



**GOVERNMENT AFFAIRS COUNCIL**

**Greater Fresno Area Chamber of Commerce  
2331 Fresno Street  
Fresno, CA 93716-1469**

**MEETING AGENDA  
Wednesday, January 9, 2014  
12:00 p.m.**

**Presiding:  
Ruth Evans, Chair  
Brian Domingos, Vice Chair**

**Call to Order and Roll Call**

**Approval of December 11, 2013 Minutes**

**New Business**

- |                                                   |                           |
|---------------------------------------------------|---------------------------|
| <b>1. <u>Final Report Card Results</u></b>        | <b><u>INFORMATION</u></b> |
| <b>2. <u>Final Policy Manual 2014</u></b>         | <b><u>INFORMATION</u></b> |
| <b>3. <u>Water Coalition Update</u></b>           | <b><u>INFORMATION</u></b> |
| <b>4. <u>Carryover bill Review</u></b>            | <b><u>INFORMATION</u></b> |
| <b>5. <u>Legislative Report</u></b>               | <b><u>ACTION</u></b>      |
| <b>a. AB 907 (Conway) Flex Work Schedule Bill</b> |                           |

**Chair's Report**

- **Upcoming Chamber Events** **INFORMATION**
  - *Eggs and Issues with Fresno Police Chief Dyer, Jan 16<sup>th</sup>, 7:00am-9:00am @ University Square*
  - *Report Card Reception, Jan 30<sup>th</sup>, 5:30pm-7:00pm @Manhattan Restaurant*

**Adjourn**



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### CLOSED MEETING MINUTES

**Presiding:**  
**Ruth Evans, Chair**  
**Jack Hall, Vice Chair**

Committee: Government Affairs Council  
Chairperson: Ruth Evans  
Vice-Chair: Jack Hall  
Meeting Date/Time: December 11, 2013  
Meeting Place: Fresno Chamber of Commerce  
Committee attendees: Ruth Evans, Walt Plachta, Ryan Jacobsen, Scott Miller, Lydia Zabrycki, Brian Domingos, Bill Avakian, Lorraine Salazar, Jack Hall, Debbie Hunsaker, Al Smith, Austin Ewell, Cam Maloy, Nick Amendola and John Taylor  
Committee absences: Victoria Salisch, and Larry Fortune  
Staff: Dawn Steele

### CALL TO ORDER

- *Ms. Evans called the meeting to order at 12:10pm.*

#### 1. **Approval of Minutes**

*Brian Domingos moved to approve the November 20<sup>th</sup> minutes. The motion was seconded by John Taylor. The motion passed unanimously*

#### 2. **Report Card**

*Ms. Steele gave a review of the 2013 Report Card Criteria. Criteria mandates that elected officials must receive a score of a 90% or higher to receive an award at the Report Card Reception. Abstention votes also count as an "oppose" vote on the report card. After much discussion, Mr. Ewell motioned to remove abstentions as an "oppose" vote on the report card. Mr. Jacobsen seconded the motion. The motion passed unanimously.*

*Ms. Steele then gave an update on the final results for the 2013 Report Card. To date the GAC has taken position on 65 State bills. Of those 65 State bills, only 22 were either signed or vetoed by the Governor. After a review of the bills, Ms. Steele asked the GAC to revisit positions on SB 365 and SCA 3. Both bills were formerly designated as "job killers" by the CalChamber but after being amended and gutted by the author the CalChamber removed the "job killer" status and took a "no position". Ms. Hunsaker, made a motion to remove the "job killer" status on SB 365 and SCA 3 and take "no position" on the bills. Mr. Hall seconded the motion. The motion passed unanimously. State Elected officials who qualify to receive an award at the Report Card reception include: Senator Vidak with a 92%, Assemblymember Patterson with a 100% and Assemblymember Olsen with a 95%.*

*Ms. Steele then gave a review of the Fresno County Report Card results. The GAC only took positions on 3 initiatives brought forward to the Fresno County Board of Supervisors. After a lengthy discussion, Mr. Ewell motioned to send letters of support to the 2 Supervisors that voted in line with the Chamber 100% of the time instead of giving out awards at the County level. Mr. Miller seconded the motion. The motion passed. More discussion took place about the report card criteria and then Ms. Salazar made a motion to rescind Mr. Ewell's motion. Mr. Hall seconded the motion. The motion passed with one abstention and one vote of opposition. Finally, Ms. Hunsaker motioned to accept the report card as is and give awards to supervisors based upon the final tallies. Ms. Evans seconded the motion. The Motion passed with one vote of opposition. Fresno County Supervisors who qualify to receive an award at the Report Card reception include Supervisor Borgeas with a score of 100% and Supervisor Case with a score of 100%.*

*Ms. Steele then gave a review of the Fresno City Report Card. Ms. Hunsaker motioned to approve the Fresno City Council Report Card as is. Ms. Evans seconded the motion. The motion passed unanimously. Fresno City Councilmember's who qualify to receive an award at the Report Card reception include: Councilmember Steve Brandau with 100%, Councilmember Oliver Baines with 100%, Councilmember Paul Caprioglio with 100%, Councilmember Lee Brand with 100% and Councilmember Clint Olivier with 100%*

**3. Policy Manual Review**

*The GAC reviewed the 2013 Public Policy Manual. Ms. Evans asked for any suggested changes. Ms. Salazar motioned to add "and living wage" to the 4<sup>th</sup> bullet point under the Government-Mandated Wages and Benefits section. Mr. Smith seconded the motion. The motion passed unanimously. Ms. Zabrycki then motioned to delete "policies that allow for the expansion of an" which is located in the 7<sup>th</sup> bullet point under the Transportation section and supplement it with the word "ongoing". Ms. Hunsaker seconded the motion. The motion passed unanimously.*

**6. Chairs Report**

*Ms. Evans gave an update on upcoming Chamber events.*

*Meeting was adjourned at 1:25p.m.*

<b>AB 907: Flex work Schedule</b>
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**Sources**

CalChamber

**Staff Recommendation**

Support

**Summary**

A California Chamber of Commerce-supported job creator bill that allows an employee to voluntarily request a flexible work schedule, with an opportunity to work 4/10 hour workdays without the employer incurring overtime will be heard in the Assembly Labor and Employment Committee today

**Background**

AB 907 seeks to eliminate the burdensome alternative workweek election process and allow the employee the opportunity to request a four, ten-hour day workweek schedule that will address the needs of both the employer and employee.

California is one of only three states that requires employers to pay daily overtime after eight hours of work and weekly overtime after 40 hours of work. Even the other two states that impose daily overtime requirements allow the employer and employee to essentially waive the daily eight-hour overtime requirement through a written agreement. California, however, provides no such common sense alternative. Rather, California requires employers to navigate through a multi-step process to have employees elect an alternative workweek schedule that once adopted must be “regularly” scheduled. This process is filled with potential traps for costly litigation, as one misstep may render the entire alternative workweek schedule invalid and leave the employer on the hook for claims of unpaid overtime wages.

Currently, there are 23,994 reported alternative workweek schedules with the Division of Labor Standards and Enforcement. According to the Employment Development Department’s calculations in 2009, there are approximately 1,347,245 employers in California. At best, approximately 2% of California employers are utilizing the alternative workweek schedule option. However, more realistically, given that the information in the database is according to work unit instead of employer, it is likely that less than 1% of employers in California are utilizing this process.

AB 907 would relieve employers, especially smaller employers, from the administrative cost and burden of adopting an alternative workweek schedule. Pursuant to AB 907, at the request of the employee, an employer would be able to implement a flexible work schedule that allows the employee to work up to ten hours in a day or 40 hours in a week, without the payment of overtime. Employers should be able to negotiate through a written agreement, revocable by either party, the daily/weekly schedule that satisfies the needs of both the employee(s) and the employer.