

ALERT

Affordable CA Campaign Submits Signatures *Statewide Effort Signals Strong Support for Essential Infrastructure Improvements*



The campaign in support of the **Building an Affordable California**

Act (Affordable CA) announced this week that it has begun submitting nearly 1 million signatures to county elections officials across California—more than enough to qualify the measure for the November 2026 statewide ballot.

The submission reflects strong, statewide support for reforming California’s outdated project approval process—responsible for the delays in improving essential infrastructure that drive up costs for families and taxpayers.

“California voters are frustrated that it takes too long and costs too much to build the basic projects we need,” said Jennifer Barrera, president and CEO of the California Chamber of Commerce. “From housing and energy to water and wildfire prevention, our outdated way of doing things is driving up costs and holding California back. The Building an Affordable California Act will cut red tape, reduce delays, and help deliver the projects Californians need—faster and more affordably—while maintaining strong environmental protections.”

Modernizing Project Approval

Affordable CA will modernize California’s decades-old project approval and permitting system by establishing clear,

enforceable timelines for agency decisions and judicial review, thus improving accountability and streamlining the process that stalls projects.

Today, major California projects routinely face delays of four to eight years—or longer—due to duplicative review, shifting requirements, and prolonged litigation. Those delays drive up the cost of housing, energy, and critical infrastructure.

“California’s clean energy future depends on building faster,” said Scott Murtishaw, executive director of the California Energy Storage Alliance. “Affordable CA will allow us to deploy clean energy, much-needed energy storage, and grid infrastructure at the necessary pace to deliver reliable, affordable power.”

With signature submission underway, the measure will move through the state’s verification process before being certified for the November 2026 ballot.

Infrastructure Investment

“Delivering safe, reliable, and affordable water doesn’t happen by accident—it requires timely investment in the infrastructure that communities depend on every day,” said Jennifer Capitolo, executive director of the California Water Association. “When critical projects are delayed for years, the consequences result in higher costs and added strain on the systems people rely on. Affordable CA will help streamline water projects

so essential water investments can move forward with the urgency and accountability Californians need and deserve, while keeping costs down for customers.”

“California’s housing shortage is a direct result of a system that makes it too difficult and too expensive to build,” said Corey Smith, executive director of Housing Action Coalition. “Affordable CA will help cut through the delays that hold back new housing, making it easier to deliver the homes Californians need and bring down costs.”

Affordable CA maintains strong environmental protections and important public input while requiring agencies and courts to make timely, evidence-based decisions.

Broad Coalition Support

The campaign has a **broad and growing coalition of some 100 supporters**—including affordable housing advocates, civil rights organizations, clean energy leaders, water providers, agricultural groups, and business organizations united behind the need to deliver essential projects faster and more affordably.

“We’re excited to take Affordable CA to voters this November,” said Barrera. “And we are confident Californians will join us in delivering a faster, more affordable future.”

Learn more at BuildAffordableCA.com.



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*Labor Law Corner***Missed Rest Break? Employer's Responsibility Depends on Situation**

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Employment

An employee didn't record on our break log that she took her second rest break and when asked, she claims she "forgot" to take her break. Our policy is that employees must contact their supervisor to get coverage for breaks. Do we owe a break premium penalty for this?

California law requires employers to provide a set amount of paid rest breaks and unpaid meal breaks depending on how many hours the employee works in the day.

The volume of breaks required creates regular opportunities for missed breaks. When that occurs, an employer's responsibility will depend on the circumstances of the missed break.

Employers Must Provide Compliant Breaks

In *Brinker Restaurant Corp. v. Superior Court* (53 Cal.4th 1004 (2012)), the California Supreme Court set the standard for meal break compliance. A key point settled in *Brinker* is that employers do not have to "police" their employee's meal periods to ensure no work is performed.

Instead, the California Supreme Court set out four factors to evaluate whether an employer has "provided" a compliant meal break. Those factors are that an employer:

- Relieved the employee of all duty;
- Relinquished control over the employee's activities;
- Permitted the employee a reasonable opportunity to take an uninterrupted, 30-minute break; and
- Did not impede or discourage the employee from doing so.

The California Supreme Court

followed *Brinker* with a decision in *Augustus v. ABM Security Services, Inc.* (2 Cal. 5th 257 (2016)) that applied these same factors to rest breaks.

So, if an employer provides compliant meal or rest breaks in this fashion, the employer does not violate California's meal and rest break laws even if an employee works through some, or all, of the break.

Diligent Enforcement Still Required

Although employers are not required to "police" breaks, whether an employer did provide a compliant break will depend on the employer's records, its policies and the employer's actual conduct on the day the break was missed.

In a more recent case (*Donohue v. AMN Services, LLC.*, 11 Cal. 5th 58 (2021)), the California Supreme Court set out a presumption that an employer's time records showing meal or rest break violations will create a rebuttal presumption that the employer did not provide a compliant break.

Applied to this situation above, the

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Leaves of Absence. CalChamber. May 7–8, August 6–7, [Virtual Seminar](#). (800) 331-8877.

Wage & Hour 101: Nonexempt/Hourly Employees. CalChamber. May 21, [Webinar](#). (800) 331-8877.

Cal/OSHA Consultation Program Overview and Key Updates. May 28, Free Member Webinar. [Contact account manager](#).

HR Boot Camp. CalChamber. June 4–5, September 10–11, [Virtual Seminar](#). (800) 331-8877.

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Supervisor Essentials. CalChamber, July 16, [Virtual Seminar](#). (800) 331-8877.

Mid-Year Update (1-Hour Free Member Webinar). CalChamber. August 20. (800) 331-8877.

Conducting California Workplace Investigations. CalChamber. August 27, [Virtual Seminar](#). (800) 331-8877.

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International Trade
SelectUSA Investment Summit. Select

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CalChamber Calendar

California Business Outlook and Dinner:
June 10, Sacramento

*US-Mexico-Canada Agreement***CalChamber Asks State Representatives in Congress to Support Deadline**

Just two months before the United States, Canada and Mexico are to complete

the joint review of their trade agreement, the California Chamber of Commerce has written to encourage the California congressional delegation to support the original July 1 review deadline of the pact.

The U.S.-Mexico-Canada Agreement (USMCA), which took effect on July 1, 2020, has created a stable and certain commercial environment that reinforces strong economic ties and enhances North American competitiveness in the global market — thereby ensuring North American economic security, which leads to geopolitical security.

The six-year USMCA joint review is to be completed by July 1, 2026, according to the pact. While negotiations between the U.S. and Mexico and the negotiations between Canada and Mexico are underway, the negotiations between the U.S. and Canada have been stalled.

Beneficial Agreement

Since the early 1990's, CalChamber has supported the concept and establishment of a North American Free Trade Agreement (NAFTA) based upon an assessment that it serves the employment, trading and environmental interests of California and the United States, as well as Canada and Mexico, and is beneficial to the business community and society as a whole.

That support continued during the first Trump administration when the United States, Mexico, and Canada reached an agreement to modernize the 25-year-old NAFTA into a 21st century, high-standard agreement.

The USMCA has been a necessary modernization to the NAFTA that recognizes the impact of technology on the three countries' economies. There were new chapters on goods regulatory practices, digital trade, small and medium-sized enterprises (SMEs), the environment, and labor. In total there were 34 chapters: 10 new chapters and 24 modernized chapters.

California's economy is diverse, and the state's prosperity is tied to exports and imports of both goods and services by California-based companies, to exports and imports through California's transportation gateways, and to movement of human and capital resources. International trade and investment are major parts of the state's economic engine that broadly benefit businesses, communities, consumers and state government.

California is proof positive of that formula. California's gross domestic product (GDP) tops \$4 trillion, placing California behind only the United States, China, Germany and Japan in global rankings. In 2025, California exported \$188.40 billion in goods to more than 225 foreign economies. California's top export markets are Mexico, Canada, Taiwan, Japan, China.

USMCA Statistics

The United States, Canada and Mexico comprise more than 520 million

people (6.3% of the world's population), more than \$33 trillion in gross domestic product (GDP) (nearly 30% of world GDP), and \$1.8 trillion in goods and services trade (5.5% of \$33 trillion in total global trade).

More than 13 million American jobs depend on trade with Mexico and Canada. The USMCA provides duty-free access for nearly all goods traded among the three countries.

The importance of total U.S.-USMCA goods trade at \$1.59 trillion cannot be overstated. The total of \$667.76 billion in exports to Mexico and Canada includes transportation equipment (\$105.8 billion), computer and electronic products (\$97.70 billion), chemicals (\$65.78 billion), non-electrical machinery (\$58.37 billion), and petroleum and coal products (\$42.60 billion).

Total U.S. imports from Mexico and Canada of \$917.83 billion include transportation equipment (\$222.71 billion); computer and electronic products (\$149.92 billion); oil and gas (\$104.95 billion); electrical equipment, appliances and components (\$56.29 billion); and non-electrical machinery (\$52.90 billion).

CalChamber Position

The CalChamber continues to believe the USMCA supports mutually beneficial trade leading to freer markets, fairer trade, and robust economic growth in North America.

The original key provisions of the USMCA — including focus on rules of

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CalChamber-Sponsored Seminars/Trade Shows

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USA. May 3–6, National Harbor, Maryland. [Event website.](#)
 East and Central Africa Grid Security Business Briefing. U.S. Trade and Development Agency (USTDA). May 5, San Francisco. [Reserve a spot.](#)
 12th Annual Orange County World Trade Week Forum. District Export Council of Southern California. May 7, Irvine. [Event website.](#)
 NADEC Annual Trade Conference: Global Trade in Transition. National Association of District Export Councils. May 12–13, Nashville, Tennes-

see. [Event website.](#)
 BeautyWorld Saudi Arabia: California Pavilion. Governor's Office of Business and Economic Development (GO-Biz). May 18–20. [See flyer.](#)
Tricia.Utterback@gobiz.ca.gov.
 Asia Tech x Singapore: California Pavilion. GO-Biz. May 20–22, Singapore. [Learn more.](#)
 Sri Lanka Expo 2026. Sri Lanka Export Development Board. June 18–21, Sri Lanka. [Event website.](#)
 Seafood Expo Bharat. India Marine Products Export Development Authority. July 1–3. Chennai, India. [Event website.](#)

Farnborough Airshow. GO-Biz to lead delegation of economic developers. July 20–24, London, United Kingdom. [Event website.](#)
 Aquatech: California Pavilion. GO-Biz with U.S. Commercial Service. September 1–3, Mexico City, Mexico. Registration deadline: June 1 or until spaces are filled. [See flyer.](#)
 Semicon Taiwan: California Pavilion. GO-Biz. September 1–4, Taipei, Taiwan. Up to 8 California small businesses in semiconductor supply chain invited to apply. [See flyer.](#)

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employer's log showing the employee not taking a second rest break creates a rebuttable presumption that the employer violated the rest break requirements for this employee on this workday.

Rebuttable Presumption

The California Supreme Court also affirmed, however, that the presumption is rebuttable by good evidence from the employer, such as a well-drafted and enforced meal and rest break policy as well as uncoerced affirmations from the employees that they were provided an

opportunity to take the break.

In this situation, the employer might be able to rebut the presumption it violated the rest break requirement. It has a policy requiring employees to take the breaks, record the breaks and contact supervisors to ensure the ability to take the breaks. If this policy is enforced regularly, this is great evidence to rebut the violation.

Also, a documented affirmation added to the rest break log from the employee noting they were responsible for not taking the break will contribute to trying to rebut the violation.

In this case, the employer might not

have to pay a premium for the missed rest break if the employee had the reasonable opportunity to take the break. However, this case study demonstrates that rebutting violations can be difficult, and employers should consult legal counsel in these situations to ensure the premium pay is not owed.

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.

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origin, goods market access, intellectual property modernization, ease of customs and trade rules for small business, greater market access for American agriculture, strong disciplines on digital trade, and enforceable labor standards — are as important to the agreement today as they were when first implemented. Through all these provisions should run the continued theme of compliance and enforcement.

The CalChamber believes in strengthening economic ties and enhancing regulatory cooperation through agreements like the USMCA. Such agreements with our top trading partners that encompass both goods and services are essential

to eliminating unnecessary regulatory divergences that may act as a drag on economic growth and job creation.

The CalChamber, in keeping with longstanding policy, 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 CalChamber seeks commercially meaningful outcomes in negotiations with regions around the world and supports bilateral, regional and multi-lateral trade agreements, which are critical to consumers, workers, businesses, farmers and ranchers, and would allow

the United States to compete with other countries that are negotiating agreements with each other.

The CalChamber urges the Trump administration to complete the engagement with Mexico and Canada and swiftly extend the USMCA, especially in light of China's growing influence in the region. In fact, it is hoped that the continued success of the USMCA may serve as a foundation for future trade agreements around the world.

The CalChamber is asking the California congressional delegation to support this endeavor as well.

Staff Contact: Susanne T. Stirling

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