

### **Torrance Chamber Opposed Bill Moves to Governor's Desk for Signature**

SB 1383 (Jackson; D-Santa Barbara), a bill that the Torrance Area Chamber of Commerce strongly opposed is now headed to the Governor's desk for signature. A coalition of chamber members met with Assembly member Muratsuchi to express their opposition to this bill: a one-click opposition letter was utilized by chamber members and Donna Duperron, President & CEO testified at a Capitol hearing. When legislators voted on the bill this past Monday, Assembly member Muratsuchi cast his vote to support SB 1383.

"With such a small work force, every person is vital to the success of the business. When one person is out, another must fill their spot immediately to reduce the risk of closure. This will be extremely difficult to cover and keep the business culture moving forward," stated Vince Giuliano, Gaetano's Restaurant.

SB 1383 significantly burdens small employers by requiring small employers with only five employees to provide eligible employees with 12 weeks of mandatory family leave, which can be taken in increments of 1–2 hours, and threatens these small employers with costly litigation if they make any mistake in implementing this leave.

"SB 1383 will have overwhelming challenges to the small businessperson who is fighting hard to stay in business during these trying times. While it may sound good in theory, it opens too many possibilities for litigation," explained Kirk Rossberg, Torrance Bakery.

The bill is also problematic because the leave it mandates is enforced through a private right of action that includes compensatory damages, injunctive relief, declaratory relief, punitive damages, and attorney's fees. Any employee who believes an employer did not properly administer the leave, interfered with the leave, or denied the leave, can face litigation.

"As a small business owner in Torrance CA, I like many, consider my employees like family. I work with them when they have issues and emergencies and it is always easier and better business to do this than to train someone new. SB 1383 is not a necessary law to compel people like myself, who work everyday with my employees to do the right thing. Instead it sets up a confrontation between employer and employee and further creates an opportunity to threaten small business with lawsuits they cannot afford to fight even if their actions are in the right," commented Larry Halvorsen, Express Employment Professionals.

Lastly, even though the leave required in SB 1383 is not "paid" by the employer, that does not mean the employer will not endure added costs. The leave is "protected," meaning an employer must return the employee to the same position the employee had before going out on leave. This means holding a position open for three months or more. This 12-week leave of absence on small employers cannot be viewed in isolation, but must be considered with regard to all of the other California-specific leaves employers must juggle, such as Pregnancy Disability Leave (up to four months); workers' compensation injury (amount of leave based upon doctor's recommendation); and California Paid Sick Leave (minimum of 3 days), among many others.

The Torrance Area Chamber of Commerce has sent a veto request to Governor Newsom.