

# ALERT

## CalChamber Names Chair of New Small Biz Council

*Sandra Floyd, President/CEO of OUTSOURCE*



Sandra Floyd

The California Chamber of Commerce is excited to introduce the Small Business Policy Council, a pivotal initiative designed to amplify the voices of small businesses within the State Capitol.

Leading this endeavor is CalChamber Board Member Sandra Floyd, president and CEO of [OUTSOURCE Consulting Services Inc.](#) (OCSI.co), who will be the Council's inaugural chair.

Founded by Floyd in 1994, OCSI.co has grown into a formidable force in the staffing industry, celebrating more

than 28 years of connecting companies with top-tier talent across diverse sectors including engineering, information technology, and the U.S. Department of Energy – Nuclear Sites.

OCSI.co's success is rooted in its commitment to fostering a diverse workforce and providing comprehensive human workforce management solutions, earning recognition as a small, minority, and woman-owned business.

Under Floyd's guidance, OCSI.co has championed core values emphasizing client-centric service, delivering "exactly what you need—precisely when you need it."

This ethos extends beyond business operations, with a strong commitment to community involvement. OCSI.co has

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## CalChamber Seeks Review of Privacy Regulations Litigation in State Supreme Court



The California Chamber of Commerce has [petitioned](#) the California Supreme Court for review in *California Chamber of Commerce v. California Privacy Protection Agency*.

The case centers on whether Proposition 24 can be enforced by the regulating agency, the California Privacy Protection Agency (CPPA), in a manner different from the measure's express one-year period between the adoption of implementing regulations and the commencement of enforcement.

### Regulations Overdue

In March 2023, with no full and final set of regulations in place to implement Proposition 24, and despite being overdue from the CPPA by more than eight months and yet scheduled for enforcement in July, the CalChamber sued the CPPA to force compliance with the voter-approved, one-year gap between adoption of final regulations by the CPPA and the time they could be enforced.

In filing the case, the CalChamber argued that it would be wholly inconsistent with the text and intent of Proposition 24, not to mention completely unfair, to

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## Women's History Month Provides Opportunity to Reflect on Contributions of Women in Business



As Women's History Month begins March 1, the California Chamber of Commerce

kicks off a month-long celebration highlighting the role of women in business — those who are making big contributions to their communities and to the state's economy and jobs climate.

CalChamber's 2024 Board of Directors Chair, Janet A. Liang, executive vice president, COO, care delivery, Kaiser Foundation Health Plan, Inc. and Hospitals, is the

ninth woman to serve in the organization's top volunteer position.

Current CalChamber President and CEO Jennifer Barrera is the first woman to hold the top staff position. She leads a staff of 100 full- and part-time employees that includes women in eight executive and senior management positions; three policy advocate posts; seven employment law experts; and 39 administrative, communications, customer service, events, finance, human resources, information technology, legal affairs, local chamber, marketing, operations, policy,

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## Labor Law Corner

# Request for Religious Accommodation: Interactive Process Key



**Dana Leisinger**  
Employment Law  
Expert

*My employee is asking for a month off due to her religion, which requires that she not work after dark for about a month. Do we have to honor this request as an accommodation?*

Title VII of the Civil Rights Act (Title VII) requires employers to make a reasonable accommodation to requests from employees for religious reasons, such as schedule changes.

California's Fair Employment and Housing Act (Government Code Sections 12940, et seq.) provides additional protection to Title VII, since both state and federal law address this issue.

This request came due to the employee's religion requiring that she not work past sunset, yet her shift was an evening shift.

### Explore Options

Often, these requests may sound difficult, but exploring options is important. Allowing co-workers to substitute or swap shifts is a possibility, or changing the employee to a different position might be an idea. Getting input from the employee themselves could provide more avenues to explore.

In other words: engage in the interactive process of exploring options. Don't automatically respond by saying that the request poses an "undue hardship."

### Difficulties

Religious accommodation can pose

difficult problems for an employer. Oftentimes, a job candidate may not mention issues when asked if they can work a fluid schedule, including week-ends, but then shortly after hire will claim they can't work on Sundays. It can cause resentment in the workplace if one employee gets every Sunday off, yet others must work that day.

Different religions have more restrictions, as indicated in the question posed above. Keep in mind that Title VII defines "religion" very broadly, so employers may be faced with many different types of requests.

The key in these situations is the interactive process noted above and exploring options to reach a result that is acceptable to both the employer and the employee.

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

### California Chamber Officers

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## CalChamber-Sponsored Seminars/Trade Shows

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

### Labor and Employment

HR Boot Camp. CalChamber. March 7–8, March 28–29, Online. (800) 331-8877.

Under the Influence: Drugs and Alcohol at Work. CalChamber. March 21, Online. (800) 331-8877.

Leaves of Absence. CalChamber. April 11–12, Online. (800) 331-8877.

### International Trade

Building a Sustainable Future: Open Innovation Between California and Japan to Tackle Climate Change. Consulate General of Japan – San Francisco, Japan Society of Northern California. March 4, Santa Clara.

Korea-U.S. Free Trade Agreement (KORUS FTA) Anniversary Celebration. Consulate General of the Republic of Korea in Los Angeles. March 7, Fullerton.

Journey to Panama. San Diego Diplomacy Council. April 1–5, Panama. (619) 291-8105.

The Madrid Energy Conference 2024. Institute of the Americas and IPD

Latin America. April 9–11, Madrid, Spain. (858) 453-5560.

California Pavilion at Hannover Messe.

Governor's Office of Business and Economic Development (GO-Biz).

April 22–26, Hannover, Germany. [patricia.utterback@gobiz.ca.gov](mailto:patricia.utterback@gobiz.ca.gov).

World Trade Week Southern California. Los Angeles Area Chamber of Commerce. May 1, Long Beach.

[cluna@lachamber.com](mailto:cluna@lachamber.com)

WCF Americas Summit. International Chamber of Commerce (ICC) World

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## CalChamber Calendar

### Water Committee:

March 7, La Jolla

### ChamberPAC Advisory Committee:

March 7, La Jolla

### Board of Directors:

March 7–8, La Jolla

### International Trade Breakfast:

March 8, La Jolla

# Celebrating 134 Years of Leadership

**Jennifer Barrera**

February 20 marked the 134th anniversary of CalChamber's work on behalf of the state's businesses and job creators. We are grateful for the opportunity

to advocate on behalf of our 13,000 members—companies that are the backbone of California's private sector economy.

Our legacy as California's largest, most respected and most influential advocacy and compliance organization is the result of a remarkable combination of our members and staff. Our member companies provide jobs and benefits for hundreds of thousands of California workers while fueling the economy and creating innovative solutions that make our lives better. Our staff advocates at the very highest levels of government and mobilizes the power of small business at the State Capitol.

Equally important, we serve as the premier provider of resources and compliance materials to meet the ever-changing HR needs of California employers.

CalChamber's past is a story of accomplishment. As we look into the future, we are excited about the opportunity to continue to lead in areas of critical importance to the long-term success of our state.

## What's Coming in 2024

Already this year, CalChamber staff has been hard at work on bills and regulations dealing with AI, employment and workplace mandates, water policy, environment, and climate change, including transitioning our economy to clean energy.

Our policy team, with the assistance of a broad business coalition, killed a number of dangerous proposals near the beginning of January, including a resurrected version of the wealth tax proposal, a *de facto* ban on warehouses, expan-

sion of litigation related to non-compete agreements, and a measure that would have expanded workers' compensation presumptions. Later in the month, our collective advocacy efforts resulted in the early death of a bill that sought to ban political contributions.

CalChamber's annual job killer list will be released soon. Our policy staff is currently analyzing bills to determine

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## Commentary By Jennifer Barrera

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what will be included on the 2024 list. We also will be looking for proposals for the job creator list and will announce those as we identify them. The dire state budget situation will drive many discussions this year as we wait to see what cuts are coming and where.

Political engagement is a major imperative for CalChamber and we are ramping up efforts for both the primary and general elections.

## PAGA

A major priority for 2024 and beyond is reform of the Private Attorneys General Act (PAGA). CalChamber and several other partners in the business community are leading a concerted, strategic effort to fix the issues that PAGA has created for all businesses, including small companies and non-profits. The ballot measure, slated for 2024—the Fair Play and Employer Accountability Act—continues to be a priority and needs a yes vote by the electorate, so spread the word! Please visit [fixpaga.com](https://fixpaga.com) to see the latest on our education effort and learn how to get involved.

## Proposition 1

Coming up quickly on the March 5, 2024 ballot is the vote on Proposition 1, the Governor's plan to provide the resources to help communities across the state recover from the unprecedented mental health and homelessness crisis. The plan authorizes \$6.38 billion in general obligation bonds (\$4.4 billion earmarked for mental health treatment facilities and \$2 billion for housing for homeless veterans and homeless individ-

uals with substance use and mental health challenges).

We have been working to build support for the measure. In January, I joined the Women for Prop. 1 event assembled by women business, health care, and political leaders. Also in January, a CalChamber-hosted briefing brought together local chamber partners and regional business allies with representatives of the campaign and senior officials from the Governor's office. The briefing highlighted the resources that Proposition 1 will unlock to tackle homelessness, as well as the measure's accountability and local control provisions.

Please visit <https://treatmentnottents.com/> to sign up for updates and see other information you can share.

## CalChamber in Court

On January 30, we announced our leadership role in challenging two of California's new climate reporting laws—SB 253 and SB 261. Joining the U.S. Chamber and allied business groups, we filed a lawsuit challenging the constitutionality of the measures. Please see the [full statement on the lawsuit here](#).

## Compliance in 2024 and Beyond

Finally, we continue to be extremely proud of the role CalChamber plays as the state's premier authority and provider of employment law compliance services, products and training. We have unique expertise and connections that allow us to provide an unmatched suite of services, products and trainings to keep our members compliant with California's ever-changing employment laws and regulations.

Our newly launched cybersecurity training class is another way in which we are looking to support all needs of business in California. Please visit our [CalChamber Store](#) for additional information!

Thank you to all our members and colleagues for the privilege of allowing us to partner with you. We look forward to much continued future success!

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

# Report Finds Private Attorneys General Act Too Slow to Resolve Employee Claims

*Too Little Compensation Goes to Workers*



A new [report](#) by former heads of California's labor and occupational safety agencies found that employee labor claims filed under California's lawsuit-first Private Attorneys General Act (PAGA) take twice as long to resolve and provide workers only one-third of the compensation compared to employment claims reviewed by state regulators.

The report was prepared by former leaders of the California Labor and Workforce Development Agency (LWDA), Division of Occupational Safety and Health (Cal/OSHA) and the Department of Industrial Relations (DIR). Authors of the report are David Lanier, who served as secretary of the California Labor and Workforce Development Agency for Governor Jerry Brown; Len Welsh, chief of the Division of Occupational Safety and Health (Cal/OSHA) under Governor Arnold Schwarzenegger; and Christine Baker, director of the Department of Industrial Relations (DIR) for Governor Brown.

The report also found that non-profits, small businesses, and other employers have been forced to pay nearly \$10 billion in PAGA case awards since 2013, with attorneys receiving the far bigger portion of the settlements and workers consistently receiving only minimal payments.

The report represents the most comprehensive review of available data regarding PAGA claims filed with the state and with the LWDA, the DIR and the Division of Labor Standards Enforcement (DLSE).

## Report Findings

Among the [report's](#) key findings:

- **Workers receive three times more when their claims are reviewed by the state vs. cases filed with a court.** PAGA court case awards average \$1,264 per employee vs. DLSE wage claim awards averaging \$3,613 per employee and DLSE Bureau of Enforcement awards averaging \$6,438 per employee.

- **PAGA cases filed with a court take nearly a year longer than claims filed with DLSE or LWDA.** Workers filing claims directly with DLSE wait fewer than 10 months on average for their awards. The wait for workers averages 23 months for PAGA court case awards.

- **Since 2013, employers have been forced to pay nearly \$10 billion in PAGA court case awards, but because of the class-action nature of many claims and heavy lawyer commissions, workers receive only a small portion of these awards.**

- **DLSE offers the most effective means for workers to recover wages owed.** DLSE wage claim adjudication provides the most effective and time-efficient resolution of claims by individuals. The existing PAGA fund balance could support the staffing increases and administrative changes that would be needed.

Further, DLSE is no longer subject to the funding shortages cited as a justification for PAGA when it was signed into law, given the change in funding from the General Fund to workers' compensation user funding.

In a statement, California Chamber of Commerce President and CEO Jennifer Barrera stressed that PAGA needs reform.

"Today's PAGA system is completely broken and does not work well for employees or employers," Barrera said. "A better system would allow employee claims to be evaluated and resolved by existing state agencies, providing faster resolution and more restitution for workers, while preventing abusive lawsuits that harm both employees and employers."

## Fix PAGA Coalition

The [Fix PAGA coalition](#), which includes the CalChamber, community, disability and health advocates, small businesses and others, is promoting reforms that would eliminate the lawsuit-first, class action style approach that empowers lawyers at the expense of California workers and small businesses.

The coalition favors reforms that would expand existing DLSE processes to resolve employee claims faster and provide workers with more money. It is fully supportive of the already-qualified ballot measure on the November 2024 ballot, but it also is open to a legislative solution to avoid the need for a costly ballot campaign.

## CalChamber-Sponsored Seminars/Trade Shows

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Chambers Federation. May 8–10, Bogotá, Colombia.  
Annual Export Conference. National Association of District Export Councils. May 13–14, Washington, D.C.  
Trade Winds – Europe. GO-Biz and U.S. Commercial Service. May 13–15,

Istanbul, Turkey. Optional: May 9–10, Denmark or Romania; May 16–17, Poland or Italy. Register interest. [patricia.utterback@gobiz.ca.gov](mailto:patricia.utterback@gobiz.ca.gov).  
Indo-Pacific Business Forum. U.S. Trade and Development Agency and Government of the Philippines. May 20, Livestream and Manila, Philip-

pines. (703) 875-4357.  
Farnborough International Air Show: California Pavilion. GO-Biz. July 18–22, Farnborough, United Kingdom. [patricia.utterback@gobiz.ca.gov](mailto:patricia.utterback@gobiz.ca.gov).

*California Works*

# Sacramento's Fastest Growing Company Puts Experience First



*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.*



C L U T C H

Founded in late 2019, **Clutch** is a business services consulting firm making a splash for its record-breaking growth and award-winning client service. Inspired by the idea to create a company rooted in culture, co-founders Anne Descalzo and Rachel Zillner set out to build a business committed to high-quality experiences for clients, partners and employees.

Just over four years later, Clutch has solidified a reputation for unparalleled experiences for clients experiencing growth and change.

## What It Means to Be an Experience Company

"Business services consulting isn't a new industry, but Clutch takes a new approach to how we support our clients and our employees," said Descalzo. "We're not your normal consulting firm — we genuinely want to form human connections and build a team designed specifically to the needs of each client."

Focusing on the experience, Clutch blends human-centered design methodologies with a curated team of experts to go beyond advising and strategizing for clients, but instead forging strong partnerships.

"Our clients have described this tangible difference they get from Clutch, and it goes back to the experience we create," added Zillner, CEO and co-founder of Clutch. "We've built a culture of connection and curiosity that enables our employees to develop tailored solutions."



Clutch co-founders Anne Descalzo (left) and Rachel Zillner.

## The Work Clutch Does

"When we founded Clutch, we didn't necessarily have a widget to sell or service to market, we just knew we wanted to create a work environment focused on the experience for the employee and the client," said Zillner. "Launching in the months before the pandemic opened up a pathway to government contracting where the state, in particular, needed the support of outside contractors to help them navigate the ever-changing COVID-19 landscape."

That's when Clutch stepped in, helping the California Department of Public Health (CDPH) launch and operate the state's public COVID-19 call

center. Soon after, opportunities arose to expand the company's work with CDPH to provider call centers, immunization expansion programs, public health outreach campaigns, and more.

Along the way, Clutch's engagement with other state and local government agencies, as well as organizations in the private sector, continued to grow.

"The work we did on behalf of our clients ranged from event management to data and IT consulting, and just about everything in between," said Descalzo. "The common thread woven throughout was to come in clutch for our clients when they needed help the most."

Since then, Clutch's talented team has homed in on nine business service areas:

- marketing;
- communications;
- event management;
- program management;
- training and development;
- business process and strategy;
- people operations;
- technology innovation;
- experience management.

With an extensive list of clients, including Sutter Health, California Volunteers, the city of Sacramento, Habitat for Humanity, and many more, Clutch's commitment to creating exceptional client experiences is making its mark across multiple sectors.

"We're now expanding into federal contracting markets as well," noted Descalzo. "We've seen our human-centered approach to doing work and operating a business result in tremendous success and are excited to apply it to federal opportunities."

## Creating an In-Person Experience

"The work we do isn't possible without our incredibly talented team

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## Sacramento's Fastest Growing Company Puts Experience First

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of employees,” said Descalzo. “Being a values-based company means taking the time to listen to our people and finding ways to enhance their working and personal lives.”

Formed as a remote-first organization, Clutch rented coworking space in the Sacramento region in order to create opportunities for connectivity for employees. With limited coworking space, Clutch also hosted monthly coworking events for employees, renting large spaces to hold the nearly 175 team members who were eager to connect in-person.

“To be honest, we were surprised at how quickly we outgrew our coworking and event spaces. Our employees wanted time together and we realized we needed our own space,” said Zillner.

In January 2024, Clutch announced the move to a headquarters building in Rancho Cordova, with a radically flexible working environment for employees

looking to connect. “We found a physical location that really matches our company culture,” said Descalzo. “It’s an environment where people want to work, not a building where our employees have to be 9 to 5 each day.”



seating up to 160 people, coworking and event space, Frequency contributes to the collective success of entrepreneurs. Its state-of-the-art facilities are home to a vibrant ecosystem for entrepreneurs looking to spark collaboration, engage

in ideation, and build a sense of community.

“We also spent time reflecting on our journey as entrepreneurs, which unfortunately didn’t come as easily as we had expected,” said Zillner. “That’s why we created MinervaVerse, an inclusive startup community, advocating for entrepreneurs at all levels.”

MinervaVerse operates three distinct programs — Miner-

vaFund, MinervaAccelerator, and later in 2025, the MinervaIncubator — each tailored to support entrepreneurs at different stages of their journey.

“Our mission focuses on supporting underrepresented entrepreneurs, particularly women and minorities, by bridging gaps in financial access, education, and mentorship,” said Descalzo.

### Multi-Passionate Entrepreneurs

Clutch isn’t the only tenant inside the space in Rancho Cordova. As multi-passionate entrepreneurs, Descalzo and Zillner took inspiration from their past coworking environments to establish Frequency Coworking & Events.

With offices accommodating from one to up to four people, meeting spaces

## Sandra Floyd to Chair New CalChamber Small Business Policy Council

*From Page 1*

actively supported organizations like the Berkeley Symphony, Covenant House California, and Big Brothers Big Sisters Bay Area, showcasing a profound dedication to social responsibility and the betterment of the region.

As chair of the CalChamber Small Business Policy Council, Floyd will leverage her extensive experience and deep understanding of the challenges facing small businesses to drive impactful advocacy efforts. The Council, comprising local chamber CEOs and CalChamber business members, aims to ensure that the

needs and priorities of small businesses across the state are at the forefront of legislative discussions.

Floyd’s appointment as chair is a testament to her exceptional leadership qualities and her unwavering commitment to the small business community. The CalChamber Small Business Advocacy team looks forward to working under Floyd’s direction to advocate for policies that support the growth and success of small businesses across California.

“As we launch the Small Business Policy Council, I am honored to serve as

its chair and bring together the diverse voices of California’s small business community. Our mission is clear: to advocate for policies that not only recognize but also bolster the pivotal role small businesses play in our state’s economy and its future,” said Floyd. “Together, with the insights and dedication of our council members, we will strive to create a policy environment that enables small businesses to thrive. I look forward to leading this charge and making a meaningful difference in the way our state supports its small business sector.”

**Staff Contact: Nick Ortiz**

## Crown Princess Opens Full-Time Swedish Consulate Office, Signs Climate Change Cooperation Letter with Governor



Her Royal Highness Crown Princess Victoria of Sweden, accompanied by her husband, His Royal Highness Prince Daniel, opened a full-time consulate office in San Francisco on February 20.

The consulate will be headed by newly appointed Consul General Anna Lekvall. Longtime Honorary Swedish Consul General Barbro Osher had promoted the concept of full-time representation for many years.

Earlier in the day, the Swedish delegation, including Their Royal Highnesses, met with Governor Gavin Newsom at the Stanford Mansion in Sacramento for the signing of a Letter of Cooperation between Sweden and California.

### CalChamber Attendees

Representing the California Chamber of Commerce at the signing were Jennifer Barrera, CalChamber president and CEO; Sima Patel, CEO of Ridgmont Hospitality and chair of the CalChamber Council for International Trade; and Susanne Stirling, CalChamber vice president for international affairs.

The Lieutenant Governor of California, Ambassador Eleni Kounalakis welcomed the approximately 40 dignitaries to the Stanford Mansion.

Speaking next, Johan Forssell, Sweden's Minister for International Development, Cooperation and Foreign Trade, referenced the 140 Swedish companies in California creating 44,000 jobs and the role Sweden plays on the start-up scene.

Minister Forssell stated that the Letter of Cooperation, which renews a climate partnership established between the two economies in 2017, will deepen relations between Sweden and California, creating a more solid foundation that equals more jobs and innovation.

On a broader and federal level, Minis-

ter Forssell also called for more free trade agreements and more trade, thereby making both economies more reliable.

### Climate Change

Regarding climate change, Minister Forssell said, "Five or 10 years ago in Sweden, the green transition was basically something that we need to do. Today is slightly different. It's still some-



(From left) Their Royal Highnesses Prince Daniel and Crown Princess Victoria of Sweden, Governor Gavin Newsom and Johan Forssell, Sweden's Minister for International Development, Cooperation and Foreign Trade.

thing that we need to do, but it's also something that we want to do because we see all the economic opportunities here."

Governor Newsom continued on the theme of climate change issues in his remarks. The [Letter of Cooperation](#), he said, addresses the opportunity for collaboration and knowledge sharing within several areas key to climate action, including the green transition, electrification of the transport sector, carbon pricing, the circular economy, and climate-smart agriculture.

Also attending the signing of the Letter of Cooperation were First Partner Jennifer Siebel Newsom; Dee Dee Myers, director of the Governor's Office of Business and Economic Development (GO-Biz); Governor's Climate Adviser Lauren Sanchez; and Liane Randolph, chair of the California Air Resources Board (CARB).

The Swedish side included Their Royal Highnesses, the Swedish Ambassa-

dor and U.S. Ambassador, the new Swedish Consul General to San Francisco, as well as the Honorary Consul General and representatives from the Swedish American Chamber of Commerce. The Swedish delegation also visited the greater Bay Area and Silicon Valley.

### Trade Statistics

Sweden is a high-income country in Northern Europe and covers an area slightly larger than California. Sweden has a population of 10.6 million people and a gross domestic product (GDP) of \$591.71 billion. Sweden has one of the highest standards of living in the world with a strong capitalist system and welfare state. Sweden is one of the 27 countries in the European Union.

The United States is one of Sweden's largest export destinations. The United States imported \$18.4 billion worth of Swedish goods in 2023.

The key imported goods from Sweden into the United States were transportation equipment, chemicals, non-electrical machinery, and computer and electronic products.

Sweden is the 39th largest export destination for goods for the United States. In 2023, the United States exported \$8.6 billion worth of products to Sweden. The main exports included chemicals, oil and gas, transportation equipment, and computer and electronic products.

California is one of the largest importers of Swedish goods. In 2023, California imported \$587 million worth of goods from Sweden — including transportation equipment, chemicals, computer and electronic products, miscellaneous manufactures, and non-electrical machinery.

Sweden is California's 35th largest export destination. California exported \$594 million of products to Sweden in 2023. The key exports from California were computer and electronic goods, chemicals, miscellaneous manufactured commodities, transportation equipment, and beverages and tobacco.

**Staff Contact: Susanne T. Stirling**

## Cal/OSHA Passes Aggressive Update to Lead Regulation



On February 15, the Cal/OSHA Standards Board passed a sweeping update to

California's lead regulation despite heavy concerns of feasibility and inaccurate cost estimates from the construction and battery industries.

In a 5-2 vote, the Standards Board expressed concerns over the timeline for implementation, despite supporting the regulation's substantive goals and ultimately approving the regulation.

In addition to training and blood lead monitoring of exposed employees, California's present regulation regarding workplace lead exposure (Title 8, Section 5198) requires employers to ensure that no employees have lead exposure over a Permissible Exposure Limit (PEL) of 50

micrograms in a cubic meter of air.

### Update

The February 15 update would, among other changes, drastically lower the threshold for testing (from 30 micrograms of exposure to 2 micrograms) and the PEL (from 50 micrograms to 10 micrograms). Importantly, the new update covers both construction and non-construction worksites.

Because of the extreme lowering of the relevant thresholds, even industries that do not consider themselves to be lead-based should be aware of this regulation. For example, any workplaces working with brass (of which lead is a component) or containing brass fixtures may want to examine whether their activities (such as polishing brass) would now be covered by the regulation.

Although no opposition groups debated the hazards of lead, extensive

testimony from opposition groups criticized the cost estimates in the Standardized Regulatory Impact Assessment (SRIA) as grossly inaccurate.

In addition, strong opposition from battery manufacturers focused on the unrealistic nature of Cal/OSHA's implementation timeline, noting that their facilities would need years to come into compliance given the time required to obtain permits and complete construction.

### Enforcement Timing

Notably, the Standards Board and staff did acknowledge these implementation timing concerns, and the rulemaking took the rare step of asking the Office of Administrative Law to delay its approval by six months, which will functionally delay enforcement until January 2025.

**Staff Contact: Robert Moutrie**

## CalChamber Seeks Review of Privacy Regulations Litigation

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enforce a law against businesses when they don't even know what the rules are yet.

On June 30, 2023, Sacramento Superior Court Judge James P. Arguelles ruled in favor of the CalChamber that CCPA be prohibited from enforcing any individual regulation for a one-year period following the date it goes into effect.

The CCPA filed both a petition for writ of mandate and an appeal of the Superior Court's decision in the Court of Appeal, resulting in a February 2024 ruling from the Court of Appeal that would allow the Agency to operate in

complete disregard of Proposition 24's plain text and intent.

### CalChamber Petition

According to the CalChamber's Petition for Review in the California Supreme Court, the upshot of the Court of Appeal ruling is that California businesses may have as little as one month — or possibly even less — between issuance of regulations and commencement of enforcement, rather than the 12 months mandated by the voters.

"There is no way the voters envisioned a scenario where enforcement of

regulations would begin without those regulations being in place for a reasonable period of time that affords both businesses and consumers with adequate time to prepare and comply," said CalChamber President and CEO Jennifer Barrera. "Respectfully, the Court of Appeal got it wrong as their decision deviates from Proposition 24's text and context. It is imperative that the California Supreme Court restores common sense and the will of the voters in this matter."

To read the petition, filed February 20, [click here](#).

## Opportunity to Reflect on Contributions of Women in Business

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product development, project management, sales and warehouse positions.

Barrera has made support for women in business one of her top priorities. Under her leadership, CalChamber signed California's Equal Pay Pledge in May 2023 and she is currently establishing the CalChamber Women's Leadership Coun-

cil with the goal of creating even more opportunities for CalChamber members to lead and support the state's women leaders, and to provide pathways for women leaders of the future.

"California's women in business have made tremendous contributions to the state's economy and provided pivotal direction for so many important endeavors," said Barrera. "Women's History Month provides us with a great opportunity to celebrate those contributions and call attention to the critical role women are playing in creating and sustaining successful businesses, and will play in the future."

Visit the CalChamber website to view [brief profiles](#) of the women on the CalChamber Board.

## Small Businesses Subject to New Federal Disclosure Rule *Penalty for Noncompliance; No Cost to File Report*



A new and little-publicized federal rule requires certain small and private companies to file ownership information or face potential penalties.

The Corporate Transparency Act (CTA), which went into effect on January 1, 2024, aims to combat illicit financial activity, including tax fraud and money laundering.

Under the new legislation, businesses that meet certain criteria must submit a [Beneficial Ownership Information \(BOI\) Report](#) to the U.S. Department of Treasury [Financial Crimes Enforcement Network](#) (FinCEN), providing details identifying individuals who are associated with the reporting company.

### Covered Companies

Companies covered by the rule include corporations, limited liability companies and other legal entities created by filing with one of the 50 U.S. states or a tribal government. Certain foreign companies that are registered to do business in the U.S. also will be required to file.

The CTA exempts from the reporting requirements 23 types of entities, including large companies that operate in the United States, employ more than 20 full-

time employees and generate more than \$5 million in revenue.

For a full list of exemptions, see FinCEN's "[Small Entity Compliance Guide](#)."

### Deadlines

Companies that existed prior to January 1, 2024 have until January 1, 2025 to file beneficial ownership information with the FinCEN.

Companies registered or created on or after January 1, 2024, however, must report beneficial ownership information within 90 calendar days after receiving actual or public notice that its creation or registration is effective. Specifically, this 90-calendar day deadline runs from the time the company receives actual notice that its creation or registration is effective, or after a secretary of state or similar office first provides public notice of its creation or registration, whichever is earlier.

A company created or registered on or after January 1, 2025 must file its report within 30 calendar days after receiving actual or public notice that its creation or registration is effective.

### Filing Information

There is no cost to file a [Beneficial Ownership Information \(BOI\) Report](#).

Beneficial ownership information is not an annual reporting requirement, and needs

to be submitted only once, unless the filer needs to update or correct information.

Generally, reporting companies must provide four pieces of information about each beneficial owner:

- name;
- date of birth;
- address; and
- the identifying number and issuer

from either a non-expired U.S. driver license, a non-expired U.S. passport, or a non-expired identification document issued by a state (including a U.S. territory or possession), local government, or Indian tribe. If none of those documents exist, a non-expired foreign passport can be used. An image of the document also must be submitted.

The company also must submit certain information about itself, such as its name(s) and address. In addition, reporting companies created on or after January 1, 2024, are required to submit information about the individuals who formed the company ("company applicants").

### Guides, Resources

For more information, see FinCEN's "[Small Entity Compliance Guide](#)."

Filers can view informational videos and webinars, find answers to frequently asked questions, connect to the contact center, and learn more about how to report at [www.fincen.gov/boi](http://www.fincen.gov/boi).



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*In Memoriam*

## Esther Rushford Greene, Former CalChamber Director of Political Affairs



Esther Rushford Greene

Esther Rushford Greene, former director of political affairs for the California Chamber of Commerce, passed away on February 19 in her Sacramento home. She

was 98 years old.

Already experienced in political campaigns when she joined the CalChamber to direct its political activities in August 1975, Greene quickly made the CalChamber political affairs department a center for information on the political process and campaigns on important business issues.

Before leaving the CalChamber in August 1983, Greene was instrumental in organizing the California Business Political Action Committee (CalBusPAC) in 1976. She later edited a handbook on how to form a PAC and served as CalBusPAC administrator.

She also started a Chamber *General Election Guidebook*, a concise summary of information on candidates up and down the state.

As special assistant to former CalChamber President John T. Hay, Greene coordinated activities ranging from the quarterly meetings of the CalChamber Board of Directors to receptions for legislators and other government officials.

Over the years, she set up corporate programs for educating employees on politics, political action and the free enterprise system. She also monitored actions of the Fair Political Practices Commission and tracked legislation dealing with reapportionment, public campaign financing and elections.

Greene was born in Bakersfield, California on December 31, 1925, the daughter of Fred Heath Leonard and Florence Leonard. One of nine siblings, she grew up in Los Angeles, where she attended Los Angeles public schools and was a journalism major at the University of Southern California.

Following her marriage to A. J. (Jim) Rushford, Greene moved to Sacramento. She and Jim Rushford divorced in 1970. She married Charles Edwin Greene (recently retired as chief sergeant-at-arms for the California State Assembly), whom she described as the love of her life, on October 18, 1975.

While a young stay-at-home mom, Green was active in her children's activi-

ties and other community groups. During the 1960s, she managed the A. J. Rushford Company. In 1969, she served as convention and special projects director for the Republican State Central Committee, going on to serve as executive director for the Republican National Convention in San Diego (1972), executive director of the Sacramento County Committee to Reelect the President (Nixon) in 1972, and political consultant with the Lyn Nofziger Company (1973–July 1975), where her work included the campaigns of candidates for U.S. Congress, U.S. Senate and the state's Lieutenant Governor.

Following her time with CalChamber, Greene served as chief deputy director of the California Employment Development Department and as The Republican National Committee Woman (1984–1988).

Greene is survived by her children, James W. Rushford and Michael D. Rushford, both of Sacramento; Florence Catherine Hintz of Ventura; Daniel L. Rushford of Georgetown, California; stepson Dr. Ronald B. Rushford of Vacaville; stepdaughter Debbie Calhoon of Texas; seven grandchildren and 10 great grandchildren.



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