



*El Dorado County Joint Chamber Commission; Elk Grove Chamber of Commerce; Folsom Chamber of Commerce;
Rancho Cordova Chamber of Commerce; Roseville Area Chamber of Commerce*

TO: Assemblymembers Frank Bigelow, Ken Cooley, Jim Cooper, Kevin Kiley
State Senators Brian Dahle, Jim Nielsen, Richard Pan

FROM: Dave Butler, UCAN Legislative Advocate

DATE: September 9, 2019

RE: **FLOOR VOTES** – Week of September 9, 2019

On behalf of the chambers of commerce that comprise the United Chamber Advocacy Network (UCAN) and their nearly 4800 combined members, for your information I am writing to share our position on several bills scheduled to be heard in the Appropriations Committees of the Senate and Assembly.

Thank you for your thoughtful consideration of our views.

Bills to be considered in the Assembly:

Bill	Author	Subject	UCAN Position
AB 9	Reyes	Employee discrimination: stat. of limitations	OPPOSE
Governor Edmund G. Brown, Jr. vetoed an identical measure last year, AB 1870 (Reyes), noting “the current filing deadline--which has been in place since 1963--not only encourages prompt resolution while memories and evidence are fresh, but also ensures that unwelcome behavior is promptly reported and halted.” As these bills are identical, these same concerns exist in AB 9. <u>Approved by the Senate 30-7-3, in the Assembly for concurrence.</u>			
AB 51	Gonzalez	Arbitration agreements	OPPOSE
<ul style="list-style-type: none">• prohibits arbitration of labor and employment claims as a condition of employment• exposes employers to criminal liability regarding arbitration agreements;• adds another private right of action onto employers under FEHA. <u>Approved by the Senate 26-11-3, in the Assembly for concurrence</u>			
SB 142	Wiener	Lactation Accommodation	OPPOSE
SB 142 is unnecessary since the Legislature just last year approved legislation authored by Assemblymember Limon to thoughtfully accommodate nursing mothers in the workplace while including reasonable accommodations to employers, particularly small businesses.			
SB 1	Atkins	CA Environmental, Public Health, etc. Act	OPPOSE
We are concerned that SB 1 is unnecessary, given that the Legislature already has authority to adopt standards beyond federal statute, hands over authority to administrative agencies within the executive branch, and opens local governments and businesses to excess liability as a result of general language identifying regulations as “less stringent.”			

Bills to be considered in the Senate:

AB 5 **Gonzalez** **Independent Contactors** **OPPOSE U/L AMENDED**
We encourage broader exemptions in AB 5 that allow small businesses, start-ups and non-profits to use independent contractors in their core areas of business in order to manage their workforce with maximum flexibility.
Must have: Include general business to business exemption. Amended language is still insufficient.
Concern: Retroactive application of Dynamex Decision

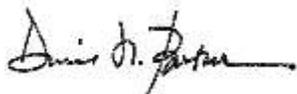
AB 171 **Gonzalez** **Employment, sexual harassment** **OPPOSE**
Will unnecessarily cause confusion and expand employer liability. AB 171 proposes to add sexual harassment retaliation protections to the Labor Code. These new provisions are misplaced and unnecessary. Sexual harassment retaliation should continue to be regulated by DFEH. Extends the statute of limitations for sexual harassment discrimination, contradicting FEHA.

AB 403 **Kalra** **Div. of Labor Standards Enforcement, Complaint** **OPPOSE**
Undermines the essence of the DLSE process by adding one-sided attorney's fee recovery for an employee who prevails in a whistleblower action. Is explicitly one-sided which will contribute to California's hostile litigation environment.

AB 846 **Burke** **Consumer Privacy, Loyalty Programs** **SUPPORT**
Provides clarification to the California Consumer Privacy Act (CCPA) to ensure that loyalty and rewards programs can continue to operate once CCPA takes effect. It also maintains the consumer protections of CCPA that prohibit a business from discriminating against consumers who exercise their rights under the law.

AB 1066 **Gonzalez** **Unemployment Insurance, striking workers** **OPPOSE**
California's unemployment insurance system is a compact – between the state, employers and employees who lose their employment through no fault of their own. Employees who quit their jobs are not eligible to receive unemployment benefits. Offering U/I benefits to striking workers, who have chosen not to go to work, undermines this long held compact. By irresponsibly expanding U/I benefits, AB 1066 threatens the solvency of California's unemployment insurance system itself.

Thank you for your thoughtful consideration of our views.



Dave Butler
Advocate
United Chamber Advocacy Network