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Public Schools Succeeding at Helping Students Learn

Although overall student performance in California leaves much to be desired, there are public schools—including some with socioeconomic challenges—that

are well on their way to getting every student to grade-level proficiency.

The California Chamber of Commerce has been working closely with two organizations that have laid the groundwork for identifying the high-performing schools using objective criteria and learning how those schools are helping students succeed:

• The California Business for Education Excellence (CBEE) Foundation works to demonstrate that education achievement standards can be met.

• Just for the Kids-California (JFTK-CA) provides a free website, www.jftk-ca.org, that presents data on how students at schools throughout the

state are performing on state accountability tests. The website database has become the largest in California to show,

over time, student test results at individual schools.

Based on those results and other criteria, CBEE and JFTK-CA have developed an honor roll of schools that are showing significant academic improvement.

Starting this week, the CalChamber will begin regularly highlighting some of the California public schools that are high performing and getting closer to the goal of

moving all students to grade-level proficiency (see story on Page 4).

The special report inside this issue of *Alert* also offers suggestions on how business people, parents and educators can get involved in helping more schools better prepare students to succeed, both academically and in the working world. **Staff Contact: John Hooper**

'Job Killer' Bills Fail to Move



A number of California Chamber of Commerce-opposed "job killer" bills are likely dead for the year, having missed the legislative deadline to pass the house in which they were introduced.

Rejected on a vote of 18-37 in the Assembly was an Internet tax bill, **AB 1840 (C. Calderon; D-Montebello)**. The bill would have encouraged companies that provide services via the Internet and which operate and provide jobs in California to move their operations out of California.

AB 1840 was scheduled to be reconsidered as *Alert* went to press, but seemed unlikely to gain more support.

A CalChamber-led coalition of companies emphasized in a letter to members of the Assembly that AB 1840 would have undermined the ability of revenue-producing California web service companies to succeed and could have resulted in significant revenue-draining litigation against the state.

AB 1840 clouded the definition of "nexus"—the standard used to determine which companies must collect California sales or use taxes. In particular, AB 1840 eliminated the safe harbor rule that the use of a California web server in and of itself would not trigger the collection obligation.

See 'Job Killer': Page 6

Find out how your local schools are doing at www.jftk-ca.org

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Cal/OSHA Corner

Tips for Helping Employees Work Safely, Minimize Heat Stress



Mel Davis Cal/OSHA Consultant

What can I do to protect my employees from the effects of working in high temperatures?

When employees work in hot conditions, employers must take special precautions in order to prevent heat illness. Heat illness can progress to heat stroke and be fatal, especially when emergency treatment is delayed.

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E-mail: alert@calchamber.com. Home page: www.calchamber.com. Operations involving high air temperatures, radiant heat sources, high humidity, direct physical contact with hot objects, or strenuous physical activities have a high potential for inducing heat stress in employees engaged in such operations.

During the summer, workers employed in outside jobs such as construction and agriculture are subjected to many of these conditions and, for those who ignore the signs and symptoms, can become victims of a heat stress incident. According to Cal/OSHA, heat illness contributed to 12 work-related deaths in 2005 and eight in 2006.

It has been well publicized that Cal/ OSHA has adopted regulations for outdoor workers to address the employer's responsibility to ensure that employees are provided means to counter the effects of working in high temperatures. These requirements, Heat Illness Prevention in Outdoor Places of Employment, are contained in Section 3395 of the General Industry Safety Orders.

Injury/Illness Prevention Plan

Employers are required to put their heat illness prevention procedures, including employee training, in writing. It is recommended this document be incorporated into the employer's injury and illness prevention plan (IIPP). Training, at a minimum should include:

- why it is important to prevent heat illness:
 - procedures for acclimatization;
 - the need to drink water frequently;
 - the need to take breaks out of the heat;
- how to recognize the symptoms of heat illness;
- how to contact emergency services and how to effectively report the work location to 911;
- the importance of choosing water instead of soda or other caffeinated beverages and avoiding alcoholic beverages all together during high heat.

Signs to Recognize

There are several "causal factors" that may affect a person's sensitivity to heat. Age, weight, degree of physical fitness, degree of acclimatization, metabolism, use of alcohol or drugs, and a variety of medical conditions such as hypertension, all affect a person's sensitivity to heat. Even the type of clothing worn must be considered. Prior heat injury predisposes an individual to additional injury.

Four conditions must be recognized by supervisors of employees potentially exposed to heat stress: Heat rash or prickly heat, heat cramps, heat exhaustion, and heat stroke. The Cal/OSHA website, HRCalifornia and CalChamber booklets contain detailed descriptions and symptoms of heat stress-related illnesses with intervention treatments.

Specific measures that can be adopted to lessen the likelihood of a heat stress illness include:

- administrative controls, such as work rotation, starting work early in the morning or in the evening;
- providing plenty of fluids to drink, especially water; and
- providing personal protective equipment in the form of cooling vests and light-colored or reflective clothing and/or shade.

Heat Risks

There is no absolute cut-off below which work in heat is not a risk. With heavy work at high relative humidity or if workers are wearing protective clothing, even work at 70 degrees Fahrenheit can present a risk.

In the relative humidity levels (20 percent to 40 percent) often found in hot areas of California, employers need to take some actions to effectively reduce heat illness risk when temperatures approach 80 degrees Fahrenheit. It is especially important to be vigilant during periods of abnormally high heat.

Even though Section 3395 is specific to outdoor workers, the requirements can be useful to all employers who have employees subject to working in/at a worksite where the temperature/humidity can result in heat illness—for example, poorly ventilated warehouses, work processes exposing employees to high temperatures and/or humidity such as foundries or glass bottle manufactures, construction sites, etc.

Heat illness is a foreseeable hazard as defined and enforced by Cal/OSHA. Using Section 3395, employers can address the conditions within a building or permanent worksite and prevent the

See Minimize: Page 7



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Our Workforce, Our Kids, Our Future: A Business Community Action Plan



California has reached a critical point in its efforts to remain a global leader in today's economy. Between 2.3 million and 2.7 million California workers are set to retire over the next 10

years and 30 percent of California students statewide will drop out of high school before graduation.

The state's workforce is being squeezed at both ends and California businesses are feeling the pressure. For example:

- Half of the Pacific Gas & Electric Company's linemen and linewomen will be eligible to retire in the next five years.
- The Los Angeles Department of Water and Power concludes one-third of its 8,300-person workforce will be eligible for retirement by 2012.
 - The International Association of Ma-

chinists and Aerospace Workers has begun a nationwide tour informing people of the growing worker shortage in its sector.

These and countless other businesses are struggling to find a solution.

Success with Current Resources

The problem seems daunting, but there is a light at the end of the tunnel. Although overall student performance leaves much to be desired, there are public schools—including some with socioeconomic challenges—that are well on their way to getting every student to grade-level proficiency.

To assure that students will be prepared to fill future workforce needs, the business community can get involved and encourage less successful schools to learn from the best practices of their high-performing colleagues.

"We can't wait for education reform to

come from the state capital," said Raymond W. Holdsworth, chair of the CalChamber Education Committee. "Education reform will come from the community when business, parents and educators join forces to help policymakers see how accountability and perseverance can produce results."

Honor Roll for Schools

The California Chamber of Commerce has been working closely with two organizations that have pulled together information on how schools are doing, based on academic achievement tests, and are identifying the high performers and their best practices:

• The California Business for Education Excellence (CBEE) Foundation identifies and honors the highest performing public schools in California.

See next page

Goal: Improving Academic Achievement and Closing Achievement Gaps

How Business Can Help

- Get involved with your schools locally.
- Go to www.jftk-ca.org to find information about how schools in your area are performing.
- If a school in your area is doing well, make sure state and local opinion leaders (elected officials, media representatives, community groups) know that schools in your community are honor roll schools being recognized for significant student academic achievement.
- Encourage those opinion leaders to find out more about these schools by visiting and talking to school leaders and faculty.
- Help give honor roll schools a voice in your region and help them share their "best practices" with other schools in your community.
 - If schools in your area need to

improve, encourage school leaders to tap into the experience of their peers at the nearest honor roll school.

How Parents Can Help

- Get involved in your child's school.
- Go to www.jftk-ca.org to find information about how students in your child's school are doing academically.
- Bring this information to the school and talk to teachers and school administrators about what they are doing to ensure students reach gradelevel proficiency each year in your child's grade and school wide.
- Find out the percentage of students who are grade-level proficient. Ensure that your child's school has the highest expectation for every student's academic achievement.
- Find out how the school plans to ensure every child reaches at least grade-level proficiency.

How Educators Can Help

- Share your "best practices" with other schools in your community. Peer-to-peer networking describing how your school is increasing gradelevel proficiency are critically important to improving schools throughout the state. By working together in a collaborative environment, we can improve all schools in the state.
- Go to www.jftk-ca.org to find schools in your area to work with.





Our Workforce, Our Kids, Our Future: A Business Community Action Plan

From previous page

• Just for the Kids-California (JFTK-CA) has gathered academic achievement test data for schools throughout the state and presents this information on a free website, www.jftk-ca.org.

The CBEE Foundation believes all schools can reach high levels of student academic achievement and close achievement gaps. Schools throughout the state are doing it every year and these successes dispel the myth that high levels of poverty or minority student populations lead to lower student achievement.

Using academic achievement data from JFTK-CA, the CBEE Foundation has established a two-part honor roll:

- "Star Schools"—those with significant populations of socioeconomically disadvantaged students where all subgroups have significantly increased grade-level proficiency over four years.
- "Scholar Schools"—those that are showing significant academic achievement gains, but do not have a significant population of socioeconomically disadvantaged students.

No other school recognition program in California uses data rather than a selfreported application process to evaluate school performance and recognize achievement.

It's only by looking at hard data, student test scores, and evaluating students and schools based on grade-level proficiency of the California standards, that educators, parents and the public can thoroughly understand what's happening in the schools.

The federal No Child Left Behind Act set a goal for all public school students to attain grade-level proficiency by 2014. CBEE honor roll schools are being recognized because they are on track to meet that goal.

Sharing 'Best Practices'

California needs a systemic and systematic way of highlighting the highperforming schools, giving them an organized and collective voice and sharing their best practices with all schools in the state.

By highlighting schools that are overcoming common challenges and

barriers in raising student achievement, California can get these successful strategies into the hands of teachers and principals who would benefit the most.

This process of improving schools by replicating best practices and benchmarking student performance should serve as one of the most important benefits of the state's public school accountability system.

California's economy is ranked among the top 10 in the world. To maintain the state's current stature, vitality and overall appeal to world-class businesses, California public education institutions need to produce highly educated graduates. California's high school and college graduates must be adequately prepared to enter the professional and technical workforce.

To help schools and businesspeople learn about the best practices of the high-performing schools, the CalChamber, beginning this week, will regularly highlight California schools that are high-performing and moving closer to the goal of getting all students to grade-level proficiency.

Staff Contact: John Hooper

Honor Roll School

Teaching 'Bell to Bell' Helps Students Succeed in Manteca



David O'Leary, principal of New Haven Elementary School in the Manteca Unified School District.

Just six years ago, standardized test scores showed socioeconomically disadvantaged students at New Haven Elementary School in Manteca were below or barely above minimum target proficiency levels in language arts and math.

Since then, the same tests show the disadvantaged students have been improving steadily. In 2007, disadvantaged New Haven students tested well above the minimum proficiency level. If the trend of the last few years continues, disadvantaged New Haven students will consistently score above that minimum level.

Meanwhile, close to 60 percent of the student body as a whole is testing at grade level.

Behind the steady progress for the K-8 school is a philosophy that focuses on teachers, explaining proficiency standards in parent-teacher conferences and clear objectives, says principal David O'Leary.

The 626-member student body is about 40 percent Hispanic and 46.8 percent white. Students qualifying for free/reduced school

lunches make up 42.8 percent of the student population and socioeconomically disadvantaged students make up 43.3 percent of the student body.

New Haven has been the top-scoring school in the Manteca Unified School District for the last four years, O'Leary reports.

Among the keys to performance have been looking at the needs of individual students and an emphasis on making full use of the 6 to 6.5 hours a day that students spend at school.

Concentrating on the individual student rather than worrying about blocks of students meant "the achievement gap took care of itself," says O'Leary.

And by making sure to "teach bell to bell," the school staff maximized learning time for students without impinging on extracurricular and family activities.



Profiles in Trade

Growth in Export Opportunities Broadens Need for Financial Partners with Experience

On average, 20th century Westerners—whether from Great Britain, Belgium, the Netherlands, the United States, Canada or Australia—had three times the material wealth and standard of living of their forebears the century before.

"The world is on the cusp of another explosive economic growth phase, this time in emerging markets such as India, Brazil and China," says Sanjiv Sanghvi, chief executive officer of Wells Fargo HSBC Trade Bank.

Consequently, emerging markets represent a tremendous opportunity for U.S. companies, large and small, that are willing to invest in developing their businesses there, according to Sanghvi.

U.S. exports have been growing at an 11 percent average over the last five years. In 2007, total U.S. exports reached a record \$1.1 trillion, helped in part by the weakened dollar.

Growth Markets

The following examples illustrate some of the opportunities in the emerging markets:

• India runs a trade deficit of \$17 billion. Last year, India's imports grew at 60 percent while its exports grew 20 percent.

In the last quarter century, India's burgeoning middle class has more than tripled to 250 million people. A recent McKinsey study suggests that India's middle class will rise to 583 million people by 2025.

• In Brazil, heavy foreign investments have led to a booming economy as well as a stable political system. Recent business-friendly tax reforms have contributed to steady growth in Brazil's gross domestic product — 4.4 percent over the last four years — with many experts forecasting a 4.3 percent average annual growth over the next five years.

Brazil is now ranked fifth most attractive country in the world for investment over the next three years.

• China is another growth center. Some estimates state that more than 1 billion people will enter the middle class in China within the next eight years.



Meanwhile, Americans are Chinese companies' largest customers, with Chinese imports growing to \$321 billion in 2007, a 12 percent annual increase. In 2007, China's imports grew 21 percent, while imports from U.S. companies to China grew 18 percent.

First-Time Exporters

As markets develop, many U.S. companies are for the first time looking at overseas markets for growth. Meanwhile, companies that haven't considered themselves "traditional" exporters are finding there is a large opportunity to tap into new markets by exporting.

Being new to the export field means businesses have to navigate challenges such as learning the culture, marketing and distribution in each market, and understanding the legal and regulatory environment. Even ensuring prompt payment from trading partners in other parts of the world can be difficult.

Banking Complexities

Global trade also adds complexities to banking. For example, Sanghvi says, "Selling to a customer whose core business operates in currencies other than U.S. dollars means that U.S. companies need to hedge their foreign-currency exposure to lock in their profits."

A financial institution with expertise in foreign exchange operations can help with such matters, in addition to assisting in solving cash and treasury management needs.

Financing is another challenge. Traditionally, many banks have been unwilling to lend on accounts receivable from foreign companies, making it difficult for a company to finance overseas growth opportunities.

To help a company succeed anywhere

in the world, a financial institution may not need to have physical offices in every country, but will need to have the local expertise and the connections to help businesses get established in the countries they choose.

Trade Bank

Wells Fargo HSBC Trade Bank (the Trade Bank), an equity joint venture between Wells Fargo Bank and the HSBC Group, is the only nationally chartered bank in the United States dedicated exclusively to international trade.

The Trade Bank offers a full suite of banking products and services to help meet businesses' international financial needs, including:

- Offering export letter of credit confirmations, which means the Trade Bank takes on credit risk on customers' behalf.
- Providing payment solutions and "escrow" services to ensure that businesses get paid before they release title to goods in foreign ports.
- Proving foreign-exchange risk management solutions to help businesses lock in profits from overseas operations.
- Setting up accounts overseas and giving businesses anytime, anywhere visibility into domestic and foreign accounts through an Internet-based platform—the Commercial Electronic Office®.
- Helping finance international expansion efforts, including in-country financing in places like China, Brazil and Mexico.

The Trade Bank website is located at www.thetradebank.com.

"Profiles in Trade" is a new regular feature in **Alert** highlighting the international trade activities of member companies.



'Job Killer' Bills Miss Deadline to Pass First House in Legislature



From Page 1

Missed Deadline

The following "job killer" bills also failed to pass their house of origin:

• AB 2030 (Lieu; D-Torrance)
Construction Costs Increases. Substantially increases the cost of commercial development, interferes with the utilities' ability to meet the AB 32 carbon cap mandates and drives up the cost of AB 32 compliance, ultimately leading to increased utility bills, by mandating onsite energy generation and efficiency standards for all new commercial development.

• AB 2153 (Krekorian; D-Burbank) Construction Jobs Loss. Imposes an unconstitutional developer fee on new residential and commercial development that will be used to finance water conservation strategies in existing communities by requiring that all new development be water-demand neutral.

- AB 2690 (Krekorian; D-Burbank) Increased Health Care Costs. Expands liability of manufacturers of prescription pharmaceutical products by eliminating a well-established and common-sense legal defense which recognizes that a patient's doctor should warn them of the risks and side effects of drugs.
- AB 2847 (Krekorian; D-Burbank) Increased Health Care Costs. Raises health care costs due to increased litigation by shifting the burden of proof from providers to insurers in legal disputes about the appropriateness of care regardless of whether the medical care is based on any sound clinical foundation or is evidence-based.
- SB 1165 (Kuehl; D-Santa Monica) Infrastructure and Construction Jobs Loss. Jeopardizes economic growth by

restricting environmental impact statements to a five-year lifetime which will delay permitting of the project and open the door for frivolous lawsuits in an attempt to block the project.

Amended

AB 2359 (Jones; D-Sacramento)

Originally limited investment by capital markets by imposing legal liability on the secondary market for flaws in home loans written by other lenders and brokers. Amended to remove problematic "assignee liability" provisions that would have limited such investments and reduced liquidity, so no longer considered a "job killer." The CalChamber still opposes, however, due to language limiting arbitration and some unresolved mortgage loan concerns.

For updates on the remaining "job killer" bills, visit www.calchamber.com/jobkillers. Staff Contact: Marc Burgat

Assembly Rejects Internet Tax Legislation



The Internet tax
"job killer"
bill, AB
1840 (C.
Calderon;
D-Montebello) failed
to pass the
Assembly on a
vote of 18-37.

Ayes: Bass (D-Los Angeles), Berg (D-Eureka), C. Calderon (D-Montebello), Davis (D-Los Angeles), DeSaulnier (D-Concord), Dymally (D-Compton), Evans (D-Santa Rosa), Feuer (D-Los Angeles), Hancock (D-Berkeley), Huffman (D-San Rafael), Jones (D-Sacramento), Karnette (D-Long Beach), Leno (D-San Francisco), Lieber (D-Mountain View), Mullin (D-South San Francisco), Núñez (D-Los Angeles), Saldaña (D-San Diego), Swanson (D-Oakland).

Noes: Adams (R-Hesperia),

Aghazarian (R-Stockton), Anderson (R-La Mesa), Arambula (D-Fresno), Benoit (R-Bermuda Dunes), Berryhill (R-Modesto), Blakeslee (R-San Luis Obispo), Cook (R-Yucca Valley), DeVore (R-Irvine), Duvall (R-Yorba Linda), Emmerson (R-Redlands), Fuller (R-Bakersfield), Gaines (R-Roseville), Galgiani (D-Stockton), Garcia (R-Cathedral City), Garrick (R-Solana Beach), Horton (R-Chula Vista), Huff (R-Diamond Bar), Jeffries (R-Lake Elsinore), Keene (R-Chico), La Malfa (R-Richvale), Lieu (D-Torrance), Maze (R-Visalia), Nakanishi (R-Lodi), Niello (R-Fair Oaks), Parra (D-Hanford), Plescia (R-La Jolla), Portantino (D-La Cañada Flintridge), S. Runner (R-Lancaster), Ruskin (D-Redwood City), Silva (R-Huntington Beach), Smyth (R-Santa Clarita), Spitzer (R-Orange),

Strickland (R-Moorpark), Tran (R-Costa Mesa), Villines (R-Clovis), Walters (R-Laguna Niguel).

Absent/abstaining/not voting: Beall (D-San Jose), Brownley (D-Santa Monica), Caballero (D-Salinas), Carter (D-Rialto), Coto (D-San Jose), De La Torre (D-South Gate), De León (D-Los Angeles), Eng (D-Monterey Park), Fuentes (D-Sylmar), Furutani (D-Long Beach), Hayashi (D-Castro Valley), Hernandez (D-La Puente), Houston (R-San Ramon), Krekorian (D-Burbank), Laird (D-Santa Cruz), Levine (D-Van Nuys), Ma (D-San Francisco), Mendoza (D-Artesia), Nava (D-Santa Barbara), Price (D-Inglewood), Salas (D-Chula Vista), Solorio (D-Santa Ana), Soto (D-Pomona), Torrico (D-Newark), Wolk (D-Davis).



HR Network Helps Businesses Connect with Local Consultants

The California Chamber of Commerce recently launched its HRConsultant Network, a partnership with trusted local human resource consultants from around the state, to provide businesses with high quality, hands-on, strategic HR (human resource) services.

"Businesses turn to HRCalifornia and CalBizCentral when they need current and accurate employment or business law information, but we realize that HR needs sometimes go beyond clarification and online training," said Jan Bell, CalChamber executive vice president of membership and business services.

"That's why we're introducing our HRConsultant Network. It's a quick and easy resource for businesses large and small and a way for them to connect with local — and trusted — HR providers."

HRConsultant Network allows businesses to connect with consultants based on their region. Consultants can



HRConsultant Network Member

handle a variety of HR needs, including employee handbook audits, policy development, human resources outsourcing, employee retention strategies and many other services.

Experienced Team

HRConsultant Network is made up of HR consultant companies that have passed an application process which included background verification, professional reference checks and an interview with the CalChamber employment law counsel.

"We went through the detailed process so that business owners who use the network can be assured that they are working with consultant partners who are highly knowledgeable professionals and understand the complexity of California labor and employment laws," Bell said. "The HRConsultant Network is just another way that CalChamber is helping California businesses do business."

Currently, 10 initial members comprise the HRConsultant Network, but the CalChamber will be adding additional consultants as demand increases.

HR Consultants

Current members include CPE HR, e-VentExe, The Grady Group, HR to Go, HRxpress, JorgensenHR, The Melita Group, P A S Associates, P S Benefits and Solutions Partners.

More Information

To access the HRConsultant Network, visit *www.calchamber.com/hrconsultant*. For more information, call (800) 649-4921.

Minimize Heat Stress

From Page 2 occurrence of heat illness. As stated previously, the steps taken should be included in the company's IIPP.

More Information

Cal/OSHA has published informational documents at *www.dir.ca.gov*. Click on "Heat Illness Prevention" under "What's new."

CalChamber members can find information on heat illness by searching on "heat illness" at www.hrcalifornia.com.

In addition, the CalChamber has developed a mini-book, *Heat Illness Prevention in California*. It is written in both English and Spanish and has readily understood illustrations of the outward symptoms of heat illness.

For information on obtaining this booklet, call (800) 331-8877 or visit www.calbizcentral.com.

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.

CalChamber Recognizes Compliance Partners



Local chambers of commerce that excel at working with the CalChamber to help members comply with human resource and labor laws receive recognition as Compliance Partners of the Year at the CalChamber Business Legislative Summit on May 20. From left are CalChamber President Allan Zaremberg; Mary Guardiola, Oakdale Chamber; Cathy Kennerson, El Centro Chamber; Freda Dill, Vallejo Chamber; and CalChamber Chair Edwin A. Guiles.



Family leave law is confusing. Let CalChamber clarify.

Family and Medical Leave Act/California Family Rights Act (FMLA/CFRA) 201

is an advanced 90-minute live web seminar that is ideal for those who are responsible for companies with 50 or more employees.

You will learn how to properly administer medical leaves of absence and how the leaves interact with other leaves and benefits as well as what can be taken concurrently.

FMLA/CFRA 201

Thursday, June 12 10 a.m. – 11:30 a.m., 90 minutes

Regular Price \$150 Preferred/Executive Members \$120

> Last Chance to Register!

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



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