



PCOC LEGISLATIVE AGENDA 2015

✓ **SB 3 (LENO) Minimum Wage**

Existing law requires that, on and after July 1, 2014, the minimum wage for all industries be not less than \$9 per hour. Existing law further increases the minimum wage, on and after January 1, 2016, to not less than \$10 per hour. This bill would increase the minimum wage, on and after January 1, 2016, to not less than \$11 per hour, on and after July 1, 2017, to not less than \$13 per hour. The bill would require the annual automatic adjustment of the minimum wage, commencing January 1, 2019, to maintain employee purchasing power diminished by the rate of inflation during the previous year. The adjustment would be calculated using the California Consumer Price Index, as specified. The bill would prohibit the Industrial Welfare Commission (IWC) from adjusting the minimum wage downward and from adjusting the minimum wage if the average percentage of inflation for the previous year was negative. The bill would require the IWC to publicize the automatically adjusted minimum wage.

POSITION: OPPOSE

NOTES: _____

✓ **SB 8 (HERTZBERG) Sales Tax On Services**

The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Personal Income Tax Law imposes taxes on personal taxable income at specified rates, and the Corporation Tax Law imposes taxes upon, or measured by, corporate income. This bill would state legislative findings regarding the Upward Mobility Act, key provisions of which would expand the application of the Sales and Use Tax law by imposing a tax on specified services, would enhance the state's business climate, would incentivize entrepreneurship and business creation by evaluating the corporate tax, and would examine the impacts of a lower and simpler personal income tax.

POSITION: OPPOSE

NOTES: _____

✓ **SB 328 (HUESO) Landlords: Notice of Pesticide Use**

Existing law regulates the hiring of dwelling units, as defined. Existing law requires a landlord of a residential dwelling unit to provide a new tenant with certain disclosures, including, but not limited to, specified notice from a registered structural pest control company regarding the use of pesticides at the dwelling unit if a contract for periodic pest control service has been executed. This bill would require the landlord or the landlord's authorized agent, as defined, to provide a current tenant with specified notice of the use of pesticides at the dwelling unit if the landlord or authorized agent applies any pesticide without a licensed pest control operator.

POSITION: SUPPORT

NOTES: _____

AB 67 (GONZALES) Double Holiday Pay

Existing law provides that 8 hours of labor constitutes a day's work. Under existing law, any work in excess of 8 hours in one workday and any work in excess of 40 hours in any one workweek, and the first 8 hours worked on the 7th day of work in any one workweek, is required to be compensated at the rate of no less than 1 1/2 times the regular rate of pay for an employee. Existing law also provides that hours worked in excess of 12 hours in one day as well as hours worked in excess of

8 hours on any 7th day of work are to be compensated at the rate of no less than twice the regular rate of pay of an employee. A

violation of these overtime wage provisions constitutes a crime. This bill would enact the Double Pay on the Holiday Act of 2015 that would require an employer to pay at least 2 times the regular rate of pay to an employee for work on a family holiday as defined. This bill contains other related provisions and other existing laws.

POSITION: OPPOSE

AB 551 (NAZARIAN) Rental Property: Bed Bugs

Existing law imposes various obligations on landlords who rent out residential dwelling units, including the general requirement that the building be in a fit condition for human occupation. Among other responsibilities, existing law requires a landlord of a residential dwelling unit to provide each new tenant who occupies the unit with a copy of the notice provided by a registered structural pest control company, as specified, if a contract for periodic pest control service has been executed. This bill would express the intent of the Legislature to enact legislation that would adopt statewide standards to govern the responsibility of landlords and tenants for the inspection and control of bedbugs in residential rental properties.

POSITION: WATCH

AB 1259 (LEVINE) Neonicotinoids: Planting on State-managed Land

Existing law generally regulates pesticide use, and requires the Director of Pesticide Regulation to endeavor to eliminate from use any pesticide that endangers the agricultural or nonagricultural environment. Existing law requires pesticides to be registered by the Department of Pesticide Regulation. Existing law requires that a pesticide be thoroughly evaluated prior to registration, provides for the continued evaluation of registered pesticides, and requires the department, by July 1, 2018, to issue a determination with respect to its reevaluation of neonicotinoids. Existing law requires the department, within 2 years after making this determination, to adopt any control measures necessary to protect pollinator health. This bill would prohibit plants or seeds that have been treated with a neonicotinoid pesticide from being planted on state-owned or state-managed lands, as described. This bill would also prohibit plants on state-owned or state-managed lands from being treated with a neonicotinoid pesticide.

POSITION: OPPOSE

AB 304 (GONZALES) Sick Leave

Existing law requires an employer who provides sick leave to employees, as specified, to allow the employees to use the sick leave to attend to the illness of a child, parent, spouse, or domestic partner. This bill would make non-substantive changes to this provision.

POSITION: WATCH

AB 578 (LOW) Occupational Safety and Health

Existing law establishes the Division of Occupational Safety and Health in the Department of Industrial Relations to enforce employment safety laws. The California Occupational Safety and Health Act of 1973 authorizes an employer to apply to the division for a temporary order granting a variance from an occupational safety or health standard and requires the order to be granted only if the employer's application satisfies specified requirements. Existing law provides that a temporary order may be granted only after notice to employees and an opportunity for a hearing. Existing law specifies the information that an application for a temporary order is required to contain. This bill would require an employer to also give notice to workers at the place of employment who will be affected by the temporary variance, or representatives of affected workers, who may be affected by or exposed to the hazards by the temporary variance from an occupational safety and health standard. The bill would require any affected worker, or representative of affected workers, upon request, to be granted party status to the variance proceedings. The bill would require the temporary variance application to include a certification that the employer has given notice to affected workers as required. Because a violation of the new requirements for employers would be a crime under certain circumstances, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

POSITION: WATCH

AB 588 (GROVE) Private Attorneys General

The Labor Code Private Attorneys General Act of 2004 authorizes an aggrieved employee to bring a civil action to recover specified civil penalties, that would otherwise be assessed and collected by the Labor and Workforce Development Agency, on behalf of the employee and other current or former employees for the violation of certain provisions affecting employees. The act provides the employer with the right to cure certain violations before the employee may bring a civil action, as specified. For other violations, the act requires the employee to follow specified procedures before bringing an action. This bill would provide an employer with the right to cure a violation of that wage statement law requirement before an employee may bring a civil action under the act. The bill would also delete obsolete provisions of law. This bill contains other existing laws.

POSITION: SUPPORT

SB 368 (BERRYHILL) Employment Work Hours

Existing law, with certain exceptions, establishes 8 hours as a day's work and a 40-hour workweek, and requires payment of prescribed overtime compensation for additional hours worked. This bill would make nonsubstantive changes to that provision.

POSITION: SUPPORT

SB 799 (HILL) Act Review Committee Recommendations

Senate Business & Professions bill that incorporates recommendations of the SPCB Act Review Committee.

POSITION: SUPPORT

