

















2019 State year-end overview

Bill + Author	What the bill does	CRA position	Outcome	Victory – or – Defeat
AB 5 (Gonzalez – D) Independent contractors	Codifies the Dynamex court decision by requiring the “ABC” test be applied to determine whether a worker is an employee or independent contractor. Amendments sought- and will continue to be sought- to clarify franchisee-franchisor relationship.	Oppose, unless amended	Signed	
AB 9 (Reyes – D) Employment claims	Lengthens the statute of limitations from 1 to 3 years for certain complaints filed with the Department of Fair Employment and Housing (DFEH).	Oppose, unless amended	Signed	
AB 25 (Chau – D) Cal. Consumer Privacy Act (CCPA): employees	Clarifies that the term “consumer” does not apply to an employee or job applicant, relieving employers from the obligation under the Act to grant requests for deleting personal information collected, including employment related personnel information.	Support	Signed	
AB 51 (Gonzalez – D) Arbitration ban	Prohibits arbitration agreements made as a condition of employment, increasing costs and litigation for both employees and employers.	Oppose	Signed	
AB 138 (Bloom – D) Sugar sweetened beverage taxes	Imposes a tax on beverage distributors, forcing distributors to offset these higher costs by passing them on to restaurants and consumers.	Oppose	Stopped	
AB 161 (Ting – D) Paper receipts: ban/speech limitations	Bans certain paper receipts and restricts speech on those receipts.	Oppose	Stopped	
AB 170 (Gonzalez- D) Joint liability: contract workers	Unfairly holds businesses liable for certain behavior of contract workers. Note: Language in AB 170 later amended to address different topic.	Oppose	Stopped	

*CRA actively worked to amend this bill to make it more manageable for our members.









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AB 171 (Gonzalez – D) Labor & employment: duplicative penalties	Victims of workplace sexual harassment are protected from retaliation under the Fair Employment and Housing Act (FEHA), AB 171 duplicates enforcement and piles on Private Attorneys General Act (PAGA) litigation.	Oppose	Vetoed	
AB 403 (Kalra – D) Statute of limitations/attorney's fees	Increases time to file retaliation claim with DLSE from 6 months to 2 years. Allows for one-sided attorney's fees which incentivize civil litigation.	Oppose	Vetoed	
AB 555 (Gonzalez – D) Paid sick leave expansion	Increases paid sick leave (PSL) from 24-hours to 40-hours. Bars employers from requiring documentation to establish legitimate use of PSL.	Oppose	Stopped	
AB 589 (Gonzalez – D) Labor code mandate	Creates additional document obligations for every employer and establishes new civil fines and unnecessary liability for actions already prohibited by state and federal law.	Oppose	Vetoed	
AB 619 (Chiu – D) Bring your own container	Strengthens existing “bring your own” food container law, establishing protocols for restaurants <i>choosing</i> to allow guest use of their own food containers. <i>Note: The CRA worked to avoid any restaurant requirement to accept these containers or be responsible for their sanitation.</i>	*Neutral	Signed	
AB 628 (Bonta – D) Unlimited leave	Allows unlimited job protected leave to victims of sexual harassment and their broadly defined “family members”, extends statute of limitations on claims and expands application of the Private Attorneys General Act (PAGA).	Oppose	Stopped	
AB 749 (Stone – D) Settlements: bans no- rehire provisions	Bans the use of settlement agreements to prevent workers from obtaining future employment with the settling employer or its affiliated companies.	Oppose	Signed	

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AB 764 (Bonta – D) Sugar sweetened beverages: coupon/incentive ban	Bans distribution incentives to restaurants for sugar sweetened beverages.	Oppose	Stopped	
AB 766 (Chiu – D) Sugar sweetened beverages: sales restriction	Prohibits sale of an unsealed beverage container larger than 16 oz.	Oppose	Stopped	
AB 827 (McCarty – D) Front-of-house: recycling & composting bins	Businesses that generate at least 4 cubic yards of commercial solid waste or 8 cubic yards or more of organic waste per week must provide customers access to recycling and an organic waste bins by July 1, 2020. <i>Note: The CRA successfully extended the implementation deadline and achieved local flexibility for compliance.</i>	*Neutral	Signed	
AB 846 (Burke – D) Cal. Consumer Privacy Act (CCPA): reward programs	Intended to establish that guest loyalty/reward programs can continue to operate once the CCPA takes effect, addressing ambiguities in current law.	Support	2-year bill	
874 (Irwin – D) Cal. Consumer Privacy Act (CCPA): personal information.	Clarifies “personal information” under the CCPA is just that – information that is linkable or reasonably linkable to a consumer, avoiding the need for companies to invest resources to build the capability to associate non-identifiable data with specific individuals.	Support	Signed	
AB 882 (McCarty – D) Employment: drug testing	Prohibits discharging an employee for testing positive for a drug that is used for medical reasons.	Oppose	Stopped	

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AB 1066 (Gonzalez – D) Unemployment insurance (UI): striking workers	Extends UI benefits to striking workers, who have a job and choose not to work. No identified funding source adds to insolvency issues of the UI fund, thereby negatively impacting non-union employees/employers.	Oppose	Stopped	
AB 1080 (Gonzalez – D) Single-use packaging	Eliminates many food packaging products on the market today by setting unworkable mandates and giving CalRecycle unchecked authority to regulate <u>all</u> single-use packaging products.	Oppose	Stopped	
AB 1270 (Stone – D) Tax enforcement: private lawsuits	Allows the Attorney General, local prosecutors, and plaintiffs’ attorneys to sue taxpayers for tax disputes/errors, driving up litigation rates and creating inconsistency in enforcement.	Oppose	Stopped	
AB 1360 (Ting – D) Food delivery apps: restaurant employees	Subjected restaurants to new legal liabilities, declaring drivers for delivery Apps as contract employees of restaurants and required liability insurance for those third-party deliveries. <i>Note: The CRA worked to successfully remove restaurants from the scope of the bill.</i>	*Neutral	Stopped	
AB 1532 (Bauer – Kahan – D) Allergens: food handler training	Broadens existing California Food Handler Card program to apply to summer camps and <u>adds</u> allergy curriculum requirement to <u>all</u> food handler training. <i>Note: The CRA helped re-align this proposal to simply fold into existing training, avoiding a re-write of the pre-existing food handler law in a harmful way.</i>	*Neutral	Signed	
SB 54 (Allen – D) Single-use packaging	Eliminates many food packaging products on the market today by setting unworkable mandates and giving CalRecycle unchecked authority to regulate <u>all</u> single-use packaging products.	Oppose	Stopped	
SB 58 (Wiener – D) Alcohol sales: local trial project	Allows ABC to conduct a 5-year pilot program allowing alcohol sales between 2-4 a.m. in 10 trial cities, if these city governments “opt-in.”	Support	Failed	

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SB 135 (Jackson – D) Paid family leave expansion	Expands paid family leave to apply to businesses with at least 5 employees, expands scope of leave.	Oppose	Stopped	
SB 142 (Wiener – D) Lactation accommodation	Creates additional, prescriptive workplace lactation room/location requirements. The CRA worked collaboratively last year to address this issue in legislation which then- Governor Brown signed into law.	Oppose	Signed	
SB 171 (Jackson – D) Employee pay data	Requires employers to submit employee pay data to the state annually, creating privacy concerns and likely false assumptions on employee pay data out of context.	Oppose	Stopped	
SB 218 (Bradford – D) Local enforcement: Fair Employment & Housing Act (FEHA)	Eliminates state “pre-emption” of enforcement of the FEHA, inviting Los Angeles county to create its own local enforcement agency- duplicating state enforcement and likely resulting in inconsistent application.	Oppose	Vetoed	
SB 347 (Monning – D) Restaurant warnings	Restaurants with a beverage dispensing machine or sales of unsealed sugar sweetened beverages must post the following warning in several locations: <i>“STATE OF CALIFORNIA SAFETY WARNING: Drinking beverages with added sugar(s) contributes to obesity, type 2 diabetes and tooth decay.”</i>	Oppose	Stopped	
SB 352 (Dodd – D) Alcohol licenses: restaurants	Authorizes 10 new original on-sale alcohol licenses for restaurants in counties that have reached their cap.	Support	Stopped	
SB 561 (Jackson – D) Cal. Consumer Privacy Act (CCPA): litigation trap	Creates a private right of action, allowing private individuals to sue for any violations of the CCPA and removes businesses’ 30-day right to cure for an alleged violation.	Oppose	Stopped	

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