com. Home page: www.calchamber.com.

CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor and Employment

Managing CFRA Leave as a Large Employer: Intensive Webinar. CalChamber. May 19–20, Online. (800) 331-8877.

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

Leaves of Absence: Making Sense of It All Virtual Seminar. CalChamber. June 9–10, August 25–26, Online. (800) 331-8877.

International Trade

2022 Taiwan Trade Shows. Taiwan External Trade Development Council. Through October 30, Online and In-Person. +886-2-2725-5200.

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.

13th Annual Mexico Advocacy Day Luncheon. CalChamber and Consulate General of Mexico, Sacramento. May 3, Sacramento. (916) 930-1233.

2022 World Trade Week Southern California: Global Trade: Reconnecting

the World. Los Angeles Area Chamber of Commerce. May 5, Los Angeles. (213) 580-7569.

Trade Mission to South America. U.S. Department of Commerce, International Trade Administration. May 15–20. (800) 872-8723.

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

Future Sport Israel: Discovering Game-Changing Technology. Israel Export Institute. May 30–June 1, Tel Aviv, Israel. +972-3-5142907.

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

Enlit Africa 2022. U.S. Commercial Service, Governor's Office of Business and Economic Development (GO-Biz), Power Africa, U.S. Small Business Administration. June 7–9, Cape Town, South Africa. (279) 666-8635.

Concrete Show South East Asia 2022. MEREBO GmbH Messe International. September 14–17, Jakarta, Indonesia. 49-40-399 99 05-15.

Job Killer Bill Excuses Workplace Absenteeism, Endangers Worksites



A California Chamber of Commerce-**opposed** job killer bill that will excuse workplace absenteeism and cripple emergency response is making its way through the California Legislature.

The bill, **SB 1044 (Durazo; D-Los Angeles)**, allows employees to leave work or refuse to show up to work if the employee subjectively feels unsafe regardless of existing health and safety standards or whether the employer has provided health and safety protections and subjects employers to costly Private Attorneys General Act (PAGA) lawsuits if they dispute the employee's decision or need to have another employee take over any job duties.

Earlier this month, a coalition made up of more than 70 business organizations submitted a letter to state legislators pointing out that the bill ignores current worker protections under the California Division of Occupational Safety and Health (Cal/OSHA); hinders emergency response and workplace safety; and broadly defines "state of emergency" to encompass states of emergency that last for years.

Ignores Existing Protections

Workers have significant protections under current law, including a right to refuse dangerous work. All California employers have a legal duty to ensure that the place of employment is safe and healthful.

Employers may not require workers to be at a location that is not safe or healthful and must do everything reasonably necessary to protect the life, safety, and health of employees.

Across industries and workplaces, employers must at a minimum have 1) an Emergency Action Plan, 2) Fire Prevention Plan, and 3) Injury and Illness Prevention Program.

In addition, Cal/OSHA has many hazard-specific regulations which address the issues underlying recent states of emergency in California, including: wildfire smoke, outdoor heat and COVID-19. Cal/OSHA will soon be issuing regulations specific to indoor heat.

Further, in 2020, the Legislature made it a crime to require an employee to remain in their place of work if there was a notice to evacuate or leave. SB 1044 completely ignores the protections that these regulations already provide in making long-term emergency topics — such as wildfire and heat — safer for California's workplaces. Instead, this bill just allows workers to walk away from their jobs.

Moreover, any actions taken by the employer to address an employee leaving the worksite would lead to legal perils. An employer who disciplines an employee for leaving the workplace would be subject to a lawsuit and penalties under PAGA. And any employer who replaces the worker in order to keep the workplace functioning or to provide time-sensitive services could face a retaliation lawsuit.

In other words — SB 1044 gives such broad discretion to employees that if they walk away from a completely safe workplace, the employer could do little in response without risking litigation.

Endangers Worksites

Essential workers are labeled essential for a reason. Their work is vital to a functioning society, especially in times of emergency.

Police, firefighters, health care workers, couriers, food service workers, agriculture workers and more all provide essential services that others depend on and aid emergency response. Some sectors or professions, such as hospitals, even have legally mandated staffing ratio requirements. SB 1044 contains no exceptions for those industries or industries that aid emergency response.

By failing to consider the safety consequences of allowing emergency response personnel to walk off the job, SB 1044 fails to take into account the safety of the public.

Further, its broad applicability raises safety concerns for other employees in the workplace. For example, SB 1044 undermines employers' evacuation plans (under which employees fulfill critical roles in ensuring the safe departure of other employees during a true emergency) by potentially removing key personnel from emergency response procedures.

In addition, a blanket prohibition on employers' ability to restrict use of

See Job Killer: Page 7



CalChamber Member Feedback

"The CalChamber is our go-to advocate at the State Capitol, effectively representing both our industry and our region."

Sima Patel
Chief Executive Officer
Ridgmont Hospitality

Pay Data Publication Bill to Be Heard in Senate

From Page 1

liable under a statutory private right of action and PAGA if the third party fails to do this regardless of the fact that it is impossible to monitor the third party at all times.

Additionally, that subsection requires the third party to provide the pay scale to applicants who “view the job posting.” It is unclear at what point the third party must disclose the pay scale and how a third party can track who is viewing certain advertisements. Again, any error here by the third party will lead to liability for the employer.

• **Recordkeeping:** Proposed section 432.3(c)(1) requires employers to maintain a job description for every single employee. While many employers have general written job descriptions for various positions, this is not presently a legal requirement. Even within the same job title, it is common for employees to perform different duties and for those duties to change over time.

It would be a tremendous burden to expect employers to develop and update a unique job description for every single

employee, especially for small businesses that may not have a dedicated human resources department or even for larger businesses that have tens of thousands of employees.

Any failure to complete and update these job descriptions would mean that the employer is presumed to have violated the law under proposed section 432.3(d)(5), which is nonsensical.

• **“Opportunities for Promotion”:** SB 1162 requires businesses of all sizes to post “any opportunity for promotion” and the accompanying pay scale for all current employees prior to making a promotion decision. “Opportunity for promotion” is defined to include an actual or anticipated vacancy.

Not only is this a significant administrative burden, but it also would require a company to publicly expose an employee who has put in their notice or wishes to resign without other employees knowing.

Any error in the notification process, even a good faith one, subjects employers to a private right of action and penalties under PAGA.

Finally, at its core, this provision

eliminates employers’ flexibility regarding hiring. A business of any size, small or large, that wants to move quickly in making a strategic hire must delay that process and opens itself to litigation for even the slightest error in how it disseminates notice of a vacancy.

Private Right of Action, PAGA

Sections two and three of SB 1162 each contain a private right of action and suffer from flaws regarding implementation. Because they amend or create new sections of the Labor Code, they also expose employers to lawsuits under PAGA. It is unfair to penalize employers for requirements that are impossible to follow.

More significantly, one of the biggest issues with the overreach of PAGA is that a plaintiff need not show harm to bring a PAGA claim. This means that any employee, even one who was not interested in the open job position, could bring a claim under PAGA for a violation of these sections.

Staff Contact: Ashley Hoffman

Avoid Surprises by Checking in with Employee During Family Leave

From Page 2

need for extending a leave, the employer should reach out to the employee to confirm that the employee wants to take more leave, and then properly designate the additional leave time in writing.

Privacy Concerns

Many employers are afraid to reach out to their employees during a family leave, citing concerns about an employee’s privacy or believing that the law somehow prohibits an employer from “bothering” an employee while they’re off work.

The good news is the law specifically allows an employer to require an employee on family leave to report periodically on the employee’s status and intent to return to work.

If the employee fails to report in, there is nothing wrong with an employer reaching out to check in on the employee and reconfirm the expected return date.

This check-in also is an opportunity to discuss whether a leave may need to be extended past the original planned return date, and what certifications the employee may need to provide for an extension.

Ending Leave Early

Checking in periodically on an employee can allow the employer an opportunity to find out if an employee is in fact planning to return to work at all.

An employee might tell the employer they are not planning to come back, frequently either because their medical condition has worsened, they have decided

not to return to work after bonding with a new baby, or they’ve found another job.

If, during the leave, an employee gives unequivocal notice of their intent not to return, the leave ends at that point and the employee has no right to return to their job, in effect ending the employment relationship. This also ends the employer’s obligation to maintain health benefits (subject to COBRA requirements).

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.

Tension Mixed with Optimism as Business Awaits Upcoming Port Worker Negotiations



Major port congestion and the global supply chain have made headlines frequently over the past two

years. With labor talks set to begin May 12 ahead of the July 1 expiration date of the current contract between the Pacific Maritime Association (PMA) and the International Longshore and Warehouse Union (ILWU), there is both tension and cautious optimism in the air.

To ensure today's challenges to California's supply chain are not compounded, the California Chamber of Commerce is focused on the upcoming contract negotiations and a timely and satisfactory resolution that advances the needs of both the workers and ports to avoid further back-ups, delays and higher costs.

U.S. Secretary of Labor Marty Walsh has stated publicly he will be watching the negotiations closely and, in remarks at an American Association of Port Authorities (AAPA) event, urged all involved, as well as interested observers to maintain an even keel.

The contract expiring on July 1 covers West Coast dock workers represented by the ILWU at 29 ports (11 of which are in California) and their employers — 70 ocean carriers and terminal operators represented by the PMA.

State Economy Relies on Trade

California is the fifth largest economy in the world with a gross state product topping \$3 trillion. International trade and investment are major parts of our economic engine that broadly benefit businesses, communities, consumers and state government. Our vibrant international community also is one of our state's key competitive advantages.

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. In 2021, California exported to 226 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.

Port Activity

Here in California, more than 40% of the nation's imports and 30% of the nation's exports come through the state's major ports at Los Angeles, Long Beach, and Oakland, along with California small port systems up and down the coast.

Other California ports include: Eureka, Port Hueneme, Redwood City, Richmond, San Diego, San Francisco, Stockton, and West Sacramento.

For the global supply chain, which relies on a just-in-time delivery model, delays strongly correlate with the wait times and shortages that consumers are experiencing in their day-to-day lives, affecting the ability of the world's economies to avoid price shocks and increasing the cost of living in California.

Uncertainty Affects Operations

Although negotiations have not yet begun, the uncertainty is already affecting operations. Some cargo owners, wary of further disruption, already have shifted their volumes to the East and Gulf coasts to avoid or mitigate potential problems. These adjustments are influencing both volumes and market share.

Further, retailers already are developing contingency plans and one shipping company is looking to suspend sailings. Looking back at past negotiations, the potential for negative effects on supply chains in the U.S. economy is significant.

Essential Steps

To avert an ongoing cycle of congestion and ensure U.S. ports are in a position to compete globally, some essential steps are needed. Of critical importance is targeted investment and support for infrastructure modernization and automation with workers skilled and prepared for these advanced jobs.

The CalChamber recognizes the crucial role port workers have played in supporting supply chain and logistic needs during the most challenging of times. But in light of the highly competitive international shipping sector, systemic operational challenges also must be addressed by enabling critical data to be shared in a transparent manner.

The CalChamber membership believes these are vital elements that must be considered in any final agreement between the PMA and ILWU, and urges parties to address these important issues now to ensure our supply chains are fully prepared to support continued economic growth and mitigate potential disruptions.

These efforts will benefit California importers and exporters, the millions of workers they employ, and the millions of consumers they serve. Swift action and consistent attention to this matter can safeguard our shared economic gains and protect the progress the state administration has made in addressing supply chain disruption and port congestion.

Staff Contact: Susanne T. Stirling



Helping Business In A Global Economy
www.calchamber.com/international

Biden Signs Package to End Trade Relations with Russia, Ban Russian Oil Imports



President Joe Biden signed legislation earlier this month ending permanent normal trade

relations (PNTR) with Russia and codifying a ban on Russian oil.

The bipartisan package, signed on April 8, also reauthorizes Magnitsky Act sanctions that target human rights violations and corruption with penalties such as visa bans and asset freezes.

Suspending Trade Relations

• **H.R. 7108 suspends Permanent Normal Trade Relations for Russia and normal trade relations for Belarus** in order to cut off export revenue that can indirectly fund President Vladimir Putin's war in Ukraine.

The bill also calls on U.S. trading partners to take similar steps to end normal trade relations with Russia, ensures Russia loses all World Trade Organization (WTO) membership benefits, and provides incentives for Russia to end the aggression by creating offramps if certain criteria are met.

The Magnitsky Act sanctions included in this bill were scheduled to sunset in December 2022, but have been permanently authorized with this law.

• **H.R. 6968 bans the importation of all Russian mineral fuels and products to the United States**, allowing the President to end the prohibition only if Russia withdraws forces and ends military hostilities acceptable to the free and independent government of Ukraine, poses no immediate military threat of aggression to any NATO member, and recognizes the right of the Ukrainian people to independently choose their own government.

After passing the U.S. House of Representatives, the bills had run into roadblocks in the U.S. Senate as Republicans wanted to ensure the oil ban bill moved through the Senate as well and Senator Rand Paul had an issue with the language reauthorizing the Magnitsky Act.

A deal was made to keep the original Magnitsky Act language currently in law

instead of updating it and to pass legislation to establish a land lease program for Ukraine, making it easier to send military aid to the country as it fights back against the Russian invasion. At the end of negotiations, the Senate unanimously passed the legislation.

WTO Expulsion

Many countries and organizations are pushing for Russia to be expelled from the WTO, as it is widely believed that the current Russian government is no longer fit to be part of an international commercial organization that is committed to resolving disputes peacefully.

In December 2011, ministers welcomed the accession of the Russian Federation to the WTO and recognized the contribution of accession to strengthening the multilateral trading system. There are no provisions outlining how to expel a member from the WTO.

According to the current WTO agreement, two-thirds of the current 164 members would have to vote to alter Article X of the agreement to be able to expel Russia. If Russia were to refuse to accept such changes, it could be expelled by a three-fourths vote.

Trade accounts for one-fourth of Russia's gross domestic product. The loss of WTO benefits would add to the economic leverage needed to force Putin to draw back. Loss of WTO benefits would be costly to Putin as Russia's economy has become ever so fragile in recent weeks. Many observers say the United States and President Biden should continue pushing for Russia to lose its WTO membership.

World Trade Organization

The WTO with its 164 member nations is the only global international organization dealing with the rules of trade between nations. At its heart are the WTO agreements, negotiated and signed by the bulk of the world's trading nations and ratified or approved in their parliaments or legislatures. The goal is to help producers of goods and services, exporters and importers conduct their business.

The WTO members account for more

than 98% of world trade. More than 20 governments are negotiating or due to negotiate accession to the WTO. Its basic aim is to liberalize world trade and place it on a secure basis, thereby contributing to economic growth and development and to the welfare of the world's peoples.

The functions of the WTO are:

- administering WTO trade agreements;
- providing a forum for trade negotiations;
- handling trade disputes;
- monitoring national trade policies;
- offering technical assistance and training for developing countries; and
- cooperation with other international organizations.

The ultimate goal of the WTO is to abolish trade barriers around the world so that trade can be totally free. Members have agreed to reduce, over time, the most favored nation (MFN) duty rates to zero — along with abolishing quotas and other nontariff barriers to trade.

The WTO has a positive impact on how producers of goods and services compete in overseas markets, as well as domestically, which creates jobs and economic growth through expanded international trade and investment. The WTO gives businesses improved access to foreign markets and better rules to ensure that competition with foreign businesses is conducted fairly. Trade liberalization can create new jobs, higher incomes, and economic growth for countries around the world.

Russia Trade Overview

Russia was the United States' 39th largest export partner, with the U.S. exporting \$6.388 billion to Russia in 2021, including \$1.84 billion of transportation equipment. Other top exports were non-electrical machinery, computers and electronic products, and chemicals.

Russia exported \$29.69 billion to the United States in 2021, with \$12.79 billion being petroleum and coal products. Primary metal manufacturing contributed \$6.57 billion, oil and gas contributed \$4.7 billion, while chemicals made up \$2.3 billion of total U.S. imports from Russia.

See Biden Signs: Page 7

Job Killer Bill Excuses Workplace Absenteeism, Endangers Worksites

From Page 3

personal cell phones is also problematic. During an emergency or evacuation, it often is necessary to limit use of cell phones to carry out certain functions or disseminate emergency instructions. An employer may need to place some limitations on the use of cell phones to ensure duties are carried out and that emergency communications can be promptly disseminated.

State of Emergency

SB 1044 permits employees to not show up for work or to leave unannounced if they “feel unsafe” during a “state of emergency” or “emergency condition.” Bill amendments made on March 23, 2022 do not sufficiently limit the definition of “state of emergency.”

“State of emergency” includes any state of emergency, local emergency, or presidential proclamation of major disaster or emergency caused by natural forces in the county where the worker lives or works. However, many states of emergency are statewide and therefore affect every county.

States of emergency often remain in effect for significant periods of time, long past the time of a pressing emergency. For example, on December 23, 2019, Governor Gavin Newsom terminated more than 70 ongoing states of emer-

gency that had been declared at various times over the last decade, from January 27, 2011 to November 30, 2018.

Just two months ago, on February 25, 2022, the Governor issued an executive order terminating 12 ongoing states of emergency, some dating back to 2015. Those states of emergency ranged from heat waves to civil unrest to fires to gas leaks.

The March 23 amendments provide that “[t]his section is not intended to apply when an official state of emergency remains in place but emergency conditions that pose an imminent and ongoing risk of harm to the workplace, the worker, or the worker’s home have ceased.”

The issue is that it is up to the employee to subjectively decide what is imminent and ongoing. A fire that is largely under control may still be producing smoke. Regardless of whether Cal/OSHA has deemed it safe to work when the air quality index (AQI) is at a specific level, the employee could refuse to report to work.

The March 4, 2020, COVID-19 State of Emergency provides an important example of how SB 1044 would operate once a state of emergency is declared. That state of emergency remains in place after two years — despite considerable improvement in California’s COVID-19 status. Presently, we are at the lowest COVID-19 positivity rate since summer 2021.

The California Department of Public Health and Governor have deemed it safe for both adults and children to forgo masks, regardless of vaccination status. We have a vaccination rate of 74.5%, with some cities above 90%.

Despite these improvements, under SB 1044, every single employee in California would have the right to walk out of work or stay home indefinitely simply because the March 4 state of emergency is still in place or because the employee subjectively believes that it qualifies as an “emergency condition.”

All an employee would have to do is say they feel unsafe. Nothing else is needed. It is irrelevant whether the employer is following all rules set forth by Cal/OSHA or the Labor Code to address the cause of the state of emergency or emergency condition, whether personnel are needed to provide emergency services to the public, or even if the employer has gone above and beyond those requirements.

Further complicating matters — as explained above, employers would face a retaliation claim if they try to replace that worker or change their duties as a result of their departure. Even if it was unreasonable for the employee to claim they feel unsafe, it would cost the employer thousands of dollars to prove that in court.

Staff Contact: Ashley Hoffman

Biden Signs Package to End Trade Relations with Russia, Ban Russian Oil

From Page 6

California exported \$472 million in goods to Russia in 2021, making it California’s 36th largest export partner. The exports consisted of \$162 million in computer and electronic products, \$64 million in miscellaneous manufactured commodities, \$61 million in chemicals, and \$47 million in non-electrical machinery.

In the same year, California imported \$2.1 billion from Russia, up significantly from \$918 million in 2020. Oil and gas, and petroleum and coal products, each had the largest change from the previous

year. Oil and gas imports totaled \$938 million in 2021, a 467% increase from \$167 million the year prior. Petroleum and coal products totaled \$746 million in 2021, a 102.7% increase from \$368 million the year prior. (U.S. Department of Commerce)

Foreign Direct Investment

In 2020, total foreign direct investment (FDI) by Russia into the United States reached \$3.52 billion, while total U.S. direct investment into Russia reached \$12.538 billion. According to the most recent figures, Russian FDI in the

United States supported between 5,000 and 10,000 jobs in 2018. Russia contributed \$191 million to expanding U.S. exports in 2018. The top industry sectors for Russian FDI are: software and IT services, financial services, metals, coal oil and natural gas, chemicals, and business services. (Select USA)

Related Information

[Economic Impact of Russia’s Invasion into Ukraine](#) (CalChamber Alert, March 4, 2022)

Staff Contact: Susanne T. Stirling

In Memoriam: CalChamber Board Member John Llewellyn



John F. Llewellyn

John F. Llewellyn, a member of the California Chamber of Commerce Board of Directors for 31 years and chairman of Forest Lawn Memorial-Parks & Mortuaries, passed away on April 6. He was 74.

Llewellyn joined the CalChamber Board on January 1, 1991 and was a member at the time of his death.

A third generation Californian, Llewellyn was born in Los Angeles, earned a bachelor's degree in economics at the University of Redlands and his M.B.A. at the University of Southern California.

After working for Pacific Telephone

and Allstate Insurance Company, he began his career with Forest Lawn in 1972. He served the company for nearly 50 years, becoming president and CEO in 1988, and assuming the chairmanship in March 2011.

A leader in the industry, he was a past president of the International Cemetery, Cremation and Funeral Home Association and the Cemetery & Mortuary Association of California.

He also authored three industry-related books: *A Cemetery Should Be Forever* (1999), *Saying Good-bye Your Way* (2004), and *Birth of a Cemetery* (2018).

Until his death, he was a director of the Los Angeles Area Chamber of Commerce, the YMCA of Metropolitan Los Angeles, and the Braille Institute of America. He also served for many years as trustee and CEO of the AS&F Foundation, which until its liquidation in 2018 focused on

giving to youth, recreation, boy scouts and human services organizations in the greater Los Angeles area.

Family and friends remember Llewellyn for his gentlemanly nature and penchant for knowledge, which led to his pursuit of such passions as technology, photography, investments, writing and extensive travel. He was an Eagle Scout who expressed a desire for human kindness and is credited with instilling a culture of caring throughout the Forest Lawn organization.

In January 2022, he was diagnosed with a glioblastoma brain tumor. He received comfort in the last week of his life from the neurology and palliative staff at Huntington Hospital in Los Angeles.

He is survived by his wife Carol; daughter Sharon; grandson Oliver; sister-in-law Julia and sister Ann (Andy). He was predeceased by his brother Rick.

CalChamber Welcomes New Chief Financial Officer

From Page 1

Tortolani also served as corporate controller at Mi Pueblo Food Center, a San Jose-based Hispanic grocery chain with 19 stores across California; as chief financial officer and vice president of human resources at Best Express Foods,

Inc., a Hayward food manufacturing plant selling a variety of snack foods; and as chief financial officer for the Mt. Diablo Region YMCA, a San Francisco Bay Area service organization operating seven branches and 27 child care centers.

She serves on the board of directors

for Operation Dignity, Inc., Summer Search Bay Area, and B8 Theatre Company.

Tortolani earned a B.A. in management at St. Mary's College of California and is fluent in English and Spanish.

Save Now on Training

Whether for in-office or remote workers, **save 20% now through May 31 on mandatory California Harassment Prevention Training** they can take in English or Spanish.

In addition to the savings, Preferred/Executive Members receive their 20% member discount on training — which CalChamber has provided to more than 1.2 million employees and supervisors.



Engaging Movie-Quality Videos & Expert Commentary

BUY NOW at calchamber.com/hpt2022 with priority code **HPTL**.