

18 Newspapers Across State Reject Proposition 30



OPPOSE

Newspapers across California are urging their readers to vote **no on Proposition 30**, a November ballot measure that proposes to raise the tax

on personal income above \$2 million by 1.75 percentage points to subsidize zero-emission vehicles and charging stations.

The newspapers cite concerns about California's repeated reliance on a volatile funding system that taxes high-income earners to fund state programs, among many other reasons to vote no on Prop 30 next month.

No on Prop. 30

Proposition 30's income tax increase would raise about \$3 billion to \$4.5 billion a year (depending on the state of the economy), and end on January 1, 2043, or, beginning in 2030 following three consecutive years in which greenhouse gas emissions were at least 80% below 1990 levels.

California has the highest personal income tax rate in the country at 13.3%, while Alaska, Florida, Nevada, South Dakota, Texas, Washington and Wyoming do not impose any income tax. In 2019, the top 8% of income taxpayers paid 75% of the state's personal income tax (PIT) revenue. In the 2022 budget year, PIT revenue will account for nearly two-thirds of all state General Fund revenues.

See 18 Newspapers: Page 13

Vote No on Prop 29: 21 Newspapers Across California Reject Prop 29



OPPOSE

Newspapers across California are urging their readers to vote no on Proposition 29, a November ballot measure that would require dialysis clinics to

maintain, at the dialysis clinic's expense, at least one licensed physician, nurse practitioner or physician assistant on site during all times that in-center dialysis patients are being treated.

Prop. 29 Would Increase Health Care Costs

Proposition 29 mandates chronic dialysis clinics to:

- Require that on-site physicians, nurse practitioners, or physician assistants have at least six months of experience providing care to patients with end-stage renal disease.
- Prepare a quarterly report regarding that clinic's health care associated infection data which will then be published by the State.
- Disclose to patients all physicians with clinic ownership interests of 5% or more.

See Vote No on Prop 29: Page 14

COVID-19 Regulation: Cal/OSHA Makes Big Changes Ahead of December Vote



California employers may want to get out their measuring tape because the

size (in cubic feet) of a workspace just became an important element of COVID-19 compliance.

Last Thursday and Friday (October 13–14), the California Department of Public Health (CDPH) and California Division of Occupational Safety and Health (Cal/OSHA) made some significant changes to the state's definition of a "close contact" and to the potential two-year extension of California's

COVID-19 regulation that all employers need to be aware of.

Applicable Immediately

On October 13, CDPH changed the definition of "close contact" via an *immediately effective order*, which will change enforcement for both large and small workplaces in California.

For context — over the last few months, a "close contact" had been defined by CDPH and Cal/OSHA as any person "sharing the same indoor airspace" as an infected person for 15 minutes. This "indoor airspace" definition led to confusion and consternation from many employers due to how dramatically it differed

See Cal/OSHA: Page 15

-Inside-

• Vote Record: Pages 5-10

 California Works: Microsoft: Page 11



Labor Law Corner

Factors to Consider When Deciding Whether to Pay for 'Try-Out' Time



Lisa Guzman HR Adviser

If we ask a job applicant to demonstrate their job skills during an interview, do we have to pay them for their time?

During the hiring process, an employer may find it useful to ask an applicant to demonstrate how they would perform a job. For example, an employer might ask a candidate to demonstrate how they would paint a wall, cook a gournet meal, or lead an indoor rock-climbing class.

This is called "try-out" time and depending on what an applicant is asked to do in an interview, and how much time it takes, an employer may need to compensate them for their time.

Relevant Factors

According to the California Division of Labor Standards Enforcement (DLSE) there are three factors to consider when determining whether try-out time must be paid.

• Is the testing time reasonable?

The first factor is whether the try-out time is "reasonable under the circumstances." *DLSE Policies and Interpretations Manual Sec.* 46.8.

The amount of time needed to demonstrate a job skill will depend on the facts of each case. For example, it would take less time for an applicant to show how they would safely stack boxes than it

would for an applicant to demonstrate the skills necessary to teach a ballet class.

According to the DLSE, the rate of pay for an occupation can be used as a guide to determine the amount of time necessary for a try-out. *DLSE Policies and Interpretations Manual Sec.* 46.8.1.

This means that higher paying jobs typically can require longer try-out periods. If the testing time is reasonable, then pay most likely will not be required.

• Is the applicant performing any productive work?

A second factor is whether there is any productivity derived from the work the applicant performs. *DLSE Policies and Interpretations Manual Sec.* 46.8.

During a try-out, an applicant might be asked to demonstrate how they would varnish a piece of furniture. If that piece of furniture is then sold to a customer,

See Factors: Page 16

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 Proffit.

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

Virtual HR Symposium. CalChamber. November 3–4, Online. (800) 331-8877.

The California Privacy Rights Act and Employee Information. CalChamber. November 17, Online. (800) 331-8877.

HR Boot Camp Virtual Seminar. CalChamber. December 8–9, 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.

Singapore Week of Innovation and Technology (SWITCH). October 25–28, Singapore.

From Local to Global: National Disability Employment Awareness Month Webinar. U.S. Commercial Service. October 26, Online. (213) 342-7855.

AmCham Colombia Annual Business Encounter 2022. Colombian American Chamber of Commerce. October 27, Bogotá, Colombia. (+571) 5877828.

43rd World Congress of Vine and Wine. National Assembly, International Organization of Vine and Wine. October 31–November 4, Baja California. +52 (55) 9000-0199. Information and Communication Technology (ICT) and Clean Technology Trade Mission to Serbia and Montenegro. U.S. Department of Commerce. October

See CalChamber-Sponsored: Page 16

CalChamber Calendar

Public Affairs Conference: November 29–30, Laguna Niguel

Annual Meeting

In compliance with Article VII of the bylaws, notice is hereby given that the annual meeting of the members of the California Chamber of Commerce, a mutual benefit corporation operating under the laws of the State of California, will be held on Friday, December 9, 2022, at 9 a.m. in the Gold Ballroom at the Fairmont, 950 Mason Street, San Francisco, California, for the transaction of whatever business may be necessary.

Next Alert: November 4



The Workplace

5 New California Labor Laws Employers Should Start Preparing For



In Episode 161 of The Workplace podcast, CalChamber employment law expert Matthew Roberts and CalChamber policy advocate

Ashley Hoffman discuss five new labor laws employers should know and prepare for: SB 1162; AB 152; AB 1949; AB 1041; and SB 1044.

The California legislative session has finally come to a close, and this year there are a number of new labor laws that will really affect employers, Roberts says in kicking off the podcast.

Unless stated otherwise, these new employment laws will take effect on January 1, 2023.

SB 1162: Pay Transparency and Pay Data Reporting

SB 1162 is a bill that went through a lot of changes during the legislative session, and while the CalChamber remained opposed to the proposal, the bill is in a better spot than it was when originally introduced, Hoffman says.

Starting on January 1, employees will be able to request and receive a pay scale for their current position, including the salary or hourly ranges an employer reasonably would expect to pay for that position, she explains. The biggest piece to this law is that employers with 15 or more employees must include the same pay scale on any job advertisement.

The law also contains record keeping requirements which mandate that employers keep job titles and wage rate histories for every employee during their employment, as well as three years after the end of their employment.

As discussed in previous podcast episodes, SB 1162 once contained a provision that required publicizing employers' pay data reports. This provision was removed due to significant opposition, but there are some changes that employers will need to comply with regarding these reports, Hoffman tells listeners.

Employers with 100 or more workers have had to provide pay data reports annually to the Civil Rights Department (formerly known as the Department of Fair Employment and Housing), but now, under SB 1162, these employers also must include mean and median hourly rates for each job category, and a race and gender category within those jobs, she explains. Employers with 100 or more workers hired through a labor contractor must also file a separate report for this.

Finally, Hoffman says that before an employer submits a report for the establishment, the law simply states it will be a report as needed for each establishment and the deadline was changed to the second Wednesday in May, where previously it was the end of March.

The Civil Rights Department has a lot of information on pay data reports and offers a comprehensive user guide to help employers fill out their reports, Roberts says. To visit their website, go to https://calcivilrights.ca.gov/paydatareporting/.

AB 152: Extends COVID-19 Paid Sick Leave Sunset

AB 152 takes effect immediately and it extends the COVID-19 paid sick leave sunset from September 30 to the end of this year.

Importantly, the bill does not create

additional leave and there is no new entitlement to leave, Hoffman says. A provision the CalChamber was able to secure was one that allows an employer to request a second test for a positive result. For example, if an employee requests additional days because they are still testing positive, the employer can request the employee to test again.

AB 152 also contains additional grant aid to help small businesses subsidize this leave.

Although the Governor's office has not released grant information yet, now is a good time for employers to get their documents ready, Roberts says. It's expected that the Governor's Office of Business and Economic Development (GO-Biz) will require that employers prove their eligibility (meaning they employ 26–49 employees); provide proof of articles of incorporation or nonprofit documents; and substantiate that they indeed paid out supplemental paid sick leave during the course of the year in order to recover up to \$50,000.

AB 1949: Right to Bereavement Leave

AB 1949 was the successor to a 2021 Job Killer bill, AB 95, that the CalChamber was successful in working with the bill's author to remove the law from the Labor Code and ensure that that the Private Attorneys General Act (PAGA) did not apply, Hoffman explains.

AB 1949 creates a bereavement leave that provides up to five days of unpaid time off in the case of the death of a spouse, child, parent or other qualifying family member. The leave must be used within three months of the date of death

See 5 New California Labor Laws: Page 13



CalChamber Member Feedback

"CalChamber brings together diverse constituencies to promote business growth and job creation for all regions of the state."

Michael Lizárraga
President and Chief Executive Officer
TELACU



Voters Should Reject Proposition 30



Jennifer Barrera

The California Chamber of Commerce is urging all Californians to vote NO on Proposition 30. California's ability to compete depends on attracting and retaining

entrepreneurs and investors. The reality is that the new taxes proposed in Proposition 30 will drive investment out of the state

To be clear, a "No" vote on Proposition 30 is a vote against new taxes, not a vote against the environment.

Proposition 30 proposes a tax hike on higher-income taxpayers by 1.75 percentage points, which would raise the top income tax rate to a whopping 15.05%—far higher than any other state income tax in the nation.

Primarily sponsored by one company and environmental advocates, Prop. 30 is estimated to raise taxes by \$60 billion to \$80 billion over the course of 20 years for projects and programs that are already top spending priorities for the Governor and Legislature, including subsidizing electric vehicle (EV) purchases, installation of EV charging stations, and increased funding for wildfire suppression and prevention.

Reasons to Reject

Voters should reject this initiative proposal for three simple reasons:

• First, the tax increase proposed in Prop. 30 will drive high wealth earners out of the state. Raising taxes on the most productive sectors of our economy is a self-inflicted wound. Upper-income

taxpayers are the investors, entrepreneurs and small- and medium-business owners who create innovation, sustain industries, and drive job creation. Many of these individuals have options as to where and how they expand their firms and investments or create new opportunities. If these taxpayers have a choice where to do business, a 15%-plus tax bite will dim California's prospects.

Commentary By Jennifer Barrera

What's more, increasing the state's income tax rate will add even more volatility to the state budget—exacerbating California's notorious boom-and-bust budget cycles. The income tax accounts for more than two-thirds of the state's general revenue—much of that from capital gains income. But when the business cycle turns and income from stock market, real estate or other investment transactions ebb, state revenues are disproportionately vulnerable—especially when long-term commitments have been made.

Increasing taxes for a new spending program will also put other state programs at risk should the state's Gann spending limit come into full force. The constitutional provision caps spending based on inflation and population. Should it take full effect, as the Legislative Analyst has warned, new spending from Prop. 30 would crowd out existing spending for health care, public safety and higher education.

• Second, the measure is unnecessary. The Governor and Legislature have already made historic funding commitments to electric vehicle adoption and support. The current state budget devotes \$10 billion over several years to subsidize EV purchases by moderate-income

buyers and to create a statewide network of charging stations. This commitment includes hundreds of millions in federal funds for these same purposes from the bipartisan infrastructure package.

The Legislature also has devoted record funding and unprecedented staffing to CalFire for wildfire suppression and prevention. There is no known case of the Governor or Legislature rejecting any operational, programmatic or emergency funding request by state firefighters in recent years.

• Finally, this initiative does not address how to reinforce, expand, or support our already-fragile electricity grid that could be further strained by this proposal. If the initiative actually does incentivize the immediate purchase of electric vehicles, California's razor's-edge electricity reliability challenge would be placed under even greater stress than it is now. Increasing vehicle-caused electrical load even faster than the Legislature and Governor have already mandated could jeopardize our energy reliability.

Widespread Opposition

Proposition 30 has drawn widespread and diverse opposition, including Governor Newsom, business organizations, labor unions, civil rights leaders and almost every newspaper editorial board

The CalChamber Board of Directors voted earlier this year to oppose Proposition 30, and CalChamber staff is working closely with the campaign to defeat the measure. Proposition 30 is a bad idea that will hurt California's competitiveness.

Jennifer Barrera is president and CEO of the California Chamber of Commerce.



Capitol Insider

oresented by CalChamber

The Capitol Insider blog presented by the California Chamber of Commerce offers readers a different perspective on issues under consideration in Sacramento.

Sign up to receive notifications every time a new blog item is posted at capitolinsider.calchamber.com.



CalChamber Vote Record: Major Bills 2022



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

This is the 48th vote record the CalChamber has compiled in response to numerous requests by member firms and local chambers of commerce that would like a gauge by which to measure the performance of their legislators.

Partial Picture

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

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

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

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

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

Factors Considered

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

- The bills and votes reflect legislators' attitudes toward private enterprise, fiscal responsibility and the business climate.
- Each bill was a CalChamber priority in a particular field. Priority bills generally have appeared in the "Status Report" sections of *Alert*.
- The bills were voted upon by either the full Senate or Assembly. This year, the vote record covers 15 votes in the Senate and 17 votes in the Assembly.
- Unless otherwise noted, final floor votes are shown. Concurrence votes are considered final votes.

When 'Not Voting' Helps

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

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

Priority Bills

Air Quality

• AB 2101 (Flora; R-Ripon) Carbon Capture Sequestration Expansion. Adds whole orchard recycling projects to list of eligible Carbon Capture Sequestration Registry projects eligible to seek funding from state agencies or private entities. Passed Assembly, May 19, 72-0. Passed Senate, June 30, 37-0. Signed — Chapter 117. CalChamber Supported.

• SB 905 (Caballero; D-Salinas)
Carbon Capture Projects. Requires
California Air Resources Board (CARB)
to create the Geologic Carbon Sequestration Demonstration Initiative but caps
number of demonstration projects and
limits them to a narrow list of industries, thereby stifling the ability of carbon
capture technology to become more prevalent and help reduce greenhouse gases
(GHGs). Passed Assembly, August 31,
48-15. Senate concurred in Assembly
amendments, August 31, 29-9. Signed
— Chapter 359. CalChamber Opposed

California Environmental Quality Act
• AB 2840 (Reves; D-San

Unless Amended.

Bernardino) Warehouse and Logistics Project Ban. Circumvents the California Environmental Quality Act (CEQA), creates unprecedented ban on warehouses and logistics use projects irrespective of whether there are project impacts, usurps local authority over land use decisions, exacerbates supply chain problems, and forces union labor for proposed private projects that are not banned. Passed Assembly, May 26, 41-25. Died in Senate Governance and Finance Committee. CalChamber Opposed/Job Killer.

Climate Change

• AB 2133 (Quirk; D-Hayward)

Arbitrary Greenhouse Gas Target. Arbitrarily changes the State's GHG reduction goal from 40% of 1990 levels by 2030 to 55%. By the State's own estimate this proposal will force 17 million gas-powered cars off the road in the next 10 years. Passed Senate, August 31, 21-10. Assembly refused to concur in Senate amendments, August 31, 37-22. CalChamber Opposed/Job Killer.

• SB 260 (Wiener; D-San Francisco) Increased Regulatory Burden. Imposes a mandatory climate tracking, auditing, and cap on climate emissions that will fall heavily on all California businesses, impacting competitiveness and increasing costs. Passed Senate, January 26, 23-7. Failed passage in Assembly, August 31, 37-25. CalChamber Opposed.

• SB 1137 (Lena Gonzalez; D-Long Beach) Threatens Oil and Gas Develop**ment Operations.** Threatens to eliminate thousands of high-paying California jobs and force California to import even more foreign oil by politicizing and undermining the California Geologic Energy Management (CalGEM) Division's ongoing regulatory process regarding new requirements near oil and gas extraction sites by predisposing what setback requirements should be before the agency even begins its analysis. Passed Assembly August 30, 46-24. Senate concurred in Assembly amendments, August 31, 25-10. Signed — Chapter 365. CalChamber Opposed/Job Killer. Housing and Land Use

• AB 1001 (C. Garcia; D-Bell **Gardens)** Expands CEQA and Hurts Housing. Creates new highly subjective, non-quantifiable and litigation-bait standards in CEQA that will threaten California's economic recovery and ability to construct much-needed housing. Removes local government discretion on how to analyze and mitigate proposed project impacts, making projects more expensive, harder to build and more likely to be thrown into courts by NIMBY opposition. Passed Assembly, January 31, 43-24. Died in Senate Environmental Quality Committee. CalChamber Opposed/Job Killer. Labor and Employment

• AB 257 (Holden; D-Pasadena) Fast Food Industry: Franchises; Wage and Hour. Establishes Fast Food Sector Coun-See Next Page



CalChamber Vote Record: Major Bills 2022

From Previous Page

cil with unprecedented authority to write its own labor and employment laws for fast food restaurant employees, circumventing the California Legislature and other regulatory agencies' position in establishing such laws. Passed Senate August 29, 21-12. Assembly concurred in Senate amendments August 29, 47-19. Signed — Chapter 246. CalChamber Opposed.

 AB 2183 (Stone; D-Scotts Valley) Forced Unionization Process for Agricultural Employees. Limits an employee's ability to independently and privately vote for unionization in the workplace and forces employers into union submission, by eliminating a secret ballot election and replacing it with card check or requiring employers to waive certain rights to proceed through an untested ballot procedure under which the ballot can be filled out by labor organizations. Passed Senate, August 29, 26-10. Assembly concurred in Senate amendments, August 29, 55-18. Signed — Chapter 673. CalChamber Opposed/Job Killer.

• SB 1044 (Durazo; D-Los Angeles) State of Emergency. Allows employees to leave work or refuse to show up to work if employee feels unsafe regardless of whether employer has provided health and safety protections. 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. Job killer tag and opposition removed due to August 15, 2022 amendments narrowing the scope of the bill and recognizing existing health and safety regulations. Passed Senate, May 25, 24-10 (vote shown). Passed Assembly, August 22, 50-18. Senate concurred in Assembly amendments, August 24, 29-10. Signed — Chapter 829. CalChamber Neutral/ Former Job Killer.

• SB 1162 (Limón; D-Goleta) Publication of Pay Data. Encourages litigation against employers based on publication of broad, unreliable data collected by state. Undermines employers' ability to hire, imposes burdensome administrative and record keeping requirements, subjects employers to a private right of action. Job killer tag removed due to August 15, 2022 amendments removing requirement to publish individual pay data reports online. Passed Assembly, August 29, 54-14. Senate concurred in Assembly amendments,

August 30, 31-9. Signed — Chapter 559. CalChamber Opposed/Former Job Killer. *Legal Reform*

• SB 1149 (Leyva; D-Chino) Disclosure of Trade Secrets, Increased Litigation, and Outlawing Settlement **Practices.** Rewrites longstanding use of protective orders in lawsuits, and outlaws non-disclosure agreements as part of settlements based on vague terminology. Will force companies to settle early to avoid public release of broad documents sought in discovery, and overwhelm California courts with unprecedented discovery fights as companies seek to protect their trade secrets. Passed Senate, May 23, 26-10. Failed passage in Assembly, August 29, 31-18. CalChamber Opposed. Recycling

• AB 2026 (Friedman; D-Glendale) Bans Packaging. Bans critically important ecommerce packaging without adequate substitutes that will lead to more broken products, more GHG emissions and worse supply chain constraints. Passed Assembly, May 26, 41-26. Held on Senate Appropriations Committee Suspense File, August 11. CalChamber Opposed Unless Amended.

 SB 54 (Allen; D-Santa Monica) Circular Economy and Recycling. Creates first Extended Producer Responsibility program in California for single-use packaging to create a circular economy that significantly increases recycling, reduces superfluous packaging, and mitigates any environmental impacts associated with improper disposal or recycling of single-use plastic packaging. Passed Assembly, June 29, 67-2. Senate concurred in Assembly amendments, June 30, 29-0. Signed — Chapter 75. CalChamber neutral on bill but supported SB 54 as alternative to a costly and disruptive proposition that had qualified for the November 2022 ballot, raised taxes by \$9 billion a year and left California businesses susceptible to future attempts at expanded regulation. SB 54 ensured long-term certainty around recycling and packaging policy and proponents' removal of proposition from ballot.

• AB 1951 (Grayson; D-Concord)
Manufacturing Tax Credit Expansion. Expands investment and production in California by expanding sales and use tax exemption for purchase of manu-

facturing and research and development

Key to This Section

Y means voted for bill.

N means voted against bill.

· means not voting.

means absent.

Boldface type indicates votes in accord with CalChamber position.

Red columns are Job Killers.

(R&D) equipment. Passed Senate, August 25, 31-3. Assembly concurred in Senate amendments, August 25, 69-0. Vetoed. CalChamber Supported.

Water

AB 2106 (R. Rivas; D-Hollister)

New Water Quality Permit Requirement. Imposes new permitting requirements on stormwater discharges from commercial and institutional facilities that may expose permittees to citizen lawsuits. Constrains State Water Board discretion in addressing stormwater that may have unintended consequences on regulated entities. Passed Senate, August 29, 27-11. Assembly concurred in Senate amendments, August 30, 52-21. Vetoed. CalChamber Opposed.

• AB 2201 (Bennett; D-Ventura)
Groundwater. Adds new regulatory layer to groundwater well permitting processes, even in sustainable basins. Increases costs and liability risks associated with well permitting. Passed Assembly, May

23, 44-24 (vote shown). Passed Senate, August 29, 22-16. Assembly concurrence in Senate amendments pending, August 30; failed deadline. CalChamber Opposed. *Workplace Safety*

• AB 2188 (Quirk; D-Hayward)

Workplace Marijuana Testing. Requires saliva (or other non-metabolite) testing be used when conducting marijuana testing in pre-employment or workplace settings. Prohibits discrimination based on marijuana usage. Job killer status removed due to June 30, 2022 amendments which, among other provisions, protected pre-employment testing and handled federal/state conformity issues surrounding marijuana's legality. Passed Senate, August 29, 28-11. Assembly concurred in Senate amendments, August 30, 49-18. Signed — Chapter 392. CalChamber Opposed/Former Job Killer.



2022 Senate Vote Record

	Air Quality	AB 2101 Sequestration	SB 905 Carbon Capture	CEQA	AB 2840 Warehouses	Climate Change	AB 2133 Greenhouse Gas	SB 260 Regulatory Burden	SB 1137 0il/Gas	Housing and Land Use	AB 1001 Hurts Housing	Labor and Employment	AB 257 Fast Food Industry	AB 2183 Card Check	SB 1044 State of Emergency	SB 1162 Pay Data	Legal Reform	SB 1149 Trade Secrets	Recycling	AB 2026 Bans Packaging	SB 54 Circular Economy	Taxation	AB 1951 Manufacturing Credit	Water	AB 2106 Stormwater Permit	AB 2201 Groundwater	Workplace Safety	AB 2188 Marijuana Testing	In Accord with CalChamber	Not in Accord with CalChamber	Absent
Allen, B. (D)		Y	Υ		ee.		Υ	Υ	Y		ee.		Υ	Υ	Υ	Υ		Υ		ile.	Y		•		Υ	Υ		Υ	2	13	0
Archuleta, B. (D) Atkins, T. (D)		Y Y	Y Y		Committee.		•	Y	Y Y		Committee.		Y	Y	Y	Y Y		— Ү		Suspense File.	Y Y		Y Y		Y Y	Y Y		Y Y	4 3	10 12	1 0
Bates, P. (R)		Y	N		Jom Jom		N	•	N		30m		N	N	N	N		N		pen	•		N		N	N		N	13	2	0
Becker, J. (D)		Y	Υ		Se		Υ	Υ	Υ				Υ	Υ	Υ	Υ		Υ		Sus	Y		Y		Υ	Υ		Υ	3	12	0
Borgeas, A. (R)		_	N		Finance		N	N	N		Senate Environmental Quality		N	N	•	N		N		tee	_		•		N	N		N	12	1	2
Bradford, S. (D)		Y	Υ		ijΞ		•	•	Υ		a C		•	•	Υ	Υ		Υ		Senate Appropriations Committee	Y		Y		Υ	Υ		Υ	7	8	0
Caballero, A. (D)		Y	Y		Senate Governance and		•	•	Y		ent		•	•	•	Υ		_		МÓ	Y		Y		Υ	N		Υ	9	5	1
Cortese, D. (D) Dahle, B. (R)		Y Y	Y N		nce		Y N	Y •	Y N		onr		Y N	Y	Y N	Y N		Y N		SI (Y		Y		Y N	N N		Y N	3 14	12	0 0
Dodd, B. (D)		Y	Y		rna		Y	_	Y		١		N	•	N	Y		Y		atio	Y		Y		N	Y		Υ	7	<u></u>	1
Durazo, M. (D)		Ÿ	Ϋ́		ove.		•	Υ	Ÿ		e E		Y	Υ	Y	Ÿ		Ϋ́		priš	Ÿ		N		Υ	Ϋ́		Y	3	12	0
Eggman, S. (D)		Y	Y		te G		Υ	Y	Y		nat		N	Ý	Y	Y		Y		bro	Y		Y		Y	N		Υ	5	10	0
Glazer, S. (D)		Y	Υ		ena		•	•	•		Se		N	N	N	Υ		Υ		e Ap	Y		Y		•	N		Υ	11	4	0
Gonzalez, L. (D)		_	Υ		٦.		<u>Y</u>	Υ	Y		Died in		Υ	<u>Y</u>	<u>Y</u>	<u>Y</u>		Υ		nati	_		•		Υ	Υ		Υ	0	13	2
Grove, S. (R)		Y	•		Died in		N	N	N		Die		N	N	N	N		N			•		•		N	N		N	13	2	0
Hertzberg, B. (D)		Y	Y		ä		Υ	•	Y				Y	Υ	_	Y		_		l on	Y		Y		Y	Y		Y	4	9	2
Hueso, B. (D) Hurtado, M. (D)		Y Y	• N				N	Y	·				Y	Y	Y	Y Y		Y		Held on	Y		Y		Y N	Y N		Y N	6 11	9 4	0
Jones, B. (R)		Y	N				N	N	N				N	N	N	N		N		_	Y		Y		N	N		N	15	0	0
Kamlager, S. (D)		Ÿ	Y				Y	Y	Y				Y	Y	•	Y		Y			Y		Y		Y	Y		Υ	4	11	0
Laird, J. (D)		_	Y				Ÿ	Ÿ	Ý				Ý	Ý	Υ	Ý		Ý			_		Y		Y	Ý		Y	1	12	2
Leyva, C. (D)		Y	Υ				Υ	Υ	Υ				Υ	Υ	Υ	Υ		Υ			Y		Y		Υ	Υ		Υ	3	12	0
Limón, M. (D)		Y	Υ				Υ	Υ	Υ				Υ	Υ	Υ	Υ		Υ			Y		Y		Υ	Υ		Υ	3	12	0
McGuire, M. (D)		Y	Y				<u>Y</u>	<u>Y</u>	<u>Y</u>				<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>		Y			Y		Y		<u>Y</u>	Y		Υ	3	12	0
Melendez, M. (R) Min, D. (D)		Y	N				N	N	N				N	N	N	N		N			• Y		Y Y		N	N		N N	14 7	1	0
Newman, J. (D)		Y Y	Ϋ́				•	Y	Y				Y	Ϋ́	Y Y	Υ		N Y			Y		Y		Y Y	Y N		Y	7	8 8	0
Nielsen, J. (R)		Ÿ	N				N	N	N				N	Ń	Ń			N			•		Ÿ		N	N		N	14	1	0
Ochoa Bogh, R. (R	2)	Y	N				N		N				N	N	N			N			•		Y		N			N	14	1	0
Pan, R. (D)		Y					Υ	Υ					Υ	Υ		Υ		Υ			Y		Y		Υ			Υ	3	12	0
Portantino, A. (D)		Y	Υ				Υ	Υ	Υ				Υ	Υ	Υ	Υ		Υ			Y		Y		Υ	Υ		Υ	3	12	0
Roth, R. (D)		Y	Υ				Υ	•	•				•	Υ		Υ		Υ			Y		Y		•	N		Υ	8	7	0
Rubio, S. (D)		Y	Υ				Υ		•				•	Υ	Υ			Υ			Y		Y		Υ			•	8	7	0
Skinner, N. (D)		Y					<u>Y</u>		Y				<u>Y</u>	<u>Y</u>		<u>Y</u>		Y			Y		Y			Y		Υ	3	12	0
Stern, H. (D) Umberg, T. (D)		Y	Y				Y						Y	Y		Y		Y			Y		Y			Y		Y	3		0
Wieckowski, B. (D))	Y Y	Y Y				• Y	Y Y	Y Y				Y	Y	Y	Y Y		Y Y			Y Y		Y Y		Y	Y		Y Y	6 4	9	0
Wiener, S. (D)	,	Y	Ϋ́				Ϋ́	Ϋ́					Ϋ́	Ϋ́	Y			Ϋ́			Y		Y			Ϋ́		Ϋ́	3		
Wilk, S. (R)		Y						N							N			N			•		N			N		N	13		0



2022 Assembly Vote Record

Air Quality	AB 2101 Sequestration	SB 905 Carbon Capture	CEQA	AB 2840 Warehouses	Climate Change	AB 2133 Greenhouse Gas	SB 260 Regulatory Burden	SB 1137 0il/Gas	Housing and Land Use	AB 1001 Hurts Housing	Labor and Employment	AB 257 Fast Food Industry	AB 2183 Card Check	SB 1044 State of Emergency	SB 1162 Pay Data	Legal Reform	SB 1149 Trade Secrets	Recycling	AB 2026 Bans Packaging	SB 54 Circular Economy	Taxation	AB 1951 Manufacturing Credit	Water	AB 2106 Stormwater Permit	AB 2201 Groundwater	Workplace Safety	AB 2188 Marijuana Testing	In Accord with CalChamber	Not in Accord with CalChamber	Absent
Aguiar-Curry, C. (D)	Y	•		Υ		•	•	Υ		Υ		•	Υ	je.	Υ		•		•	Y		Y		Υ	N		Υ	10	7	0
Alvarez, D. (D) [†]	+	Υ		†		•	•	•		†		Υ	Υ	vote.	Υ		•		†	Y		Y		Υ	†		Υ	6	6	0
Arambula, J. (D)	Ÿ	Υ		Ÿ		•	•	•		Ý		Υ	Υ	bly	Υ		Υ		Ý	Y		Y		Υ	Ý		Υ	6	11	0
Bauer-Kahan, R. (D)	Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ	Assembly	Υ		•		Υ	Y		Y		Υ	Υ		•	5	12	0
Bennett, S. (D)	Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ	Ass	Υ		Υ		Υ	Y		Y		Υ			Υ	3	14	0
Berman, M. (D)	_	Υ		_		Υ	Υ	Υ		Υ		Υ	Υ	before	Υ		Υ		_	Y		Y		Υ	_		Υ	2	11	4
Bigelow, F. (R)	Y	N		N		N	N	N		N		N	N	oefc	N		N		N	Y		_		N	N		N	16	0	1
Bloom, R. (D)	Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ		Υ		Υ		Υ	Y		Y		Υ	Υ		Υ	3	14	0
Boerner Horvath, T. (D)	Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ	٥	Υ		•		Υ	Y		Y		Υ	Υ		Υ	4	13	0
Bonta, M. (D)	Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ	removed	Υ		Υ		Υ	Y		•		Υ	_		Υ	2	14	1
Bryan, I. (D)	Υ	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ		Υ		Υ		Υ	Y		Y		Υ	Υ		Υ	3	14	0
Calderon, L. (D)	Y	Υ		•		•	•	Υ		Υ		Υ	Υ	siti	Υ		•		Υ	Y		Y		Υ	Υ		Υ	7	10	0
Carrillo, W. (D)	Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ	bbc	Υ		Υ		Υ	Y		Y		Υ	Υ		Υ	3	14	0
Cervantes, S. (D)	_	Υ		Υ		•	•	Υ		Υ		Υ	Υ	and opposition	Υ		•		•	Y		Y		Υ	Υ		Υ	6	10	1
Chen, P. (R)	Y	N		N		N	N	N		N		N	•	a	•		•		N	•		Y		•	N		•	16	1	0
Choi, S. (R)	Υ	N		N		N	N	N		N		N	•	tag	N		N		•	Y		•		•	N		N	16	1	0
Cooley, K. (D)	Y	•		N		N	N	N		N		•	•	lle.	Υ		N		N	Y		Y		Υ	N		Υ	14	3	0
Cooper, J. (D)	Y	•		•		•	•	N		•		•	•	Job killer	•		•		N	Y		Y		•	N		N	17	0	0
Cunningham, J. (R)	Y	Υ		N		N	N	N		N		N	N	Joh	N		Υ		N	•		_		N	N		Υ	12	4	1
Dahle, M. (R)	Y	N		N		N	N	N		N		N	N		N		N		N	Y		Y		N	N		N	17	0	0
Daly, T. (D)	Y	•		•		•	N	•		N		•	Υ		•		•		N	Y		Y		•	Υ		•	15	2	0
Davies, L. (R)	Y	•		N		N	N	N		N		N	N		•		N		N	Y		•		N	N		N	16	1	0
Flora, H. (R)	Y	•		N		N	•	N		N		N	•		N		N		N	Y		Y		N	N		•	17	0	0
Fong, M. (D)*	Y	Υ		Υ		Υ	Υ	Υ		*		Υ	Υ		Υ		Υ		Υ	Y		Y		Υ	Υ		Υ	3	13	0
Fong, V. (R)	Y	N		N		N	N	N		N		N	N		N		N		N	•		Y		N	N		N	16	1	0
Friedman, L. (D)	Υ	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ		Υ		Υ		Υ	Y		Y		Υ	Υ		•	4	13	0
Gabriel, J. (D)	Υ			•		Υ	Υ	Υ		•		Υ			Υ		Υ		Υ	Υ		Υ			Υ		•		11	0
Gallagher, J. (R)	Y	N		N		N	N	N		N		N	N		N		N		N	•		•		N	N		N	15	2	0
Garcia, C. (D)	Y			Υ		Υ				Υ		Υ			Υ		•			Y		Y		Υ			Υ	4	13	0
Garcia, E. (D)		Y		Y		Ÿ	Y			Y		Y			Ý		•		Ý			Y			Y		Υ			0
Gipson, M. (D)	Υ			Υ		•	•	Υ		Υ		Υ			Υ		•		Υ	Υ		Y		Υ			Υ	6	11	0
Gray, A. (D)	Y			N		N	•	N		•		•	N		•		•		N	Ν		_		N	N		•	15	1	1
Grayson, T. (D)	Y	Υ		Υ		•	•	•		N		Υ			Υ		•		N	Y		Y		N	•		Υ	11	6	0
Haney, M. (D)**	Y	_		Y		Υ	Υ	Υ		**		Ÿ			Y		Υ			Y		Y		Υ			Y	3	13	0
Holden, C. (D)		Ý		Y		Y	Ý			Υ		Ÿ			Ý		Ý		Y			Y			Ÿ		Y	4	13	
Irwin, J. (D)		Ÿ		Ÿ		•	•	_		•		_	_		_		_		Ÿ			_		_	Ÿ		_	5	4	8
Jones-Sawyer, R. (D)	Y			Y		Υ	Υ	Υ		Υ		Υ	Υ		Υ		Υ			Ÿ		Y		Υ			Υ	3	14	0
Kalra, A. (D)	Y	_		Ý		Ÿ	Ý	Y		Ÿ		Ÿ			Ý		Ý			Ÿ		Y		Y			Y	3	14	0
Kiley, K. (R)	Y			N		N	N	N		N		N	N		N		N		N	•		Y		N	N		N	16	1	0
Lackey, T. (R)	Y			N		N	N	N		N		N			N		•		N	•		Y		N			N	16		0



2022 Assembly Vote Record

	Air Quality	AB 2101 Sequestration	SB 905 Carbon Capture	CEQA	AB 2840 Warehouses	Climate Change	AB 2133 Greenhouse Gas	SB 260 Regulatory Burden	SB 1137 0il/Gas	Housing and Land Use	AB 1001 Hurts Housing	Labor and Employment	AB 257 Fast Food Industry	AB 2183 Card Check	SB 1044 State of Emergency	SB 1162 Pay Data	Legal Reform	SB 1149 Trade Secrets	Recycling	AB 2026 Bans Packaging	SB 54 Circular Economy	Taxation	AB 1951 Manufacturing Credit	Water	AB 2106 Stormwater Permit	AB 2201 Groundwater	Workplace Safety	AB 2188 Marijuana Testing	In Accord with CalChamber	Not in Accord with CalChamber	Absent
Lee, A. (D)		Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ	je.	Υ		Υ		Υ	Y		Y		Υ	Υ		Υ	3	14	0
Levine, M. (D)		Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ	vote.	Υ		Υ		Υ	Y		Y		Υ			Υ	4	13	0
Low, E. (D)		Y	Υ		•		Υ	Υ	•		Υ		Υ	Υ	bly	Υ		•		Υ	Y		Y		Υ	Υ		Υ	6	11	0
Maienschein, B. (D)	Y	•		•		•	•	•		•		Υ	Υ	Assembly	Υ		•		Υ	Y		Y		Υ	•		•	12	5	0
Mathis, D. (R)		Y	N		N		N	N	N		N		N	N	Ass	•		N		N	Y		Y		N	N		N	17	0	0
Mayes, C. (NPP)		Y	•		N		•	N	•		N		N	N	before,	N		•		•	Y		Y		N	•		•	17	0	0
McCarty, K. (D)		Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ	þef	Υ		Υ		Υ	Y		Y		Υ			Υ	3	14	0
McKinnor, T. (D) ^{††}		††	Υ		††		Υ	Υ	Υ		††		Υ	Υ	/ed	Υ		Υ		††	Y		Y		Υ			Υ	2	10	0
Medina, J. (D)		_	Υ		N		•	N	Υ		Υ		•	Υ	removed	Υ		•		N	Y		Y		Υ			Υ	8	8	1
Mullin, K. (D)		Y			Y		<u>Y</u>		Y		<u>Y</u>		Y	<u>Y</u>		Y		Y		Y			Y		<u>Y</u>			Υ		14	0
Muratsuchi, A. (D)		Y	Y		Y		Y	Y	Y		Y		Y	Y	and opposition	Y		Y		Y			Y		Υ			•	4	13	0
Nazarian, A. (D)		_ V	•		Y N		Y	Y	Y		Y		Y	Y)OS	Y		Υ		Y	Y		Y		Y	Y		Y	3	13	1
Nguyen, J. (R) O'Donnell, P. (D)		Y	N				N	N	N		N		N	N	do	•		N		N	•		Y		N			N	16	1	0
Patterson, J. (R)		Y	N N		N		Ni	N	N N		N N		Y N	Y N	and	• N		N N		N	Y		Y Y		Y	_ N		Y N	10 17	4	3
Petrie-Norris, C. (D	, ,	Y	Y		•		<u>N</u>	Y	•		•		•	Y	tag	Y		•		Y	Y		Y		Y			Y	9	_0 _8	0
Quirk, B. (D)	")	Y	Ϋ́		Υ		~	ı V	Υ		Υ		•	Y		Ϋ́		Υ		Υ	Y		Y		Ϋ́			Y	4	13	0
Quirk-Silva, S. (D)		•	Ϋ́		Ϋ́			N	Ϋ́		•		Υ	Ϋ́	₹	Ϋ́		•		N	Y		Y		Ϋ́	Ϋ́		Y	7	9	1
Ramos, J. (D)		Y	•		N		•		Ϋ́		Υ		•	Ϋ́	Job killer	Ϋ́		•			Y		Y		•	Ϋ́		•	12	5	0
Rendon, A. (D)		Ÿ	Υ		Υ		Υ	Υ	Ÿ		Ϋ́		Υ	Ϋ́	,	Ϋ́		Υ		Υ	Ÿ		Ÿ		Υ			Υ	3	14	0
Reyes, E. (D)		Y	Ÿ		Y		Ÿ	Ÿ	Ÿ		Ÿ		Ÿ	Ÿ		Ÿ		Ϋ́		Ϋ́	Ÿ		Y		Ÿ	Ÿ		Y	3	14	0
Rivas, L. (D)		Y	Ý		Υ		Y	Ý	Ý		Y		Y	Y		Ý		•		Ÿ	Y		Y		Y	Ý		Y	4	13	Ö
Rivas, R. (D)		Y	Y		Υ		Ý	Ý	Y		Υ		Υ	Y		Y		Υ		Y	Y		Y		Y	Y		Υ	3	14	0
Rodriguez, F. (D)		Y	•		•		•	•	Y		Y		Y	Y		Y		•		•	Y		Y		Y	•		•	11	6	0
Rubio, B. (D)		_	•		•		•	•	•		•		•	Υ		•		•		N	Y		Y		Υ	_		Υ	12	3	2
Salas, R. (D)		Y	•		N		N	N	N		Υ		Υ	Υ		Υ		•		•	Ν		•		N	N		N	11	6	0
Santiago, M. (D)		Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ		Υ		Υ		Υ	Y		Y		Υ	Υ		Υ	3	14	0
Seyarto, K. (R)		Y	N		N		N	N	N		N		N	N		N		N		N	•		Y		N	N		N	16	1	0
Smith, T. (R)		Y	N		N		N	N	N		N		N	N		N		N		N	•		•		N	N		N	15	2	0
Stone, M. (D)		Y	Υ		Υ		Υ	Υ	Υ		<u>Y</u>		Υ	<u>Y</u>		Υ		Υ		Υ	Y		Y		Υ	Υ		Υ	3	14	0
Ting, P. (D)		Y	Υ		Υ		Υ	Υ	Υ		Υ		Υ	Υ		Υ		Υ		Υ	Y		Y		Υ	Υ		Υ	3	14	0
Valladares, S. (R)		Y	•		N		N	N	N		N		N	N		•		N		N	Y		Y		N	N		N	17	0	0
Villapudua, C. (D)		Y	Υ		•		•	•	Υ		•		•	Υ		•		•		•	Y		Y		Υ			Υ	12	5	0
Voepel, R. (R)		Y	N		N		N	N	N		N		•	N		N		N		N	•		Y		N	N		N	16	1	0
Waldron, M. (R)		Y	N		N		N	N			N		N	N		Υ		N		N	•		Y		N			N	15	2	0
Ward, C. (D)		Y			Υ		Υ	_	Υ		Υ		Υ			Υ		Υ		Υ			Y			Υ		Υ		14	
Weber, A. (D)		Y	Υ		Υ		Υ	Υ			Υ		Υ			Υ		•		Υ			Y			Υ		Υ		13	
Wicks, B. (D)		Y	Υ		Υ		Υ				Y		Y			Υ		Y			Y		Y			Υ		Y		14	0
Wilson, L. (D) [‡]		Y	•		Υ		•	•	Y		‡		•	•		Υ		•			Y		•			Y		Y	9	7	0
Wood, J. (D)		Y	Υ		Υ		Υ	•	Υ		Υ_		Υ	<u>Y</u>		Υ		•		Υ	Y		<u>Y</u>		<u>Y</u>	Υ		Υ	<u>5</u>	12	<u>U</u>



CalChamber Best Business Votes 2022

Legislators are listed in descending order according to how often they voted in accord with the California Chamber of Commerce position (first number) versus how often their votes were not in accord with the CalChamber position (second number) in 2022. Total votes may not match the vote record because the tally for absences is not included in this list. Votes when a legislator was absent are not included in calculating percentages.

80% or more with CalChamber

60%-79% with CalChamber

40%-59% with CalChamber

17-0

Less than 40% with CalChamber

Senate

Jones, Brian W. (R) 15-0 Dahle, Brian (R) 14-1 Melendez, Melissa (R) 14-1 Nielsen, Jim (R) 14-1 Ochoa Bogh, Rosilicie (R) 14-1 Bates, Patricia (R) Grove, Shannon (R) 13-2 Wilk, Scott (R) 13-2 Borgeas, Andreas (R) 12-1 Glazer, Steven (D) 11-4 Hurtado, Melissa (D) 11-4 9-5 Caballero, Anna (D) Roth, Richard (D) 8-7 Rubio, Susan (D) 8-7 Dodd, Bill (D) 7-7 Bradford, Steven (D) 7-8 7-8 Min, Dave (D) Newman, Josh (D) 7-8 6-9 Hueso, Ben (D) Umberg, Thomas (D) 6-9 5-10 Eggman, Susan (D) 4-9 Hertzberg, Bob (D) Archuleta, Bob (D) 4-10 Kamlager, Sydney (D) 4-11 Wieckowski, Bob (D) 4-11 Atkins, Toni (D) 3-12 Becker, Josh (D) 3-12 3-12 Cortese, Dave (D) 3-12 Durazo, Maria Elena (D) 3-12 Leyva, Connie (D) Limón, Monique (D) 3-12 McGuire, Mike (D) 3-12 Pan, Richard (D) 3-12 Portantino, Anthony (D) 3-12 Skinner, Nancy (D) 3-12 3-12 Stern, Henry (D) Wiener, Scott (D) 3-12 2-13 Allen, Ben (D) Laird, John (D) 1-12

Gonzalez, Lena (D)

0 - 13

Assembly Cooper, Jim (D)

Cooper, Jim (D) Dahle, Megan (R) Flora, Heath (R) Mathis, Devon (R) Mayes, Chad (NPP) Patterson, Jim (R) Valladares, Suzette (R)	17-0 17-0 17-0 17-0 17-0 17-0
Bigelow, Frank (R)	16-0
Chen, Phillip (R) Choi, Steven (R) Davies, Laurie (R) Fong, Vince (R) Kiley, Kevin (R) Lackey, Tom (R) Nguyen, Janet (R) Seyarto, Kelly (R) Voepel, Randy (R)	16-1 16-1 16-1 16-1 16-1 16-1 16-1
Gray, Adam (D)	15-1
Daly, Tom (D) Gallagher, James (R) Smith, Thurston "Smitty" (R) Waldron, Marie (R)	15-2 15-2 15-2 15-2
Cooley, Ken (D)	14-3
Rubio, Blanca (D)	12-3
Cunningham, Jordan (R)	12-4
• • • • • • • • • • • • • • • • • • • •	
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D)	12-5 12-5 12-5
Maienschein, Brian (D) Ramos, James C. (D)	12-5 12-5
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D)	12-5 12-5 12-5 11-6 11-6
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D) Salas, Rudy (D)	12-5 12-5 12-5 11-6 11-6 11-6
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D) Salas, Rudy (D) O'Donnell, Patrick (D)	12-5 12-5 12-5 11-6 11-6 11-6
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D) Salas, Rudy (D) O'Donnell, Patrick (D) Aguiar-Curry, Cecilia (D)	12-5 12-5 12-5 11-6 11-6 11-6 10-4
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D) Salas, Rudy (D) O'Donnell, Patrick (D) Aguiar-Curry, Cecilia (D) Wilson, Lori (D)‡	12-5 12-5 12-5 11-6 11-6 11-6 10-4 10-7 9-7
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D) Salas, Rudy (D) O'Donnell, Patrick (D) Aguiar-Curry, Cecilia (D) Wilson, Lori (D)‡ Petrie-Norris, Cottie (D)	12-5 12-5 12-5 11-6 11-6 11-6 10-4 10-7 9-7 9-8
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D) Salas, Rudy (D) O'Donnell, Patrick (D) Aguiar-Curry, Cecilia (D) Wilson, Lori (D)‡ Petrie-Norris, Cottie (D) Medina, Jose (D)	12-5 12-5 12-5 11-6 11-6 11-6 10-4 10-7 9-7 9-8 8-8
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D) Salas, Rudy (D) O'Donnell, Patrick (D) Aguiar-Curry, Cecilia (D) Wilson, Lori (D)‡ Petrie-Norris, Cottie (D) Medina, Jose (D) Quirk-Silva, Sharon (D)	12-5 12-5 12-5 11-6 11-6 11-6 10-4 10-7 9-7 9-8 8-8 7-9
Maienschein, Brian (D) Ramos, James C. (D) Villapudua, Carlos (D) Grayson, Tim (D) Rodriguez, Freddie (D) Salas, Rudy (D) O'Donnell, Patrick (D) Aguiar-Curry, Cecilia (D) Wilson, Lori (D)‡ Petrie-Norris, Cottie (D) Medina, Jose (D) Quirk-Silva, Sharon (D) Calderon, Lisa (D)	12-5 12-5 12-5 11-6 11-6 11-6 10-4 10-7 9-7 9-8 8-8 7-9

Cervantes, Sabrina (D)	6-10
Arambula, Joaquin (D) Gabriel, Jesse (D) Gipson, Mike (D) Low, Evan (D)	6-11 6-11 6-11 6-11
Bauer-Kahan, Rebecca (D) Wood, Jim (D)	5-12 5-12
Boerner Horvath, Tasha (D) Friedman, Laura (D) Garcia, Cristina (D) Garcia, Eduardo (D) Holden, Chris (D) Levine, Marc (D) Muratsuchi, Al (D) Quirk, Bill (D) Rivas, Luz (D) Weber, Akilah (D)	4-13 4-13 4-13 4-13 4-13 4-13 4-13 4-13
Fong, Mike (D)* Haney, Matt (D)** Nazarian, Adrin (D)	3-13 3-13 3-13
Bennett, Steve (D) Bloom, Richard (D) Bryan, Isaac (D) Carrillo, Wendy (D) Jones-Sawyer, Reginald (D) Kalra, Ash (D) Lee, Alex (D) McCarty, Kevin (D) Mullin, Kevin (D) Rendon, Anthony (D) Reyes, Eloise Gómez (D) Rivas, Robert (D) Santiago, Miguel (D) Stone, Mark (D) Ting, Phil (D) Ward, Christopher (D) Wicks, Buffy (D)	3-14 3-14 3-14 3-14 3-14 3-14 3-14 3-14
McKinnor, Tina (D)††	2-10
Berman, Marc (D)	2-11
Bonta, Mia (D)	2-14

†Sworn into office June 15, 2022. *Sworn into office February 22, 2022.

**Sworn into office May 3, 2022. ††Sworn into office June 20, 2022. ‡Sworn into office April 6, 2022.



California Works

Microsoft: Navigating the Crossroads of Technology and Empowerment



This article is a part of a series of profiles of CalChamber member companies that are contributing to the state's economic strength and ability to stay competitive in a global economy. Visit California Works to learn more about this series and read past and future profiles.



Microsoft's story in California spans nearly 40 years and includes a commitment to empower every person and organization to achieve more. A hub for innovation, California remains critical to Microsoft, and the company continues to expand and grow their presence in the state.

New Silicon Valley Campus

Microsoft Silicon Valley was established in Mountain View, Calif. in 1981 and today, the region is home to several Microsoft teams who work on Xbox, PowerPoint, Outlook.com and more.

Microsoft recently completed construction of a state of the art campus in the Silicon Valley. It is Microsoft's smartest, greenest office yet with a net zero non-potable water system and a photovoltaic, solar-panel system across the campus to offset energy consumption.

The new Silicon Valley Campus builds on Microsoft's commitment to innovative conservation efforts to meet the challenges associated with climate change.

Preparing Californians for the Jobs of Today and Tomorrow

Digital transformation is critical to the future of the global economy.

Through Technology Education and Learning Support (TEALS), Microsoft partners with high schools to provide students with access to equitable and inclusive computer science (CS) education opportunities. For the 2021–22

school year, roughly 12,500 students were enrolled in one of 650 CS classes being offered through TEALS at nearly 500 U.S. schools.

In California, the TEALS programs currently operates in 23 high schools in the following regions: Los Angeles, Bay Area, Silicon Valley, Central Valley and the Central Coast.



Microsoft is bridging the digital divide by ensuring underrepresented communities have the tools and skills needed to succeed in today's digital world. Microsoft believes that access to digital skills and learning paths that connect to new jobs can strengthen local economies and help uplift communities across California.

Keeping Californians Connected

Connection is vital to thriving in the digital world and many rural and low-income areas in our state lack access to broadband. Through the Airband initiative, Microsoft has brought together private and public-sector organizations to help address the needs of millions of people who lack access to broadband.

Efforts in California include working with the California Broadband Council

to develop innovative partnerships to bridge the broadband gap across the state. Microsoft is also collaborating with Cal. net to provide broadband internet access to Californians living in unserved rural regions in the state.

In June 2021, Microsoft announced an expansion of Airband to eight U.S. cities, including Los Angeles, facing

some of the largest broadband gaps among racial and ethnic minorities, specifically Black and African American communities. The approach focuses on providing access to affordable broadband, devices and digital skilling tools and resources.

Most recently, Microsoft rolled out its Digital Equity Dashboard, a new interactive dataset, which offers one of the most complete and granular pictures of digital equity in California to-date. This dashboard is publicly accessible

and can empower California leaders and advocates to implement programs that foster sustainable and inclusive economic opportunity and deliver on the fundamental need to close the digital divide.

Microsoft

President and Vice Chair: Brad Smith

CEO: Satya Nadella

Global Headquarters: **Redmond, WA**California Flagship Campus: **Mountain View, CA**

Company Business Segments:

- Computer software and electronics
- Cloud computing services
- Social media platform (LinkedIn)



Groups Predict Trade Momentum to Slow Due to Multiple Shocks on Global Economy





World trade is headed for a slowdown, according to forecasts released by two global groups this month.

In an updated trade outlook released on October 5, the World Trade Organization (WTO) said world trade will lose momentum in the second half of this year and remain subdued in 2023.

WTO economists attributed the slowdown to multiple shocks on the global economy as import demand softens, Europe deals with high energy prices due to the Russia-Ukraine war, monetary policy tightens in the United States, China continues its zero-COVID policy, and food insecurity and debt plagues developing countries.

Similarly, the International Monetary Fund (IMF) announced on October 11 that it projects global economic growth to slow under the burden of high inflation, the impact of Russia's war in Ukraine and lingering effects of the pandemic.

World Merchandise Trade

According to the WTO, world merchandise trade is now expected to grow by 3.5% in 2022 and slow to 1.0% growth in 2023, revised down from 3.4%. The WTO forecast estimates that world gross domestic product (GDP) will grow by 2.8% in 2022 and 2.3% in 2023. If this current forecast is realized, trade growth will slow sharply but remain positive in 2023.

At the beginning of 2022, the United States was dealing with congestion and backlogs at West Coast ports causing supply disruptions that were compounded

by decreased container handling and pandemic-related stoppages in China.

By the second half of 2022, such disruptions to the supply chain have less-ened due to a clearance of ports showing a small positive impact on imports by North America and Asia.

Growth Areas

The WTO predicts that the Middle East will have the strongest trade volume growth of any region in 2022, on both the export (14.6%) and the import side (11.1%). Africa also has shown resilient trade growth, and both the Middle East and Africa are expected to see 5.7% trade growth in 2023.

Global energy prices rose 78% yearon-year in August while food prices were up 11%, grain prices were up 15% and fertilizer prices were up 60%. Food prices also have risen sharply as Ukraine is a major exporter for fertilizer and grains. In the United States and Europe, gas prices remain high by historical standards.

Manufacturing Stalls

The WTO forecast suggests that while stocks of finished goods have risen and delivery times shortened, global manufacturing activity has stalled, leading to the slowing of goods trade in the coming months. Economic indicators tracked by the WTO also show that although inflationary pressure remains high, inflation may have peaked.

As a result of price changes, trade in the first half of 2022 was up 32% compared to 2019. Inflation has caused merchandise trade values to grow at double-digit rates, while trade growth in volume remains in the low single digits.

Some good news is that the WTO has seen a strong rebound of exports of travel and transport services in many countries, as pandemic restrictions have finally eased. China is the exception, as the country continues its zero-COVID policy. Trade in services did not decline as much during the pandemic and continues to grow at a modest pace.

Forecast Risks

The WTO acknowledges risks to their forecast, which include banks raising interest rates while aiming to tamp down inflation, as the banks could overshoot and trigger a recession, which would affect imports. Escalation of the Russia-Ukraine war also could destabilize the global economy.

The WTO also notes the underappreciated risk of decoupling major economies from global supply chains which would exacerbate supply shortages in the near term and reduce productivity over the longer term.

International Monetary Fund

The IMF expects global growth to slow to 2.7% in 2023 — 2 percentage points lower than their July 2022 forecast, with a 25% probability that it could fall below 2%. The IMF expects growth to remain unchanged in 2022 at 3.2%.

The IMF's projection reflects more than one-third of the global economy contracting in 2023, while the economies of the U.S., European area, and China will continue to stall. The IMF also notes similar downside risks, including the risk of monetary policy miscalibration.

As the global economy continues to recover from post-pandemic supply disruptions and is now hampered by new shocks, expanding world trade is even more important for boosting economic growth and resiliency in an interconnected world.

Staff Contact: Susanne T. Stirling



Helping Business In A Global Economy

www.calchamber.com/international



18 Newspapers Across State Reject Proposition 30

From Page 1

The California Chamber of Commerce **opposes Proposition 30** because layering more taxes on top of the current PIT rate of 13.3% will inevitably drive more high earners out of the state and decrease General Fund dollars.

"Given the state's current ability to spend on nearly any desired cause, tax increases are unnecessary, and efforts should be focused on how existing General Fund dollars can be spent on assisting Californians," CalChamber President and CEO Jennifer Barrera said.

Newspaper Excerpts

Read why California newspapers are urging readers to vote **no on Prop. 30**:

Inland Valley Daily Bulletin, Los Angeles Daily Breeze, Los Angeles Daily News, The Orange County Register, Pasadena Star-News, Long Beach Press-Telegram, Redlands Daily Facts, Riverside Press-Enterprise, San Bernardino Sun, San Gabriel Valley Tribune, Whittier Daily News:

"The state's general fund budget in 2015-16 was \$115 billion. This year, the general fund budget is over \$234 billion. The notion that a tax increase is needed to address air pollution and wildfire responses is, on its face, absurd."

Los Angeles Times:

"California already has the highest state income tax rate, at 13.3%, and voters have already raised taxes on the wealthiest residents to pay for education and mental health services. Proposition 30 would push the top-earner rate to 15.05%, which is much higher than other states, most of which have income tax rates in the single digits. The state's dependence on wealthy residents' income, which is often tied to investments and the stock market, creates tremendous instability in the budget. Revenues sharply rise and fall with Wall Street, leading to feastor-famine cycles. It doesn't make sense to pin another priority on such a volatile funding stream.'

The Sacramento Bee, The Modesto Bee

"California voters may be understandably amenable to heaping another tax on the wealthy to fund a good cause. But doing so as Proposition 30 suggests is not the right way to address the existential threat of climate change." The San Diego Union-Tribune:

"Important decisions about the future should be made by lawmakers in Sacramento, in public hearings, with expert testimony and time to think through these changes holistically instead of in a simple up or down vote

in a campaign almost solely funded by a single company. The San Diego Union-Tribune Editorial Board recommends a 'no' vote on Proposition 30."

The San Jose Mercury News:

"Voters should reject Prop. 30. It's a prime example of the pitfalls of budgeting by initiative. Once again, Californians are provided little independent policy analysis on which to base a multi-billion-dollar decision. Yet they're being asked to lock in spending on a program, this time for 20 years, without the ability to adjust for future needs."

Santa Cruz Sentinel:

"This measure would tax higher-income Californians to help subsidize zero-emission vehicles – but it is not the right way to hasten this shift. Spending yet more state tax revenues on subsidies for electric cars is yet another example of ballot-box budgeting without the means to make adjustments based on future needs or changing conditions."

The Santa Rosa Press-Democrat:

"Newsom bluntly described Proposition 30 as a 'cynical scheme' and 'fiscally irresponsible.' We agree. The Press Democrat recommends a no vote."

5 New California Labor Laws Employers Should Start Preparing For

From Page 3

and employers may ask for certain documentation to be provided within 30 days of that death.

Employers who already offer bereavement leave will be unaffected by this law so long as their policy allows a worker to get up to five days of unpaid leave, Hoffman says.

Because this is a new mandatory leave, Roberts recommends that employers update their employee handbook policies.

AB 1041: Expansion of Family Leave and Paid Sick Leave

AB 1041 states that in addition to the family members outlined in California's paid sick leave law and the California Family Rights Act (CFRA), an employee also can take leave to care for a designated person, Hoffman explains. The designated person must be identified at the time the employee is taking the leave,

and the employer may limit the number of designated persons an employee can take time to care for to one person per 12-month period.

Although the law specifies that the designated person has to be "like family" to the employee, employers are going to have a hard time challenging that designation.

"It's a very subjective determination by the worker," Hoffman points out.

Roberts reminds listeners that the law allows a worker to designate one person per 12-month period and employers will need to keep track of who that designated person is over the course of the 12-month period. After that 12-month period, an employee will be able to designate a different person for the next 12 months.

SB 1044: Workplace Emergency

SB 1044 forbids employers from retaliating against workers who leave work or refuse to show up to work due to an emer-

gency condition, such as a natural disaster or criminal act, or an order to evacuate. Nor can an employer retaliate against a worker who leaves work or refuses to show up to work because they feel unsafe due to this emergency condition.

"I want to note that it actually has already been illegal for several years, to force someone to work in an evacuation zone, and...there are already a handful of both federal and state laws that prohibit you from requiring someone to work in a dangerous condition," Hoffman says.

So, in the grand scheme of things, there won't be a huge change now that the bill has been narrowed down, she adds.

Importantly, the law doesn't include a health pandemic, and certain industries are exempted from this law in order to ensure public safety, such as hospital workers, assisted living facility workers, workers who help evacuate people during emergencies, first responders, and others.



Vote No on Prop 29: 21 Newspapers Across California Reject Prop 29

From Page 1

Under this measure, clinics would also be prohibited from closing or substantially reducing services without state approval.

The California Chamber of Commerce **opposes** Proposition 29 because the physician on-site requirement is unnecessary given that dialysis treatment is prescribed by a patient's personal physician and administered by specially trained nephrology nurses and patient care technicians. Moreover, the initiative would increase costs dramatically.

A nearly identical initiative was proposed in 2018 (Proposition 8) and 2020 (Proposition 23). Both were widely rejected by voters.

A study by the Berkeley Research Group found that Proposition 23's physician requirement would increase dialysis treatment costs by \$320 million every year. According to the independent, non-partisan Legislative Analyst's Office, this provision would result in "Increased state and local health care costs...resulting from increased dialysis treatment costs."

These increased costs will be passed on to all Californians in the form of higher insurance premiums and higher taxes for government-sponsored health care.

Newspaper Excerpts

Read why California newspapers are urging readers to vote **no on Prop. 29**:

Inland Valley Daily Bulletin, Los Angeles Daily Breeze, Los Angeles Daily News, The Orange County Register, Pasadena Star-News, Long Beach Press-Telegram, Redlands Daily Facts, Riverside Press-Enterprise, San Bernardino Sun, San Gabriel Valley Tribune, Whittier Daily News:

"There is no medical reason for this request. There is zero evidence that California dialysis clinics are unsafe. To the contrary, they are literally life-savers. This is another ploy by one union, SEIU-UHW West, which has made a practice of harassing clinics around the nation because its leadership wants more power over how such clinics are run."

Los Angeles Times:

"This measure isn't really about patient care. Even the labor-friendly Legislature has refused to pass similar legislation. Furthermore, it's a tactic the union has used before to pressure healthcare facilities, most recently in Los Angeles and other cities, where the SEIU-UHW has qualified local ballot measures to force private health facilities, including dialysis centers, to pay workers at least \$25 an hour."

Palm Springs Desert Sun:

"The extra costs would be especially harmful to clinics operating close to the margins (think those in rural, lower-income communities). We'd hate to see any of those clinics close, forcing some of our most vulnerable Californians to travel farther for care."

The Fresno Bee, The Sacramento Bee, The Modesto Bee:

"Instead of threatening clinics, frightening patients and harassing voters, SEIU should try to organize workers the old-fashioned way: by meeting with them and making the case for membership. Misusing the initiative process to advance unionization by other means, let alone to propose detailed policy on specialized health care for a small number of vulnerable Californians, is nonsensical and irresponsible. Californians should defeat Proposition 29 as decisively as they did its predecessors."

The San Diego Union-Tribune:

"...the Legislative Analyst's Office says the requirement would sharply increase clinic costs, which could lead to clinic closures — which would be dangerous for kidney patients in remote areas. The rule would also damage health care overall in California by exacerbating the state's acute shortage of health care workers. We shouldn't have to keep voting on dialysis. Why are we?"

The San Jose Mercury News:

"Regulation of the industry is complex and best suited for the Legislature rather than the ballot box. If changes are needed, lawmakers should hear from experts in the field, thoroughly vet any new laws and be open to alterations dictated by sound medical advice. The California Medical Association understands that, which is why it steadfastly opposes Prop. 29."

San Francisco Chronicle:

"The union behind the measure continues to assert that these new medical supervision requirements will improve patient care. Clinic operators — including nonprofits — still say these staffing requirements are arbitrary, expensive and unnecessary, and will put the financial health of smaller and rural clinics in jeopardy. Dialysis facilities are already required to employ a physician medical director and keep a registered nurse on site."

Santa Cruz Sentinel:

"Doctors, including the California Medical Association, disagree on the need, and the Legislative Analyst's Office warns, as it did with the previous ballot measures, that the requirement would increase a clinic's costs by several hundred thousand dollars annually on average, potentially forcing some clinics to close or operate at a loss. That could be devastating to patients, who could be forced to travel longer distances to receive treatments....Voters have rejected the two previous kidney dialysis ballot measures for good reason. They should do so again and vote no on Prop. 29."

The Santa Rosa Press-Democrat:

"...we believe an initiative is the wrong way to regulate a specialized medical procedure that literally is a matter of life and death for people suffering from serious kidney disease. Without advanced medical knowledge, even the most diligent voter would be hardpressed to determine the best approach to delivering kidney dialysis. If new rules are needed, the job should be handled by the Legislature and the state Department of Public Health Services in consultation with medical experts."



Cal/OSHA Makes Big Changes to COVID Rule Ahead of December Vote

From Page 1

from the prior "6-foot/15 minutes" rule. "Indoor airspace" was particularly galling for large workplaces, where an employee might be 30 feet from anyone — but potentially still count as a close contact.

Under the new definition, California workplaces will be separated by their *cubic footage*. Workplaces larger than 400,000 cubic feet will utilize the original definition of a close contact (6 feet/15 minutes) whereas airspaces smaller than 400,000 cubic feet will keep the more recent definition of anyone sharing the same "indoor airspace." Notably, CDPH's order expressly notes that where "floor-to-ceiling walls" separate portions of a workplace, those areas must be counted separately for the purposes of determining whether the workplace is 400,000 cubic feet.

What Does This Mean for California Workplaces?

For the truly massive workplaces, this change is likely appreciated. In contrast with the ambiguity of the prior "indoor airspace" standard, California's largest warehouses, airplane hangars, or manufacturing spaces can now return to the much more practical standard of 6 feet/15 minutes to identify close contacts. This change will potentially reduce the scope of obligations toward testing and masking after exposures in the workplace.

However, I have to emphasize that this change does *not* apply simply because a structure's outer walls encompass 400,000 cubic feet — the employer must look at whether each area inside that workplace meets the requirement, or if it is a separate airspace due to walls or similar barriers.

For that reason, employers who are close to the 400,000 cubic feet limit will need to do some careful measuring — and work with counsel — to identify whether their workspace qualifies, or whether it is actually separate spaces and therefore must continue under the present "indoor airspace" definition.

Why Did CDPH Make Change?

Ever since the introduction of the "same indoor airspace" standard earlier this year, California employers have been frustrated that a massive expansion of who qualifies as a "close contact" was introduced just as pandemic precautions were generally winding down. Moreover, the standard was so difficult to apply in contrast with the prior 6-foot/15 minutes benchmark. The absurdity of the standard seemed particularly apparent in large workplaces where an employee might never be within 50 feet of a coworker but would apparently now be a close contact. CalChamber and other business groups raised this concern repeatedly with Cal/OSHA and CDPH — and it appears the concern was heard.

Other Cal/OSHA Changes

Though the "close contacts" change is the only thing going into effect immediately, we can't ignore the other changes Cal/OSHA just released to their draft two-year extension of the COVID-19 regulation — which will be voted on in December 2022.

On October 14, Cal/OSHA issued a 15-day change notice and made considerable changes to the draft regulation's text. Though the full import of these changes

is still being analyzed, the most important to employers appear to be:

- Incorporation of the new "close contact" definition based on the size of the workplace (see above) into the draft.
- Easing of the threshold to end an "outbreak"— now one case in a two-week period does not extend the outbreak. Instead, two cases will be the threshold to continue outbreak precautions. (Notably, this was a specific suggestion from CalChamber in prior meetings, and we are glad to see it incorporated.)
- Changes to statutory notice requirements— with 2022's AB 2963 (Reyes; D-San Bernardino) changing notice requirements in the workplace, the regulation is being adjusted to match.

What does all this mean for employers overall? Well, most of the changes to the draft are small feasibility improvements that employers have sought — so, in that sense, they are preferable to the prior draft. And many employers will breathe a sigh of relief that exclusion pay was *not* re-added to the draft version via this 15-day change order despite some labor pressure and will expire this December as planned.

However, the key question most employers are asking is: why is California looking at extending our COVID-19 regulation for *two years* when virtually no other states have such a regulation, and rates are falling comparably across the nation?

All I can say for now is — when you are hanging those Halloween decorations around the workplace in the next few weeks — you should probably bring a measuring tape!

Staff Contact: Robert Moutrie

CalChamber Members:

Are you using your discounts from FedEx®, UPS®, Lenovo® and others?

Members who enroll save an average of \$900 a year. See what's available at calchamber.com/discounts or call (800) 649-4921.

Visit Perks & Discounts on HRCalifornia for details, and click your way to savings today.





Factors to Consider When Deciding Whether to Pay for 'Try-Out' Time

From Page 2

then the employer is getting a benefit from the try-out time, and the applicant would have to be paid for their time.

To avoid having to pay an applicant for a try-out, employers should make sure that there is no productive work performed by a prospective employee during an interview.

• Is the time, in fact, training as opposed to testing skills?

The third relevant factor is if the try-out time is used for training as opposed to testing job skills. *DLSE Policies and Interpretations Manual Sec.* 46.8.

For example, if an employer uses try-out time to teach an applicant how to use the employer's computer software, the employer is deriving a benefit from the applicant's try-out and this time would have to be paid. If an employer uses the time solely to assess an applicant's skill in using the software, this time will qualify as try-out time.

If in Doubt, Better to Compensate

Employers should be mindful of when an applicant's demonstration of job skills requires pay. If a job skills demonstration takes an unreasonable amount of time or involves productive work or training that will benefit the employer, an employer will need to pay the applicant for their time.

If in doubt, the best practice is to compensate an applicant for the try-out time.

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

CalChamber-Sponsored Seminars/Trade Shows

From Page 2

31-November 4. (817) 684-5348.

Aerospace and Defense Trade Mission to the Middle East. U.S. Department of Commerce. November 6–11, Tel Aviv, Israel; Riyadh, Saudi Arabia; Manama, Bahrain. (623) 377-9641.

2022 ASEAN Dried Fruit & Nut Inbound Mission to New Mexico/California. Western United States Agricultural Trade Association. November 7–11. (360) 693-3373.

Exporting 101: Pathways to Developing International Markets. California

Centers for International Trade Development. November 9, February 22, 2023, Online. (559) 243-7280.

Global Supply Chain Disruptions: Challenges and Solutions. Women in International Trade, Los Angeles. November 9. (213) 545-6479.

U.S. Pavilion at Formnext 2022. U.S. Department of Commerce. November 15–18, Frankfurt, Germany. 49-211-737767-30.

Beijing International Life and Health Industry Expo. Ministry of Commerce, World Federation of Chinese Medicine Societies, Chinese Research Hospital Association, China Chamber of International Commerce. November 25, Online. +86 15801079798.

U.S. EXIM Bank 2022 Annual Conference. Export-Import Bank of the United States. December 13, Washington, D.C. and Online. (800) 565-3946.

9th Annual Global Trade Awards Gala. Women in International Trade, Los Angeles. January 19, 2023. (213) 545-6479.

Mandatory Updates to Required Employment Notices





Will you be ready to post and distribute updated employment notices on January 1, 2023?

Now's the time to preorder your 2023 California and Federal Labor Law posters and pamphlets through CalChamber, as well as applicable California Wage Order posters and local California labor law posters.

Preferred and Executive Members receive their 20 percent member discount.

PREORDER at calchamber.com/required2023 or call (800) 331-8877.