

ALERT

Governor’s Budget Plans for Uncertain Economy



Governor Gavin Newsom presented a balanced budget this week with no new general tax increases. He identified a \$22.5 billion “shortfall” between previously expected revenues and programmed

spending, and addressed this gap with a variety of spending deferrals, loans, funding shifts, and cuts.

General Fund revenues will increase by a half billion dollars, so the source of the shortfall is annual expenditures that have outpaced revenues. This gap has been covered by extraordinary budget surpluses

that are being whittled down as the operating expenses come in line with revenues.

California’s steeply progressive and volatile income tax, which is highly dependent on capital gains income, contributed to the deceleration of revenue growth. The top 1% of earners pay nearly half of all personal income taxes. Over the past two years, capital gains income is estimated to have plummeted by about \$150 billion. The volatility of the state’s most important revenue source underscores the importance of diligently socking away budget reserves. The Newsom administration has done just that, and will not consider using these reserves to bolster the budget unless the fiscal situation further deteriorates.

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Finance Director Speaks at CalChamber Lunch



Joe Stephenshaw, director of the California Department of Finance, presents an overview at the CalChamber luncheon on January 12 of the Governor’s proposed budget for 2023–2024 and plans for how to handle various economic scenarios.

The Workplace Compliance Tips for 2023



In *Episode 167* of *The Workplace* podcast, CalChamber employment law expert Matthew Roberts and CalChamber’s vice president

of employment law, Bianca Saad, discuss the new California employment laws that took effect on January 1.

New State Minimum Wage

As of January 1, the state minimum wage is now \$15.50 for all employers regardless of size. Saad notes that this change from the initial phase-in schedule is due to the increase in inflation. Inflation exceeding 7% has triggered an increase in minimum wage that is now universal for all employers. It is important to note that this affects not just non-exempt hourly employees, but also exempt employees.

Increase for Exempt Employees

Saad describes the “white collar exemption” and the two tests that exempt employees must meet. The first test is to look at what they are doing and if they meet the proper classification. The second test is how much money they are making, which requires exempt employees to earn a minimum of two times the state minimum wage. This would bring the minimum salary for exempt employees to \$64,480 per year as of January 1.

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Labor Law Corner

New Pay Scale Disclosure Law: Recap of Frequently Asked Questions



Bianca Saad
Vice President, Labor
and Employment

What do I need to know about the pay scale disclosure law that went into effect on January 1?

The California Labor Commissioner's office [released frequently asked questions \(FAQs\)](#) addressing some of employers' lingering questions about the new pay scale disclosure requirements. These FAQs answer questions on job

postings for remote positions, how to count your employees to see if you meet the 15-employee threshold and if a link or QR code can be used instead in an ad, among other topics.

As [previously reported](#), SB 1162, effective January 1, 2023, requires employers to make pay scales available to job applicants and employees, in addition to expanding the state's pay data reporting requirements.

In addition to the requirement that **all employers** provide pay scales to applicants and employees upon request (FAQs #27–28), employers with 15 or more employees must include the pay scale for the position in any job posting. And if the employer uses a third party to post or otherwise make known a job posting, it must provide the pay scale to the third party for them to include in the posting.

Job Postings for Remote Positions

One of the uncertainties around the law was whether this pay scale requirement for job postings was limited to positions whose physical location is in California or if it included remote positions.

In the FAQs, the Labor Commissioner clarifies that “the pay scale must be included within the job posting if the

position may ever be filled in California, either in-person or remotely.” (FAQ #29)

Employee Count for Purposes of Coverage

When looking at how employers must count employees to see if they reach the 15-employee coverage threshold, the Labor Commissioner indicates that the requirement is consistent with how employers count employees for COVID-19 Supplemental Paid Sick Leave and minimum wage rates, as detailed in [previous FAQs](#).

Applying that method, if an employer with 15 or more total employees has at least one employee currently located in California, then the pay scale disclosure requirements apply. (FAQ #30)

Pay Scale Specifics

The FAQs confirm that a pay scale means the salary or hourly wage range the employer reasonably expects to pay for a position. Additionally, the Labor Commissioner clarifies that an employer who intends to pay a set hourly amount or a set piece-rate amount, and not a pay range, may provide that set hourly or piece rate. (FAQ #31)

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Labor and Employment

2023 Employment Law Updates.

CalChamber. January 19, Costa Mesa; January 24 – SOLD OUT; January 26, Online. (800) 331-8877.

Finding the Right Fit: Tips for Recruiting and Hiring. CalChamber. February 16, Online. (800) 331-8877.

Leaves of Absence: Making Sense of It All Virtual Seminar, February 23–24, Online. (800) 331-8877.

HR Boot Camp Virtual Seminar.

CalChamber. March 9–10, May 4–5, Online. (800) 331-8877.

International Trade

8th Annual State of the Port of Los Angeles. Pacific Merchant Shipping Association. January 19, Los Angeles Cruise Terminal. (510) 987-5000.

China Clean Beauty Trade Mission. U.S. Commercial Service. February 21–22,

Online. Cindy.Ma@trade.gov.

Exporting 101: Pathways to Developing International Markets. California Centers for International Trade Development. February 22, Online. (559) 243-7280.

2023 Taiwan Trade Shows. Taiwan Trade Center, San Francisco. March 6–November 8, Taiwan and Online. (408) 988-5018.

Trade Winds Southeast Asia. U.S. Commercial Service. March 9–16, Bangkok, Thailand. TradeWinds@trade.gov.

Panama and CAFTA-DR Trade Mission. *See CalChamber-Sponsored: Page 9*

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Roberts comments that this is a common question the CalChamber Helpline receives. It's important for employers to remember this second part of the test, the minimum salary requirement. The Labor Commissioner views exemptions on a workweek-by-workweek basis, so you lose the exemption for every workweek you don't have it.

Local Ordinances for Minimum Wage

Saad then explains that there also are local ordinance minimum wages in California, some of which are not on a January 1 increase schedule. She says there are about 20 localities that increased their minimum wage as of the new year, often at a rate much higher than the state rate.

The remaining localities then do their increases on a July schedule, so those changes will be seen mid-year. This is critical for employers to pay attention to, if they have employees working at least two hours in any workweek from that locality, then they need to pay that locality's minimum wage.

Roberts illustrates this using the example of the CalChamber, which is headquartered in Sacramento. If the CalChamber had a remote worker in Cupertino, for example, it does not matter where the headquarters is; that employee is covered by the Cupertino local ordinance.

SB 1162: Pay Scale Publication and Reporting

January 1 also sees new laws take effect including SB 1162, which requires employers to do two things: pay scale publication and disclosure, and pay data reporting.

Pay Scale Publication and Disclosure

Pay scale publication and disclosure, Saad explains, requires all employers to provide hourly or salary wage scales to employees for their current position upon request by the employee. This also needs to be provided to an applicant for a position upon request. Saad points out that this is obviously broad and somewhat ambiguous as far as how wide the scale ought to be, but under the law it should be whatever the employer would reasonably pay for that position.

Saad goes on to explain that employers with 15 or more employees also need to publish the hourly or salary wage scales on their job recruitment postings. There is also a record keeping component of the new law, which requires employers to keep records of the job titles and wage histories for each employee during their employment, plus three years after their employment ends.

Pay Data Reporting

The pay data reporting aspect of SB 1162 updated a law that already required employees with 100 or more employees nationwide to report the pay data for employees who work at California establishments, in-person or remotely. The update to the law adds additional reporting requirements, requiring employers to report on the median and the mean pay for each job category for each combination of race, ethnicity, and sex.

This report, which used to be due on March 31 of every year, is now due on the second Wednesday of May. Saad also points out that for employers who use at least 100 workers from labor contractors (like staffing agencies), those workers must be included in those reports.

Saad shares that the California Civil Rights Department, formerly known

as the Department of Fair Employment and Housing (DFEH), maintains helpful resources on how to create and submit these reports.

Leaves of Absence: Bereavement Leave

Leaves of absence laws have also changed again with the new year. Bereavement leave now requires employers with five or more employees to provide up to five days of leave to employees who have a qualifying family member pass away.

However, the employee has to have been employed for at least 30 calendar days at the time they take the leave.

Qualifying Family Member

Saad then explains a "qualifying family member" is a spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law, all of which are defined by the Fair Employment and Housing Act. This term also is used for other leaves, including: paid sick, military, California Family Rights Act and federal Family and Medical Leave Act (FMLA) leave.

Employers have the ability to request documentation for the new bereavement leave, which must be provided within 30 days of the commencement of the leave. Appropriate documentation includes a death certificate, published obituary, burial or memorial services from a funeral home or a mortuary, etc.

Roberts asks if employers must pay for the leave to be taken. Saad adds that the statute states that the bereavement leave can be unpaid and that employees are able to use vacation, paid time off (PTO), sick leave, or some other paid time off to get paid during that time.

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CalChamber Member Feedback

"CalChamber has undoubtedly contributed to the expansion and retention of the economic base in California by ensuring that elected officials are held accountable, and are responsive, to those creating jobs in their districts. I particularly appreciate the excellent work of the CalChamber Policy Team and their efforts against proposed job killer bills."

Leslie L. Melburg
Senior Partner
Nichols, Melburg & Rossetto Architects + Engineers

Governor's Budget Plans for Uncertain Economy

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CalChamber Response

Upon release of the proposed budget, CalChamber President and CEO Jennifer Barrera said, "Today, Governor Newsom's budget highlighted the value of fiscal responsibility during the years when California experienced record budget surpluses. The disciplined approach California has taken in recent years to increase our reserves and pay down debt will allow us to continue to move our economy forward even in this challenging economic environment.

"CalChamber and our thousands of small business members urge the Governor and legislators to stand firm on commitments to keep costs as low as possible for employers so they can continue to invest in our economy and preserve the good-paying jobs that California needs. California businesses and workers were the source of record past budget surpluses, and only a healthy private sector can rescue the California economy from further deficits.

"As we begin the budget process, we look forward to actively engaging with the Governor and Legislature as these proposals and the state's financial situation evolve."

Unemployment Insurance

A disappointment to employers is the Governor's proposal to roll back the legislative commitment from last year to add \$750 million to the Unemployment Trust Fund to help restore the fund's insolvency, stemming from the pandemic-caused unemployment spike in 2020. The Governor also proposed eliminat-

ing a future \$500 million tax credit for small businesses to offset higher UI taxes related to the insolvent trust fund.

Governor's Policy Priorities

Because the shortfall has been so far absorbed with typical budgeting tools, the Governor maintained most of his key policy priorities, including:

- **K-12 education.** Total funding for public schools will reach a record \$23,723 per pupil next year, and provides school districts with an 8% cost of living adjustment for their basic state formula, plus additional discretionary funds. The budget maintains funding for transitional kindergarten and proposes new efforts to address COVID learning loss.

- **Higher education.** The budget fully funds the second year of the multi-year compacts with the University of California and California State University by providing 5% funding boosts and an additional allocation to UC to encourage admission of resident undergraduates.

- **Homelessness.** The budget maintains past investments to address homelessness, plus fully funds the CARE Act, an initiative supported by CalChamber to provide mandatory care services to severely mentally ill homeless individuals.

Also of Interest to Business

Other issues of importance to businesses include:

- A \$120 million one-time General Fund allocation for the third year of the expansion of the California Competes grant program.

- Extension of the Film and Television Tax Credit, adding \$330 million per year beginning in 2025-26 to extend the

existing program and make the credit refundable to benefit a wider range of productions and ensure the competitive program will maximize economic benefits to the state.

- An additional \$11.7 million and 42 positions in 2023-24 for the Department of Industrial Relations to help address wage claim processing times by improving the efficiency of the claims intake and processing as well as automate portions of the claims processing activities within the Wage Claim Adjudication unit.

- Appropriating \$250 million in one-time General Fund monies for Small Business and Nonprofit COVID-19 Supplemental Paid Sick Leave Grants for small businesses and nonprofits to offset costs of their employees who used the state's supplemental COVID-19 paid sick leave.

- The Governor provided some funding to address his 2022 Water Supply Strategy, including funds for planning and permitting new water supplies, modernizing water rights and recharging groundwater. The budget also addresses maintenance of the Sacramento-San Joaquin Delta levees and urban and Central Valley flood control.

- More than a half-billion dollars over three years to help local law enforcement combat retail theft and other crimes.

- Several economic development infrastructure projects were delayed, including \$400 million for ports and goods movement, and \$1.1 billion for broadband "last mile" grants and program operation.

The Governor will update the budget proposal in May, and the Legislature must act on it by June 15.

Contact: Loren Kaye

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California Works

Kern Energy: A ‘Small but Mighty’ Powerhouse of Innovation



This article is 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.



Kern Energy is an independent, family-owned energy company producing reliable transportation fuels taking kids to school, people to work and products to market since 1934. The only refiner between the Bay Area and Los Angeles producing gasoline and renewable diesel, Kern Energy is powered by a team of 185 full-time employees and is a critical supplier of California’s Southern San Joaquin Valley.

Over the last nearly 90 years, Kern Energy’s team has evolved to meet the clean energy needs of California while continuing to reliably provide their region’s transportation fuels.

Embracing its evolution, the company became Kern Energy in October 2022, rebranding from Kern Oil & Refining Co. Kern Energy better reflects who the company is, what it does and where it is going. The new brand will be a catalyst to accelerate Kern Energy’s mission to continue driving down the environmental footprint and carbon intensity of its gasoline and diesel production, while innovating toward next-generation renewable fuels.

Kern Energy’s renewable fuel jour-

ney started as the second refinery in the United States to produce renewable diesel by co-processing bio-feed. Since 2010, Kern Energy has produced more than 50 million gallons of renewable diesel. Kern Energy was also the first small refinery in California to blend biodiesel into finished fuels, and has blended more than 62 million gallons since 2012.

President and CEO Jennifer Haley

CalChamber Board Member Jennifer Haley has served as president and CEO



of Kern Energy since 2018 after joining the Kern team in 2011 as vice president – legal and government affairs.

Haley took a nontraditional path to refinery leadership. After earning a law degree at the University of San Diego

School of Law, she handled litigation primarily for public agency clients — including school and water districts — in state and federal court.

Haley brought to the company an open mind and keen desire to understand every aspect of the business and California energy environment. Haley’s on-the-job training gave her a deep appreciation for the complexity inherent in a refining operation, and her fresh perspective helps drive Kern Energy’s ongoing evolution to meet the demands of climate change.

Under Haley’s leadership, the company has personified its “small but mighty” culture to help lead statewide efforts to promote energy resilience, clean energy and collaborative solutions that protect the economy and environment.

Developing Solutions to Meet California’s Clean Energy Goals

Kern Energy’s team strives to anticipate and embrace the future of “California Clean” transportation fuels, a core value blended into all operations, by advancing clean energy goals in a manner that lifts up all Californians by prioritizing reliability and affordability in pursuit of a

better tomorrow.

Looking to the future, Kern Energy is currently converting its co-processing unit to produce 100 percent renewable diesel by the end of 2023 and is breaking ground

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on a solar project which will make Kern Energy one of the first refineries in California to generate Low Carbon Fuel Standard credits from solar generation.

An Unwavering Commitment to Collaboration and Shaping Energy Solutions

Team Kern believes that success requires innovation, collaboration, and continuous improvement. They pride themselves on being conveners and collaborators, building partnerships to drive innovation and develop cleaner, more environmentally friendly fuels. In the spirit of collaboration, the refinery is pursuing a carbon capture feasibility project funding opportunity with SoCal-Gas and Sentinel Peak Resources to drive technology forward to achieve our state’s collective goals.



Jennifer Haley, President and CEO

Kern Energy

President and CEO: Jennifer Haley

Headquarters: Bakersfield, California

Employee Count: 185

Company Business Segments:

- Oil refinery
- Gasoline and diesel production
- Renewable transportation fuels
- Biodiesel

Kern Energy is proud of its rich history as Kern Oil & Refining Co. and is excited about the bright future of Kern Energy – leading California’s clean

transportation fuel evolution while being good stewards of people and planet. For more information, please visit www.kernenergy.com.

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Saad also notes that the five days of bereavement leave is per qualifying family member that passes away; there is no annual limit. Roberts comments that the leave must be taken within 90 days of the qualifying event; once the 90 days pass, the employee is no longer entitled to the leave.

Designated Person

Roberts asks about the new “designated person” addition to the list of qualifying family members that California added to the California Family Rights Act (CFRA), California’s version of FMLA. Saad explains that the “designated person” differs based on what law is being discussed.

For CFRA, a designated person is any individual related by blood whose association with the employee is the equivalent of a family relationship. For CFRA, an employee can now take up to 12 weeks of leave to care for anyone who is a designated person. However, under paid sick leave, a designated person is just a person identified by the employee at the time the employee requests leave.

Saad clarifies that there are limits to

this paid sick leave. An employer under the law can limit the “designated person” to be the same individual for each leave year under each law, to prevent an employee from taking leave to care for a neighbor, and then taking leave to care for an aunt, etc. within the same year.

Update Employee Handbooks

With all these new and updated laws for the new year, Roberts reminds employers to update their employee handbooks. Although employee handbooks are not required by law, Saad points out, they are a best practice. An employee handbook serves as a central location for all your HR policies.

The new year is also a great time to review other policies like vacation, holiday, rest and meal breaks, etc. Handbooks are great resources to refer to, especially for employers handling performance and disciplinary issues.

Saad shares that the CalChamber’s [Employee Handbook Creator](#) is a great place to start to quickly create a handbook. It makes the process simple with a handbook “wizard” allowing employers to answer questions about the number of employees, then dropping in the types

of policies that are recommended or mandatory.

Saad says that no matter how the employee handbook is created, it is important to have it reviewed by legal counsel before distributing it to employees.

Updated 2023 Posters

Roberts says that the new year also means new posters. There are 18 employment posters that all employers must post; about half of them have been updated for 2023. Employers can go to each government agency to collect all required posters, or for convenience they can utilize the CalChamber’s all-in-one poster that combines all these into a single giant sheet.

If employees are working 100% remotely, employers must make sure they are getting these notices to the employees, whether in the form of an all-in-one poster or sending each notice separately. If an employee is on a hybrid schedule, coming into the worksite a few days a week, they are covered by the posters at the worksite.

Those are a few compliance tips to start off the new year. Happy 2023.

State Air Resources Board Updates Plan for California to Reach Carbon Neutrality



After conducting a series of workshops over the last year and a half, the California

Air Resources Board (CARB) approved an updated version of its [scoping plan](#) in December 2022.

The plan itself is essentially a roadmap on how the fourth largest economy in the world will achieve carbon neutrality by 2045 and reduce greenhouse gases (GHGs) by 48% by 2030. The scoping plan is required to be updated by CARB every five years.

The adopted plan lays out new mid- and long-term GHG and clean energy targets for several economic sectors, including mobile, stationary, and working lands-based sources. A high-level summary of the adopted scoping plan scenario can be found below.

Transportation Sector

Some of the more significant transportation-related targets included in the scoping plan that will be needed to achieve the plan's 2030 and 2045 targets include:

- Reducing vehicle miles traveled (VMT) per capita by 25% below 2019 levels by 2030, and 30% by 2045;
- Ensuring all new medium- and heavy-duty truck sales are zero-emission by 2040;
- 20% of aviation fuel demand is met by electricity or hydrogen in 2045;
- Cargo handling at ports is zero-emission by 2037 and all drayage trucks are zero-emission by 2035; and
- 100% of passenger and other locomotive sales are zero-emission models by 2030.

Building Decarbonization

One of the primary objectives of the scoping plan is to decarbonize buildings, with CARB projecting a 90% reduction in natural gas demand by 2045; 3 million all-electric buildings by 2030 and 7 million by 2035; and the inclusion of 6 million heat pumps installed by 2030.

This means that the scoping plan is estimating that 80% of heating, ventila-

tion, air conditioning (HVAC) and water heater sales will be electric by 2030 in both the residential and commercial and industrial building sectors.

For reference, CARB assumes that the state currently sees 15% of HVAC sales will be electric.

Electric Generation

For electric generation, the scoping plan forecasts reaching GHG emissions of 38 million metric tons (MMT) in 2030, and 30 MMT by 2035; deploying 20 gigawatts of offshore wind power by 2045; and meeting additional electrification demand without new fossil-fueled power generation resources. This includes the retirement of all combined heat and power generation facilities in the state by 2040.

The 2022 scoping plan also includes the development of carbon management and hydrogen production at a scale that was not incorporated in earlier iterations. This is welcome news, as both carbon capture and sequestration (CCS) and hydrogen are sources of clean firm power that can contribute to California's carbon neutrality goals.

The California Chamber of Commerce has long advocated for technology-neutral solutions in the spirit of cap-and-trade, which is a technology-neutral approach to emissions reductions. The inclusion of CCS and hydrogen could allow the state to expand its "toolbox" for achieving these ambitious targets.

However, SB 905 (Caballero; D-Merced; Chapter 359, Statutes of 2022) created a restrictive framework around carbon capture that will limit its potential to offer a meaningful solution to the state's overall emissions reduction targets.

These are ambitious targets that are designed to further underscore California's role as a leader in emissions reductions. Beyond that, the inclusion of CCS and hydrogen in this scoping plan show the state's willingness to incorporate innovative solutions to achieve emission reduction targets, even if they don't unlock their full potential.

Many Questions Remain

However, there are a few open-ended questions that the scoping plan did not

address. For example, implementing several of the key proposals included in the plan will require coordination between one or more other state agencies. The plan did not articulate beyond the identified target how that coordinated effort will work.

In early January, the Legislative Analyst's Office (LAO) [issued a report](#) that drew many of the same conclusions. In that report, the LAO took issue with the lack of detail included in the scoping plan on how the state intends to achieve its near-term targets, noting that it is unclear which mechanism(s) the state will rely on to achieve its 2030 GHG emission targets. The LAO refers to the lack of specificity as to whether the state will rely on financial incentives, regulatory action, or cap-and-trade, as a missed opportunity with significant ramifications.

Forecasted energy demand stemming from this updated plan means that we simply cannot afford to discourage development. Clean energy generation would need to be 70% above our current capacity to meet the demands envisioned in the 2022 scoping plan.

For this plan to become a reality, there will need to be significant modifications to the current siting and permitting process. Projects currently remain in queue for several years before development can begin, and that is clearly at odds with the ambitious targets set forth in this scoping plan.

In addition to siting and permitting, the September heatwave that threatened California's grid is not too far in the distant past that we can forget there still is an ongoing need for clean-firm power. This ongoing need for clean-firm generation is partly what drove the CalChamber to support extending the operation of the Diablo Canyon Power Plant—to buttress the grid when intermittent renewables are not able to meet the state's net peak demand needs.

As demand continues to grow through greater electrification, it will be imperative that the state build out a diverse energy portfolio that can meet the energy needs of the state at any given time.

Staff Contact: Brady Van Engelen

Lt. Governor Redesignated as Governor's Top Trade Representative

On December 30, 2022, Governor Gavin Newsom **redesignated** Lieutenant Governor Eleni Kounalakis as his top representative to advance California's economic interests abroad. Lieutenant Governor Kounalakis, a former U.S. Ambassador, has served as the Governor's International Affairs and Trade Representative since 2019.

"The CalChamber is delighted that the Governor is renaming Lieutenant Governor Kounalakis as his international representative," said Susanne Stirling, CalChamber vice president for international affairs. "She is a wonderful advocate for the international trade and investment community. Lieutenant Governor Kounalakis' natural diplomatic abilities and State Department training make her an outstanding choice for this important role.

"We've seen the Lieutenant Governor in action over the last four years. Whether the occasion was one of the numerous online seminars and webinars during COVID, or the post-pandemic in-person events hosting delegations from all around the world, the Lieutenant Governor has been a gracious and energetic spokesperson. The California Chamber of Commerce was pleased to be part of the administration's first international delegation to [Mexico in October 2019](#)."

Lt. Governor Eleni Kounalakis

Lieutenant Governor Kounalakis is the first woman elected Lieutenant Governor of California. From 2010 to 2013, Lieutenant Governor Kounalakis served as Ambassador to Hungary, making her the first Greek woman and one of America's youngest to serve as a



Lieutenant Governor Eleni Kounalakis

U.S. Ambassador. Lieutenant Governor Kounalakis was then appointed chair of the California Advisory Council for International Trade and Investment in 2014 by Governor Jerry Brown.

As the Governor's International Affairs and Trade Development Representative, Lieutenant Governor Kounalakis chairs the International Affairs and Trade Development Interagency Committee, which serves as the coordinating body for the administration on the

promotion and expansion of trade, investment and international relations.

California's Role in Global Trade

California is the world's fifth largest economy with a gross state product (GSP) of more than \$3 trillion. International-related commerce (including exports and imports of goods and services, plus investments) accounts for approximately one-quarter of the state's economy. Although trade is a nationally determined policy issue, its impact on California is immense.

California exports to more than 226 foreign markets and accounts for almost 10% of the nation's total exports. International trade, including exports and imports, supports more than 5 million California jobs — which translates to 1 in 4 jobs.

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

The California Chamber of Commerce looks forward to continuing joint endeavors alongside Lieutenant Governor Kounalakis to promote trade and investment opportunities in California and with our global partners.

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Other compensation or tangible benefits that are in addition to a salary or hourly wage (such as bonuses, tips or other benefits) are not required to be posted. (FAQ #32)

On the other hand, if the position's hourly or salary wage is based on a piece-rate commission, then the piece-rate or commission range that the employer reasonably expects to pay for the position must be included in the job posting. (FAQ #33)

No Links or QR Codes

The Labor Commissioner specifies that employers cannot link to the salary range in an electronic posting or include a

QR code in a paper posting that will take an applicant to the salary information. The pay scale must be included within the job posting. (FAQ #34)

Other Requirements

The FAQs remind employers of their record retention requirements — beginning January 1, 2023, employers must keep records of a job title and wage history for each employee for the duration of employment plus three years after the end of employment. (FAQ #22)

Employers of all sizes should be prepared to provide pay scale information to applicants and employees when requested and maintain related records. Additionally, employers with 15 or

more employees should have compliant job postings with appropriate pay scale disclosures, even if using a third party.

Individuals claiming to be aggrieved by a violation of the law can file a claim with the Labor Commissioner or a civil action, which could result in civil penalties ranging from \$100 to \$10,000, among other relief.

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.

In Memoriam: Julianne Broyles, Former CalChamber Policy Advocate



Julianne Broyles, for many years a policy advocate at the California Chamber of Commerce, passed away on January 1. She was 63.

She joined the CalChamber policy team in 1991 as a legislative assistant, focusing on environmental, OSHA and family leave issues. She began lobbying on employee relations, insurance and small business issues in 1993.

She was an effective voice at the State Capitol and at regulatory hearings on

the myriad workplace laws and regulations affecting the relationship between employers and their employees, as well as concerns specific to small business. Broyles continued working as an advocate and consultant after moving on from the CalChamber in 2006.

Before coming to the CalChamber, Broyles was a legislative assistant to then-Assembly Minority Whip Tom McClintock. She worked four years for the U.S. House of Representatives and spent two years administering a project investigating fraud and waste in the U.S. defense budget for the Center on Budget and Policy Priorities in Washington, D.C.

She attended Loyola Marymount University and the University of San

Diego, majoring in political science and international economics.

Broyles was preceded in death by her parents, Howard Frank Broyles and Jacqueline Jill Pottage, and her brothers Craig and Michael and sister Marianne. She is survived by her daughter, Alexandra (Cole) Mayer; two granddaughters; sisters Elizabeth (David) Lee and Michele (Barry) Bottrell; brother Scott Broyles; chosen sisters Astrid (Bob) Willard and Jan Hansen; and numerous other loved ones, friends and colleagues.

In lieu of flowers, the family asks: please make a donation to Happy Jack Cats, your local no kill animal shelter, or your local library. A memorial will be held at a future date.

CalChamber-Sponsored Seminars/Trade Shows

From Page 2

Foreign Agricultural Service, U.S. Department of Agriculture. March 19–23, Panama City, Panama.

trademissions@fas.usda.gov.

11th Annual Pan African Global Trade and Investment Conference. Center for African Peace and Conflict Resolu-

tion. April 26–30, Sacramento. info@panafricanglobaltradeconference.com.



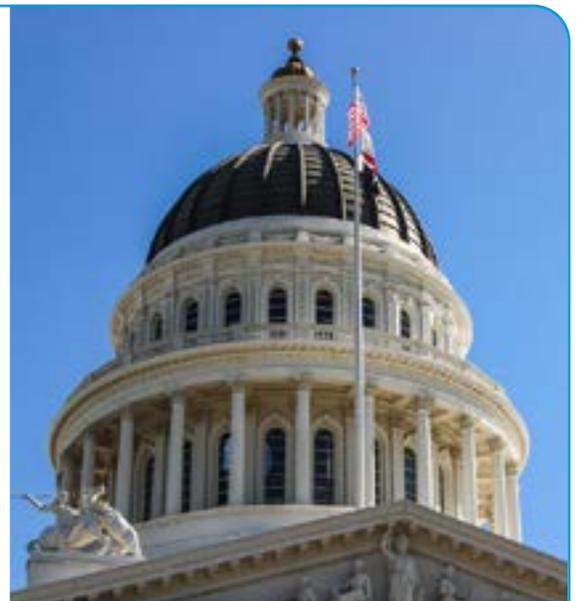
JANUARY 26, 2023 | 10 AM - 11:30 AM PT

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