

2007 major victories



Successes help employers, jobs and the economy

CAPITOL WATCHDOG

Each year CalChamber tracks more than 3,000 legislative proposals on behalf of member businesses.

GRASSROOTS ACTION

Comments from employers yield results. See hot issues at www.calchambervotes.com.

ABOUT US

CalChamber is the largest, broad-based business advocate, working at the state and federal levels to influence government actions affecting all California business. As a not-for-profit, we leverage our front-line knowledge of laws and regulations to provide affordable and easy-to-use compliance products and services.

SPEAKING EFFECTIVELY FOR CALIFORNIA EMPLOYERS

As the voice of business, the California Chamber of Commerce uses its clout to promote cost-saving reforms and fight anti-business legislation. Each year, we track more than 3,000 legislative proposals on behalf of employers. Policymakers listen to the CalChamber because they know we speak for more than 16,000 member businesses that together employ a fourth of the state's private workforce — more than 3 million jobs reflecting the diversity of the California business community.

Underscoring our message are the thousands of individuals who use our web-based grassroots center to help them communicate directly with their elected representatives. That grassroots center — located at www.calchambervotes.com — provides easy-to-personalize letters to lawmakers on priority issues for employers. More than 35,000 individuals used the website to generate more than 56,000 letters in 2007, the website's first full legislative year in operation.

Below is a brief recap of how CalChamber advocacy in 2007 helped employers.

STOPPING ALL 'JOB KILLER' BILLS

No "job killer" proposals became law this year. The Governor vetoed all 12 "job killer" bills the Legislature passed. Strong advocacy by the CalChamber in conjunction with other business groups and job-friendly legislators stopped other proposals that would have jeopardized California's competitiveness. Some of the costly "job killers" appear below. For more details, visit www.calchamber.com/jobkillers.

- **Stopped new barriers to affordable housing** by winning veto of proposals adding cost and complexity to the construction process through various "green building" standard mandates (AB 35, AB 888, AB 1058).
- **Halted costly workplace mandates**, including a health care tax on employers (AB 8), mandatory payments for striking employees (AB 504), severe restrictions on employer communications with employees (SB 180, SB 650), new penalties for misclassifying independent contractors (SB 622).
- **Protected workers' compensation cost savings** by stopping roll-back of reforms and doubling of permanent disability cost increases (SB 936), plus requirement for employers to provide an injured worker with a job voucher before knowing the amount of benefit due with no avenue to recoup costs (SB 942).
- **Prevented fuel price increases** by stopping proposal interfering with the development of a competitive alternative fuels market (SB 210).
- **Helped limit further inflation of liability costs** by calling for veto of proposal artificially inflating medical damage awards in third party liability cases (SB 93).

See other side for more CalChamber Major Victories.

2007 Major Victories for California Employers

RESOLVING WORKERS' COMPENSATION TEMPORARY DISABILITY ISSUES

Converted a former "job killer" proposal into a positive vehicle, negotiating amendments to resolve a problem in current law in a way that retains the cost savings in the 2004 reforms by maintaining the current 104-week cap on temporary disability benefits while allowing injured workers to receive those benefits within five years from the date of injury (AB 338).

SAFEGUARDING EMPLOYERS AGAINST NEW COSTS/LIABILITY

Secured vetoes of proposals expanding employer liability for wage-and-hour lawsuits (AB 435); access to personnel records (AB 1707); family/medical leave (AB 537); bereavement leave (SB 549); workers' compensation for temporary employees (AB 1710); indoor heat exposure (AB 1045); and employment discrimination (SB 836).

PROTECTING WORKERS' COMPENSATION REFORMS IN COURT

- Helped persuade the California Court of Appeal to uphold limited use of the pre-reform permanent disability rating schedule, thereby preventing erosion of the CalChamber-supported cost-saving reforms of 2004 (*Rachel Chang v. Workers' Compensation Appeals Board and State Compensation Insurance Fund*).
- Presented the approach adopted by the California Supreme Court when it determined that an employer's liability for a permanent disability should be calculated from a percentage-based formula, upholding the intent of policymakers when they enacted the CalChamber-supported reforms (*Welcher v. Workers' Compensation Appeals Board et al.*).
- Won publication of a key 1st District Court of Appeal decision establishing how to determine whether evidence in the case record supports the use of the permanent disability schedule adopted as part of the CalChamber-supported reforms (*State Compensation Insurance Fund v. Workers' Compensation Appeals Board (Echeverria)*).

STOPPING NEW TAXES

Led a coalition of associations and businesses that stopped a proposal to increase the cost of shipping goods and make California less competitive by imposing an illegal per-container tax in the ports of Long Beach, Los Angeles and Oakland (SB 974).

BLOCKING NEW BARRIERS TO ECONOMIC DEVELOPMENT

Prevented passage of an unfair surcharge on new vehicles that would have increased costs for small businesses to transport their goods and services (AB 493).

WINNING TAX RELIEF, STREAMLINING

Supported enactment of legislation providing property tax relief to tree farmers and other tax relief to other growers hurt by the January 2007 freeze (AB 297, SB 114); streamlining the tax filing process for non-profit corporations (AB 897); and new law to reduce the application burden for enterprise zone applicants (SB 341).

SIDELINING EXPENSIVE, UNNECESSARY REGULATORY BURDENS

Halted proposals that would have increased costs for food packaging (AB 904), leafy green vegetables (SB 201), plastic packaging (SB 899) and consumer electronics (AB 48).

LIMITING INFLATION FOR LIABILITY AWARDS

Won veto of proposal that would have artificially inflated medical damage awards in third party liability cases by not allowing judges to consider the actual cost of medical expenses as evidence, ultimately increasing, not only legal costs, but also rates for auto and general liability insurance (SB 93).