

# CBPA Weekly Update- August 20, 2021

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## **CALCHAMBER LEADER ZAREMBERG TO RETIRE**

Allan Zaremborg, President and CEO of the California Chamber of Commerce has officially informed the CalChamber Board of Directors and the organization's staff of his planned retirement at the end of 2021. A year ago, Zaremborg notified members of CalChamber's Executive Committee of his intended retirement date.

Rex S. Hime, President and CEO of California Business Properties Association released the following statement: "Allan Zaremborg and the Cal Chamber have been a rock solid ally of the commercial real estate industry and one of the leading guiding lights of the entire business community. We have worked together for decades and cannot enumerate all the ways Allan had a positive impact on California. He has fought hard on behalf of us all and although I will miss his leadership on policy issues, I look forward to continuing on our strong friendship. Thank you, Allan, and congratulations on a wonderful career!"

Zaremborg served in the role of President and CEO of CalChamber for 23 years beginning in 1998 after six years as executive vice president and head of CalChamber's legislative advocacy program. Before joining CalChamber, Zaremborg served as chief legislative advisor to and advocate for Governors George Deukmejian and Pete Wilson. He also served as a captain and flight navigator on a KC-135 jet air refueling tanker while in the U.S. Air Force from 1970 to 1975.

Zaremborg's full biography is available [here](#).

## **BUSINESS COMMUNITY CALL TO VACCINATE – OUTLINE NEEDED PROTECTIONS**

Please [click here](#) for an online version of this letter that you can share.

California Business Community Leaders:

Thank you for continuing to be part of the solution in slowing the spread of COVID-19 and encouraging vaccines for all eligible Californians. From developing and manufacturing the vaccine, to distributing it across the state and nation, to setting up vaccine clinics and offering incentives to employees and customers, the business community has played a vital role in getting safe, effective and life-saving vaccines in the arms of all eligible residents.

However, with the surge in cases and spread of the Delta variant, the state and local agencies are rapidly moving away from the “carrot-and-stick” approach to encourage vaccinations and instead are pushing for mandates to be enforced by business owners.

We strongly support the push to have all eligible residents vaccinated, but also know that California has unique labor laws and continues to be one of the most litigious states in the nation, leaving businesses of all size vulnerable to an onslaught of lawsuits should they seek to go further in their vaccine enforcement efforts.

The state and local officials have been moving quickly in this space, and we felt it necessary to move quickly as well. Last Monday, a subset of the broad business community issued a letter to the governor, Legislature and attorney general asking for their help in removing barriers that have kept many businesses from enacting further vaccine requirements for employees and customers.

Read [the letter to Governor Newsom and Legislature](#).

Read [the letter to Attorney General Bonta](#).

At the same time, we are hearing rumors of a potential legislative effort to push a statewide mandate requiring employees to be fully vaccinated or test weekly. There has been no discussion of liability relief, cost relief for testing, or any of the other issues we have raised with policymakers. CalChamber, which is also working on this, is currently reaching out to its membership regarding this issue, raising many of the same items we've previously raised with the governor and Legislature.

At a time when businesses are already facing massive labor shortages and looming tax increases due to the state's inaction on the Unemployment Insurance Fund, increased litigation costs are the last thing businesses need.

We look are asking you to join in our efforts to push for balanced and workable solutions that empower and encourage businesses wanting to increase their vaccination requirements without fear of retaliation or frivolous lawsuits.

If you are interested in joining our coalition and effort, please respond to Brooke Armour at CBRT [brooke@cbrt.org](mailto:brooke@cbrt.org) with your organization and the appropriate contact person. We will keep you updated on further developments on this issue and may ask

for your support in elevating it with legislators, local officials and your members and local businesses.

Thank you again and please do not hesitate to reach out to any of us if you have additional questions or concerns.

Thank you,

**Rob Lapsley**

President, California Business Roundtable

**Rachel Michelin**

President and CEO, California Retailers Association

**Rex Hime**

President and CEO, California Business Properties Association

**Jot Condie**

President and CEO, California Restaurant Association

**John Kabateck**

State Director, National Federation of Independent Business, California

## **HELP FIGHT BILL TARGETING WAREHOUSES**

You are asked to join the growing coalition of businesses that are trying to stop AB 701, a bill targeting the warehouse sector.

AB 701 (Gonzalez; D-San Diego) passed the Senate Judiciary Committee on a partisan 9-2 votes and was just moved to the Senate Appropriations Committee “Suspense File.”

This bill would have created a new productivity standard, expanded private right of action, and increase PAGA litigation by creating duplicative regulations for workers and employers operating warehouse distribution centers.

AB 701 was amended for the better in the Senate Judiciary Committee. It will now limit the amount of requests employees can make on their personal work speed data as well as limit the never ending assumption of retaliation after said requests, by an employer. Along with that there were also some amends taken to narrow the definition of “Health and Safety Laws”, stop the expansion of PAGA, and limit the injunctive relief to only the quota at issue, not regulatory issues as well.

While we agree with the overall notion that employee health and safety is important, we disagree with this bill as it is a one size fits all idea that treats every warehouse the same and micromanages how employers manage their business. These above fixes are good for us, but not enough to remove our opposition on the legislation.

Our industry is very active as part of a broad coalition opposing AB 701 including the CalChamber, California Trucking Association, California Manufacturers & Technology Association, California Retailers Association, California Farm Bureau, and many others, as the practical impacts and precedent of the bill will have long lasting and negative impacts on many sectors of the economy, not just warehouse operators.

AB 701 is a flawed and excessively broad regulation of warehouse distribution centers. Everything we buy and use moves through the manufacturing, storage, and distribution process. Whether it's our food moving from the farm to fork or clothes from the thread to our closet, we will all pay the price for AB 701.

[Click here](#) to help stop AB 701!

#### **TRAUMA KIT MANDATE GOES TO SUSPENSE**

This week, SB 687 (Hueso; D-San Diego) a bill that improperly requires building managers/property owners to install and provide training material to tenants on how to use a tourniquet meant for tactical combat casualty care, was moved to the Assembly Appropriations' "Suspense File," where it will be evaluated for cost to the State General Fund.

The bill has raised great concern with our industry as it also lacks any liability protections for those properties that are mandated to install the kits and, in fact, may remove any protections under law by mandating installation.

SB 687 inappropriately mirrors the statute that was carefully written to fix issues related automated external defibrillator (AED) liability issues. AEDs are technology that need a connection to a building's energy supply. Trauma kits do not need any power supply or physical connection to the building and, thankfully, have much less demand for use.

Additionally, SB 687 does not acknowledge the safety and security procedures that commercial properties already undertake to ensure safety of the public while on our properties.

As we have explained to the author and other legislators, property managers are very competent at managing tenant needs and assuring building mechanical systems are operational, but they are not medical experts. This bill requires property managers, under state law, to provide complicated medical equipment and training on how to use tourniquets and other emergency medical technique is misplaced and should be accomplished by other, more reasonable means.

Finally, cardiac arrest is a likely issue that building managers/owners will have to deal with, and AEDs are "foolproof," meaning if someone tries to inappropriately use one, you theoretically cannot harm the patient. The same cannot be said of applying a tourniquet and misapplying one can actually result in the loss of a limb, or worse, a life.

Although the intent behind SB 687 is commendable, this bill represents an inappropriate mandate on property managers and building owners that should be addressed through other means. Using a tourniquet or treating a gunshot wound is in no way comparable to using an AED and we oppose putting such requirements into statute.

We are asking the Appropriations Committee to “hold the bill on Suspense,” as we do not think the benefits of the bill outweigh its costs as outlined above.

[Click here](#) to read the Judiciary Committee analysis of the bill.