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CalChamber Opposition Helps Stop 'Job Killer' Bills

21 'Job Killer' Proposals Still Moving in Legislature

A number of "job killer" bills, strongly opposed by the California Chamber of Commerce, did not advance in the Legislature by the deadline for further action this year.

Although action is unlikely on the six "job killers" that missed the deadline, 21 others have advanced along largely party-line votes (see vote record on Pages

Bills that started in the Senate now go on for consideration in the Assembly, while bills originating in the Assembly are considered in the Senate.

The CalChamber will remain alert in case the Legislature attempts to bring

Votes on "Job Killers": Pages 5-7

back any of the failed measures through a controversial technique called "gut and amend" — replacing the contents of legislation farther

along in the process with the text from another proposal.

'Job Killers' Stopped

Following are the "job killers" that most likely are dead for this year:

- AB 493 (Ruskin; D-Redwood City) would have assessed an unfair surcharge on new vehicles, thereby increasing costs for small businesses to transport their goods and services. The bill failed to pass the Assembly by a vote of 35-35.
- AB 904 (Feuer; D-Los Angeles) would have increased costs on all businesses that sell food by imposing new

mandates on food service packaging and creating a new requirement that food providers collect and recycle 25 percent of the food service packaging they sell. The bill was not taken up on the Assembly

> floor before the deadline for bills to pass the house in which they originally were introduced.

• AB 1065 (Lieber; D-Mountain View) would have substantially increased the cost of housing and development in California by implementing tight energy efficiency measures for all new residential and com-

mercial buildings without taking into account the additional costs that will be passed on to consumers. The bill failed to pass the Assembly Appropriations Committee for consideration by the full Assembly before the June 1 deadline.

- AB 1201 (Leno; D-San Francisco) sought to unlawfully alter federal labor law governing union eligibility requirements and secret ballot union elections. The bill failed to pass the Assembly Appropriations Committee for consideration by the full Assembly before the June 1
- SB 464 (Kuehl; D-Santa Monica) would have discouraged construction and investment in rental housing by forcing rental property owners to stay in business, regardless of economic circumstances. The bill was placed on the Senate inactive file on June 7.
- SB 466 (Steinberg; D-Sacramento) would have reduced the amount of timber available for harvest, resulting in lost job opportunities, by requiring landowners to See CalChamber: Page 4

CalChamber Unveils Website on Climate Change Regulation

www.ClimateConnect.org

The California Chamber of Commerce has launched a new website providing information on climate change policies for its members, businesses, policymakers and the public.

The website can be found at www. climateconnect.org.

Responsible Implementation

"Implementing California's recent climate change legislation the right way is a top public policy priority for government and employers," said Allan Zaremberg, CalChamber president and chief execu-

"It is important that we focus on implementing AB 32 in a way that will satisfy both our environmental and economic objectives," said Zaremberg. "Maintenance of a strong economy is crucial so that we have the resources to develop the innovative technological solutions necessary to reach our greenhouse gas reduction goals. The CalChamber created www.climateconnect.org to serve as an information clearinghouse for our membership and the public to help in this effort."

AB 32

Last year, Governor Arnold

See New: Page 4

Inside

Heat Illness Prevention Mini-Book: Page 3



Labor Law Corner

Alternative Workweeks: Holiday Pay, How to Terminate



Dale Louton Labor Law Consultant

We are a manufacturing company and have instituted an alternative workweek schedule following the required procedure in Wage Order 1. The employees in the production unit work Monday through Thursday, 10 hours per day. The administrative staff works Monday through Friday, eight hours

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E-mail: alert@calchamber.com. Home page: www.calchamber.com. per day. We observe national holidays, allowing our employees the day off with pay. Several of these holidays fall on Mondays. The administrative staff receives eight hours holiday pay. How do we pay the production unit: eight hours or 10 hours of holiday pay?

Compensate Shorted Hours

With an alternative workweek, you have the right to implement a holiday pay policy for your production unit, electing to pay either eight or 10 hours. If you pay holidays on the basis of eight hours per day, both the administrative staff and the production employees will be paid the same.

The problem for the production employees, however, is that they will be shorted two hours of pay on any holiday week. Since those employees have a regular workday of 10 hours, often employers will consider that for purposes of holiday pay and use of vacation and sick leave. It is better to structure the benefit time on the basis of the employee's regular workday.

Although this holiday pay issue would have been better handled had it been included in your written proposal for an alternative workweek and discussed in

Seminars/Trade Shows

For more information on the seminars listed below, visit www.calchamber. com/events.

Business Resources

Free Small Business Fair. California State Board of Equalization. Garden Grove, June 26. (213) 593-1311.

Free Nonprofit Tax Seminar. California State Board of Equalization. Pasadena, June 28. (213) 593-1311. meetings before the secret ballot vote, your alternative workweek schedule remains intact.

Terminating Alternative Schedule

There seems to be some dissatisfaction among the employees with the adopted alternative workweek schedule.

Production has been adversely affected.
Can the alternative workweek schedule be terminated?

All Industrial Welfare Commission (IWC) Wage Orders, with the exception of Wage Order 16, entitled "Certain On-Site Occupations in the Construction, Drilling, Logging and Mining Industries," give employees an opportunity to repeal the alternative workweek schedule after it has been in place for one year.

Order 16 allows employees the right to an election to repeal after six months. This order calls for a secret ballot election, and two-thirds of the affected employees must vote to repeal. Upon revocation, an employer has 60 days to comply.

The full procedure can be found in the IWC Wage Orders.

An employer may revoke the alternative workweek schedule at any time.

Although the IWC does not specifically require notice, the Labor Commissioner has recommended that an employer provide a notice of one payroll period to the employees affected by the change. The notice should provide for the return to the regular eight-hour day at the beginning of the workweek.

The Labor Law Helpline is 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.

Make a difference on proposed laws

calchambervotes.com







CalChamber Helps Employers Educate Employees to Prevent Heat Illness

The California Chamber of Commerce is helping businesses prevent heat illness with the release of a "mini-book" publication that provides helpful information and advice on the subject in English and Spanish.

The CalChamber *Heat Illness Prevention in California* mini-book tells employees and their supervisors how to prevent, recognize and treat heat illness — training now required by law for employers of outdoor workers in California.

Law of Prevention

"As warmer weather approaches, it is important that employees and supervisors are trained to take preventative measures, know the symptoms and know how to respond to heat illness," said CalChamber President Allan Zaremberg. "In fact, for people who work outdoors, it's the law."

The *Heat Illness Prevention* minibook helps improve workers' safety, and if used as an outline for training, satisfies new heat illness training regulations for outdoor employees.

New Regulations

In July 2006, Cal/OSHA implemented

new regulations to protect outdoor employees from the effects of heat exposure and mandated training requirements for employees and supervisors on the prevention, symptoms and treatment of heat illness.

The regulations apply to all companies with employees working in outdoor places of employment. In addition to the training requirements, employers must provide potable drinking water and access to shade and compile heat illness prevention procedures, including employee training, in writing.

Heat Illness Prevention

in California

The CalChamber's *Heat Illness Prevention* mini-book complies with the new Cal/OSHA training requirements and is full of clear, medically accurate illustrations and plain-language, bilingual content for easy reader comprehension.

Cal/OSHA-Approved

The Heat Illness Prevention mini-

book was prepared with input from Cal/OSHA, which labels it a valuable resource and compliance tool for outdoor workers and supervisors.

"The CalChamber *Heat Ill-ness Prevention* mini-book is a great information resource. It's nicely laid out and easy to follow," said Len Welsh, acting chief for Cal/OSHA. "We like to emphasize that, while good educational

materials like the CalChamber mini-book cannot serve as a substitute for employee training, they can serve as critical material to be presented at a training session and to reinforce the lessons learned there."

The CalChamber also recommends that businesses post the *Heat Illness Safety and Prevention* poster, which displays symptoms of heat illness. The laminated poster easily fits on almost any wall, features realistic illustrations and lists key symptoms, signs and treatment for heat illness.

For more information or to purchase the *Heat Illness Prevention* mini-book or the *Heat Illness Safety and Prevention* poster, visit *www.calbizcentral.com* and go to the health and safety section.

CalChamber Offices Provide Backdrop for McCain Visit with Reporters



California Chamber President Allan Zaremberg (left) greets U.S. Senator John McCain (R-Ariz.) and former Secretary of State Bill Jones before McCain meets with reporters in a CalChamber conference room. The CalChamber offices were a convenient stop for McCain during a campaign swing through town. (The CalChamber has not and typically does not make endorsements in presidential campaigns.)



New Website Offers Info Clearinghouse on Climate Change Regulation

From Page 1

Schwarzenegger signed **AB 32** (**Núñez**; **D-Los Angeles**), the "California Global Warming Solutions Act of 2006" (Chapter 488). This landmark legislation established mandatory reporting requirements and caps greenhouse gas emissions produced by industries categorized as significant sources.

With the passage of AB 32, California has distinguished itself as the only state that caps carbon. The state's ambitious efforts to curb greenhouse gas emissions will continue to be watched by states and nations around the globe.

Taking the Lead

The CalChamber believes that to be a true leader on this issue, the state needs to share its proven energy-efficiency knowledge while harnessing the innovation and creativity of its citizens to pioneer new, low-carbon technologies.

The Climate Connect website serves as an educational tool that provides

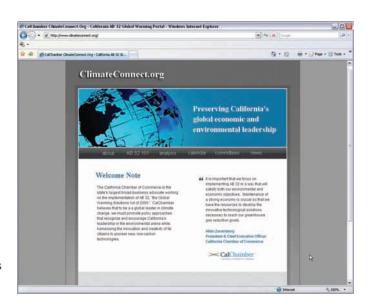
information on current climate change regulations and offers an opportunity to take an active role in the implementation process.

On the website, visitors can track legislation, find updates on regulatory activities, access a calendar of compliance deadlines for AB 32 and read informative news articles on climate change.

The CalChamber is dedicated to advocating for policies that will effectively reduce

greenhouse gas emissions while maintaining a strong economy and business climate in California.

Staff Contact: Amisha Patel



CalChamber Opposition Helps Stop 'Job Killer' Bills

give up 2 acres of forestland for every 1 acre converted away from timber production. The bill failed to pass the Senate Appropriations

Committee for consideration by the full Senate before the June 1 deadline.

New 'Job Killers'

New to the "job killer" list is **SB 622** (**Padilla; D-Pacoima**), which creates a new excuse to sue employers and exposes them to excessive new penalties for "willful misclassification" of independent contractors without providing clear compliance guidelines.

The CalChamber also has added **SB 840** (**Kuehl**; **D-Santa Monica**) to the "job killer" list because the bill's author has decided to advance the bill during the 2007-08 legislative session.

SB 840 creates a new governmentrun, multibillion-dollar socialized health care system built from a yet-to-be-specified tax increase.

California voters have twice rejected a government-run health care system, and the Governor vetoed SB 840 when it reached his desk in 2006.

More Information

For more information on the 21 "job killer" bills still moving in the Legislature, visit *www.calchamber.com/jobkillers*.
Staff Contact: Dominic DiMare

Key to Using 'Job Killer' Vote Chart

Y means voted for bill.

N means voted against bill.

- means not voting "aye" on a California Chamber-opposed bill.
- means not voting or absent.

Boldface type indicates votes in accord with CalChamber position.

The last three columns are a tabulation of votes in accord with the CalChamber position, not in accord with the CalChamber and not voting or absent.

For full bill descriptions, visit www.calchamber.com/jobkillers.



Senate Votes on 'Job Killers'

	Costly Workplace Mandates	SB 48 - Health Care Tax	SB 180 - Increased Agricultural Costs	SB 622 - Independent Contractors	SB 840 - Government Health Care	SB 936 - Workers' Comp Rollback	SB 942 - Workers' Comp Increase	 Economic Development Barriers	SB 375 - Growth Restrictions	SB 974 - Tax on Freight Movement	Regulatory Burdens	SB 201 - Leafy Greens Cost Increases	SB 899 - Plastic Packaging Ban	Fuel Price Increases	SB 140 - New Fuel Mandate	SB 210 - Restrictive Fuel Standard	Total in Accord with Chamber	Not in Accord with Chamber	Not Voting or Absent
Aanestad, S. (R) Ackerman, D. (R) Alquist, E. (D) Ashburn, R. (R) Battin, J. (R)		N N Y N	N N Y N	N N Y N	N N Y N	N N Y N	N N Y N		N N Y N	• N Y N •		N N Y N	N N Y N		N N Y N	N N Y N	12 12 0 12 8	0 0 12 0	0 0 0 0 4
Calderon, R. (D) Cedillo, G. (D) Cogdill, D. (R) Corbett, E. (D) Correa, L. (D)		Y Y N Y	Y Y N Y	N Y N Y	Y Y N Y	Y Y N Y	Y Y N Y		Y Y N Y Y	N Y N Y		N Y N Y	N Y N Y		N Y N Y	• Y N Y	6 0 12 0 9	6 12 0 12 3	0 0 0 0
Cox, D. (R) Denham, J. (R) Ducheny, D. (D) Dutton, B. (R) Florez, D. (D)		N N Y N	N N Y N	N N Y N	N N Y N	N N Y N	N N Y N		N N • N	N N • • Y		N N N Y	N N Y N		N N Y N	N N • N	12 12 4 12 2	0 0 8 0 10	0 0 0 0
Harman, T. (R) Hollingsworth, D. (R) Kehoe, C. (D) Kuehl, S. (D) Lowenthal, A. (D)		N N Y Y	N N Y Y	N N Y Y	N N Y Y	N N Y Y	N N Y Y		N N Y Y	N N Y Y		N N Y Y	• N Y Y Y		N N Y Y	N N Y Y	12 12 0 0	0 0 12 12 12	0 0 0 0
Machado, M. (D) Maldonado, A. (R) Margett, B. (R) McClintock, T. (R) Migden, C. (D)		Y N N N	Y N N N	Y N N Y	N N N	Y N N N	Y N N N		• N N N	• N Y N Y		N N N N	Y N N Y		Y N N N	• N N N Y	6 11 11 12 0	6 1 1 0 12	0 0 0 0
Negrete McLeod, G. (D) Oropeza, J. (D) Padilla, A. (D) Perata, D. (D) Ridley-Thomas, M. (D)		Y Y Y Y	Y 	Y Y Y Y	Y Y Y Y	• Y Y Y	Y Y Y •		• Y Y Y	Y Y Y Y		Y Y Y Y	Y Y Y Y		• Y Y Y	Y Y Y Y	3 1 0 0 2	9 10 12 12 10	0 1 0 0
Romero, G. (D) Runner, G. (R) Scott, J. (D) Simitian, J. (D) Steinberg, D. (D)		Y N Y Y	Y N Y Y	Y N Y Y	Y N Y Y	Y N Y Y	Y N Y Y		Y N Y Y	Y • Y Y		Y N Y Y	Y N Y Y		Y N Y Y	Y N Y Y	0 12 0 0 0	12 0 12 12 12	0 0 0 0
Torlakson, T. (D) Vincent, E. (D) Wiggins, P. (D) Wyland, M. (R) Yee, L. (D)		Y Y Y N Y	Y Y Y N Y	Y Y Y N Y	Y Y Y N Y	Y Y Y N Y	Y Y Y N Y		Y Y Y N Y	Y Y Y N Y		Y Y Y N Y	Y • Y N Y		Y Y Y N Y	Y Y Y N Y	0 1 0 12 0	12 11 12 0 12	0 0 0 0



Assembly Votes on 'Job Killers'

	Barriers to Affordable Housing	AB 5 - Development Restrictions	AB 35 - Increased Costs	AB 70 - Development Restrictions	AB 888 - Increased Costs	AB 1058 - Increased Costs	Costly Workplace Mandates	AB 8 - Health Care Tax	AB 338 - Workers' Comp Rollback	AB 504 - Pay for Strikers	Economic Development Barriers	AB 493 - New Vehicle Surcharge (Failed)	Regulatory Burdens	AB 1554 - New Bureaucracy	Total in Accord with Chamber	Not in Accord with Chamber	Not Voting or Absent
Adams, A. (R) Aghazarian, G. (R) Anderson, J. (R) Arambula, J. (D) Bass, K. (D)		N N N Y	N N N Y	N N N Y	N N Y Y	N N N Y		N N N Y	• • • • • • • • • • •	N N N Y		N N N Y		N N Y Y	10 10 10 1	0 0 0 9 10	0 0 0 0
Beall, J. (D) Benoit, J. (R) Berg, P. (D) Berryhill, T. (R) Blakeslee, S. (R)		Y N Y N	Y N Y N Y	Y N Y N Y	Y N Y N	Y N Y N		Y N Y N	Y N Y N	Y N Y N		Y N Y N		Y N Y N	0 10 0 10 8	10 0 10 0 2	0 0 0 0
Brownley, J. (D) Caballero, A. (D) Calderon, C. (D) Carter, W. (D) Cook, P. (R)		Y Y Y N	Y Y Y N	Y N • Y	Y Y Y N	Y Y Y N		Y Y Y N	Y Y Y	Y Y Y N		Y Y N Y		Y • • Y N	0 2 3 0 10	10 8 7 10 0	0 0 0 0 0
Coto, J. (D) Davis, M. (D) De La Torre, H. (D) De León, K. (D) DeSaulnier, M. (D)		Y Y Y Y	Y Y Y Y	Y Y Y Y	Y • Y Y	Y Y Y Y		Y Y Y Y	Y Y Y Y	Y Y Y Y		Y • • Y Y		Y Y Y Y	0 2 1 0 0	10 8 9 10 10	0 0 0 0
DeVore, C. (R) Duvall, M. (R) Dymally, M. (D) Emmerson, B. (R) Eng, M. (D)		N N Y N	N N Y N	N N Y N	N N Y N	N N Y N		N N Y N	N N Y •	N N Y N		N N • N Y		N N Y N	10 10 1 10 0	0 0 9 0 10	0 0 0 0 0
Evans, N. (D) Feuer, M. (D) Fuentes, F. (D)* Fuller, J. (R) Gaines, T. (R)		Y Y N N	Y Y Y N	Y Y Y N	Y Y N N	Y Y Y N		Y Y N N	Y Y N N	Y Y * N		Y Y • N N		Y Y N N	0 0 1 10 10	10 10 8 0	0 0 0 0
Galgiani, C. (D) Garcia, B. (R) Garrick, M. (R) Hancock, L. (D) Hayashi, M. (D)		N N Y	N N N Y	N N Y	N N N Y	Y N N Y		Y N N Y	Y N N Y	N N Y Y		N N N Y		• N N Y	7 10 10 0 0	3 0 0 10 10	0 0 0 0
Hernandez, E. (D) Horton, S. (R) Houston, G. (R) Huff, B. (R) Huffman, J. (D)		Y N N N	Y N N N	Y N N N	Y N N N	Y N N N		Y N N Y	Y N N N	Y N N N Y		N N N Y		Y N N N	1 10 10 10	9 0 0 0 10	0 0 0 0

^{*} Replaced Richard Alarcón in a special election on May 15, 2007. Sworn into office on May 25, 2007.



Assembly Votes on 'Job Killers'

	Barriers to Affordable Housing	AB 5 - Development Restrictions	AB 35 - Increased Costs	AB 70 - Development Restrictions	AB 888 - Increased Costs	AB 1058 - Increased Costs	Costly Workplace Mandates	AB 8 - Health Care Tax	AB 338 - Workers' Comp Rollback	AB 504 - Pay for Strikers	Economic Development Barriers	AB 493 - New Vehicle Surcharge (Failed)	Regulatory Burdens	AB 1554 - New Bureaucracy	Total in Accord with Chamber	Not in Accord with Chamber	Not Voting or Absent
Jeffries, K. (R) Jones, D. (D) Karnette, B. (D) Keene, R. (R) Krekorian, P. (D)		N Y Y N Y	N Y Y N Y	N Y Y N Y	N Y Y N Y	N Y Y N Y		N Y Y N Y	N Y Y N Y	N Y Y N Y		N Y Y N Y		N Y Y N Y	10 0 0 10	0 10 10 0 10	0 0 0 0
La Malfa, D. (R) Laird, J. (D) Leno, M. (D) Levine, L. (D) Lieber, S. (D)		N	N Y Y Y Y	N Y Y Y	N	N Y Y Y Y		N Y Y Y Y	• Y Y Y	N Y Y Y Y		N Y Y Y Y		N Y Y Y Y	10 0 0 0	0 10 10 10 10	0 0 0 0
Lieu, T. (D) Ma, F. (D) Maze, B. (R) Mendoza, T. (D) Mullin, G. (D)		Y Y N Y	Y Y N Y	Y Y N Y	Y • N Y Y	Y Y N Y		Y Y N Y	Y Y N Y	Y Y N Y		Y Y N • Y		Y Y N Y	0 1 10 1	10 9 0 9 10	0 0 0 0
Nakanishi, A. (R) Nava, P. (D) Niello, R. (R) Núñez, F. (D) Parra, N. (D)		N Y N Y	N Y N Y	N Y N Y	N Y N Y	N Y N Y		N Y N Y	N Y N Y	N Y N Y		N Y N Y		N Y N Y	10 0 10 0 7	0 10 0 10 3	0 0 0 0
Plescia, G. (R) Portantino, A. (D) Price, C. (D) Richardson, L. (D) Runner, S. (R)		N Y Y N	N Y Y Y N	N Y Y Y	N Y Y N	N Y Y Y		N Y Y N	Y Y Y N	N Y Y -		N • Y • N		N Y Y Y	9 1 0 1 10	1 9 10 8 0	0 0 0 1 0
Ruskin, I. (D) Salas, M. (D) Saldaña, L. (D) Silva, J. (R) Smyth, C. (R)		Y Y Y N	Y Y Y N	Y Y Y N	Y Y Y N	Y Y Y N		Y Y Y N	Y Y Y N	Y Y N		Y Y Y N		Y • Y N	0 1 0 10	9 9 10 0	1 0 0 0
Solorio, J. (D) Soto, N. (D) Spitzer, T. (R) Strickland, A. (R) Swanson, S. (D)		Y N N Y	Y 	Y N N Y	Y 	Y — N N Y		Y 	• • Y	Y 		• N N Y		Y — N N Y	1 0 10 10	9 0 0 0 10	0 10 0 0
Torrico, A. (D) Tran, V. (R) Villines, M. (R) Walters, M. (R) Wolk, L. (D)		Y N N N	Y N N N	Y N N N	Y N N N	Y N N N		Y N N Y	Y N N N	Y N N N		Y N N N		Y N N N	0 10 10 10	10 0 0 0 10	0 0 0 0



Heat Illness Prevention Keeps Employees Cool as Temperatures Rise

The heat is on! Reinforce safe work habits in hot environments and satisfy new heat illness regulations/training requirements in California with the *Heat Illness Prevention Kit* from CalBizCentral.

This training solution includes 1 *Heat Illness Safety and Prevention* poster and 5 *Heat Illness Prevention in California* mini-books with removable wallet cards — all of which can be used as staff-training tools to avoid, identify and, if necessary, take action to treat heat illness symptoms in employees.

Member Price: \$36 (excludes online). Non-Members: \$45. Additional posters and mini-books can be purchased separately.



To order, call (800) 331-8877 or visit www.calbizcentral.com.



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