

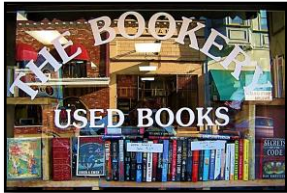


# CAIB NEWSBRIEF

California Association of Independent Business, Inc.

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## THE HUGE IMPORTANCE OF SMALL BUSINESS



### SMALL BUSINESS INPUT IMPERATIVE!

The impact of small business on our economy, our communities and our society is deep and wide. California has over 3.6 million small businesses that account for over 98% of all businesses in the state. Small businesses provide jobs for 6.5 million employees. In addition, there are 3 million small businesses that do not hire employees but that provide work for the owners and independent contractors. Small business provides a minimum of 50% of California's private sector jobs. This means that California's small business community is responsible for the jobs of over 18 million people in California who spend, save and invest their money in California...and pay lots and lots of taxes.

Small business people are California's voting population.

In short, our small businesses are crucial to the economy. They are the purveyors of good values and their businesses provide jobs for the vast majority of conscientious voters.

Small business people are making the effort and taking the responsibility to educate our leaders about the importance of small business by providing the necessary vehicles for them to assess the impact of their actions on small business

Simply stated, small business is crucial to a healthy and thriving economy.

Small business people also have a positive moral and ethical impact because of the very nature of a small business. The morality and ethics required by small business spreads exponentially throughout the community. Small business people live and work in their communities along with their employees, customers, friends and family. Small business people are socially responsible.

Small businesses provide jobs for their friends, families, customers and others. This unique situation of interwoven relationships requires small business people to practice and adhere to a higher standard of ethical and moral values. If they don't, their moms will find out, or their kids won't learn to be good people.

Small business people are compassionate. They can relate at a "gut" level to the plight of the average "Joe" because they are the average "Joe". Small business owners often postpone or forego their own payroll check rather than lay off an employee or pay a bill late.

*"Small business is the glue that bonds materialism with morals, and capitalism with ethics."*

*Amy Mittino*

## IMPORTANT BALLOTS ENCLOSED! PLEASE VOTE NOW!!!

### MANDATORY SCHEDULING REQUIREMENTS

**AB 5** would require employers to offer additional hours of work to existing employees, rather than being able to choose to hire a new employee or contractor for the additional work. The bill would create a significant burden on small and large employers and expose employers to lawsuits for technical violations.

### EXPANSION OF FAMILY RIGHTS ACT

**SB 62** would expand the family members for whom leave may be taken and provide a potential 24-week protected leave of absence for employers to administer. The bill would burden many small businesses, increase costs, and expose businesses to the risk of litigation.

### INCREASED CAL/OSHA COSTS ON EMPLOYERS

**SB 772** would impose excessive costs on employers without transparency and without consideration of alternatives for Cal/OSHA regulations. The bill would also exempt statutory requirements from economic analysis of the most costly regulations.

## PLEASE VOTE YOUR CAIB BALLOTS NOW!

# BILLS OF INTEREST

## SENATE BILLS

[SB 63 \(Jackson D\)](#) Unlawful employment practice: parental leave.

This bill would prohibit an employer from refusing to allow an employee with more than 12 months and at least 1,250 hours of service with the employer during the previous 12-month period, to take up to 12 weeks of parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement. The bill would require employers to maintain and pay for coverage under a group health plan for an employee who takes this leave. This bill would also prohibit an employer from refusing to hire, or from discharging, fining, suspending, expelling, or discriminating against, an individual for exercising the right to parental leave.

[SB 524 \(Vidak R\)](#) Employment: violations: good faith defense.

Summary: Under current law, an employer may face administrative sanctions, civil fines and penalties, and criminal penalties for violations of employment statutes or regulations. This bill would permit a person to raise as an affirmative defense that, at the time of an alleged violation of statute or regulation in a judicial or administrative proceeding, the person was acting in good faith, had sought, relied upon, and conformed with a published opinion letter or enforcement policy of the division, and had provided true and correct information to the division in seeking the opinion letter or enforcement policy.

[SB 555 \(Morrell R\)](#) Regulations: 5-year review and report.

This bill would require a state agency to review and report on regulations that it adopts or amends on and after January 1, 2018, 5 years after adoption, as specified. The bill would require that the review and report include 10 specified factors, including a summary of the written criticisms of the regulation received by the agency within the immediately preceding 5 years and the estimated economic, small business, and consumer impact of the regulation. The bill would require the Office of Administrative Law to make the review and report available on the office's Internet Web site.

[SB 562 \(Lara D\)](#) The Healthy California Act.

This bill, the Healthy California Act, would create the Healthy California program to provide comprehensive universal single-payer health care coverage and a health care cost control system for the benefit of all residents of the state.

[SB 726 \(Wiener D\)](#) Taxation: estate, gift, and generation-skipping transfer taxes.

Current law prohibits the Legislature or a political subdivision of the state from imposing any tax on or by reason of any transfer occurring by reason of death. This bill would propose to the voters a repeal of the above initiative measure.

[SB 772 \(Leyva D\)](#) Occupational safety and health: regulations.

Current law requires agencies to prepare a standardized regulatory impact analysis in the manner prescribed by the Department of Finance. This bill would exempt any occupational safety and health standard and order from the standardized regulatory impact analysis requirement.

## ASSEMBLY BILLS

[AB 5 \(Gonzalez Fletcher D\)](#) Employers: Opportunity to Work Act.

This bill would require an employer with 10 or more employees to offer additional hours of work to an existing nonexempt employee before hiring an additional employee or subcontractor, except as specified, would require an employer to post a notice of employee rights, as specified, and would require the employer to maintain

certain documentation. The bill would authorize an employee to file a complaint for violations and to bring a civil action for remedies under the act.

[AB 12 \(Cooley D\)](#) State government: administrative regulations: review.

This bill would require each state agency to review that agency's regulations, identify regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, and report to the Legislature and Governor.

[AB 442 \(Frazier D\)](#) Employer liability: small business and microbusiness.

This bill would prohibit the Division of Occupational Safety and Health from commencing any enforcement action for any nonserious violation, as defined, against any employer where the employer is a small business or microbusiness, as defined, without first giving the employer written notice and providing the employer 30 days to correct the violation. The bill would authorize the division to assess a reasonable fee to cover its costs not to exceed \$50.

[AB 657 \(Cunningham R\)](#) State government: small business liaisons.

This bill would require a state agency that significantly regulates small business or that significantly impacts small business to prominently display the name and contact information of the small business liaison on the agency's Web site, if the agency has a Web site.

[AB 767 \(Quirk-Silva D\)](#) Master Business License Act.

This bill would create within the Governor's Office of Business and Economic Development a business license center to develop and administer a computerized master business license system to simplify the process of engaging in business in this state. The bill would set forth the duties and responsibilities of the business license center. The bill would require each state agency to cooperate and provide reasonable assistance to the office to implement these provisions.

[AB 782 \(Acosta R\)](#) California Health Insurance Fairness Act: personal income tax: deduction: medical insurance.

This bill would allow a deduction from gross income under the Personal Income Tax Law for the amounts paid or incurred by a taxpayer during the taxable year for medical insurance for medical care, as defined, and for transportation for and essential to that medical care, as provided. The bill would not allow as an itemized deduction, the amount allowed as a deduction from gross income as provided.

[AB 912 \(Obernolte R\)](#) Small business: California Small Business Regulatory Fairness Act.

This bill would require a state agency to assist a small business, as defined, in complying with all statutes and regulations administered by the state agency and in any enforcement action by the state agency. The bill would require a state agency to establish a policy, by December 31, 2018, that provides for the reduction of civil penalties for violations of regulatory or statutory requirements by a small business under appropriate circumstances. The bill would authorize the state agency to update the policy to reflect current issues and conditions affecting small businesses and the state agency.

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