

UPDATED

"FLOOR ALERT"

August 29, 2020

TO: Members, California State Senate

SUBJECT: AB 685 (GÓMEZ REYES) OCCUPATIONAL SAFETY: COVID-19 EXPOSURE: NOTIFICATION - OPPOSE - AS AMENDED AUGUST 25, 2020

The California Chamber of Commerce and the organizations listed **OPPOSE AB 685 (Gómez Reyes)**. We are a broad coalition of public and private employers of all shapes and sizes across California, and we support the goal of the bill and have provided multiple rounds of amends. However, the present text still contains numerous substantive and technical issues which are unacceptable and will expose even good employers to substantial fines and Cal/OSHA enforcement. These remaining issues include:

- **Includes publication of COVID-19 cases by worksite (Section 6409.6. (g)) which will:**
 - **Provide no safety value because the data will be weeks old by the time it is posted, and the exposed employees will have already received notice. Moreover, COVID-19 spread is not surface-based pursuant to recent research.**
 - **Publicly shame even businesses for social spread – even if they are fully compliant with state and local requirements and had no control of the infections among their staff.**
- **Numerous technical errors and vague obligations, including:**
 - **Doesn't differentiate between testing of active COVID-19 cases versus testing for prior infections, despite Dr. Pan raising this issue at policy committee.**
 - **Utilizes three contradictory definitions of who must receive notice, including a vague requirement of providing notice to all who "may have been exposed." (Section 6409.6(a)(1),(3),(4)).**
 - **Unclear obligations to provide "information" on a variety of policies. (Section 6409.6(a)(3))**
 - **Requires large companies to send daily, state-wide emails repeatedly detailing cleaning policies. (Section 6409.6(a)(4)).**

Our coalition provided amends to fix these issues and go neutral - but they were rejected. For these reasons, and despite understanding of the goals of the bill, we **OPPOSE AB 685 (Gómez Reyes)**.

Sincerely,



Robert Moutrie
Policy Advocate
California Chamber of Commerce

6Beds, Inc.
Acclamation Insurance Management Services
Advanced Medical Technology Association
African American Farmers of California
Agricultural Council of California
Allied Managed Care Incorporated
American Council of Engineering Companies,
California
American Pistachio Growers
Associated General Contractors
Association of California Healthcare Districts
BIOCOM
Building Owners and Managers Association
California Agricultural Aircraft Association
California Apple Commission
California Assisted Living Association
California Association of Health Facilities
California Association of Health Services at
Home
California Association of Joint Powers Authorities
California Association of Sheet Metal and Air
Conditioning Contractors National Association
California Association of Winegrape Growers
California Attractions and Parks Association
California Bankers Association
California Beer & Beverage Distributors
California Blueberry Association
California Blueberry Commission
California Building Industry Association
California Business Properties Association
California Business Roundtable
California Cable & Telecommunications
Association
California Citrus Mutual
California Construction and Industrial Materials
Association
California Cotton Ginners and Growers
Association
California Dental Association
California Farm Bureau Federation
California Fresh Fruit Association
California Fuels & Convenience Alliance
California Grocers Association
California Healthcare Districts
California Hospital Association
California Hotel & Lodging Association
California Land Title Association

California League of Food Producers
California Life Sciences Association
California Lodging Industry Association
California Manufacturers & Technology
Association
California Pool and Spa Association
California Professional Association of Specialty
Contractors
California Restaurant Association
California Retailers Association
California Rice Commission
California Special Districts Association
California Travel Association
California Trucking Association
Carlsbad Chamber of Commerce
CSAC Excess Insurance Authority
Civil Justice Association of California
Family Business Association of California
Family Winemakers of California
Far West Equipment Dealers Association
Healthcare Distribution Alliance
Independent Lodging Industry Association
International Council of Shopping Centers
LeadingAge California
League of California Cities
NAIOP, The Commercial Real Estate
Development Association
National Federation of Independent Business
Nisei Farmers League
Official Police Garages of Los Angeles
Olive Growers Council of California
PHRMA
Plumbing-Heating-Cooling Contractors
Association
Silicon Valley Leadership Group
Simi Valley Chamber of Commerce
Society for Human Resource Management
TechNet
The California State University Office of the
Chancellor
University of California
Visalia Chamber of Commerce
Western Agricultural Processors Association
Western Electrical Contractors Association
Western Growers Association
Western Plant Health Association
Western States Petroleum Association

cc: Legislative Affairs, Office of the Governor
Office of Assemblymember Gómez Reyes
Gideon Baum, Senate Labor, Public Employment and Retirement Committee
Cory Botts, Senate Republican Caucus

RM:ldl