



Please help us congratulate El Dorado County Chamber of Commerce C.E.O., Laurel Brent-Bumb for 20 years serving as the watchdog for business in El Dorado County.

"I joined the Chamber Board just before Laurel's hire. The Chamber seriously needed a leader and all I can say is WOW did we find one. Through Laurel's leadership, the Chamber has grown to be a force protecting business interests not just locally but across the Region and State. Laurel has helped me personally in so many ways, helping me become a better business owner, community servant and just a better man. Thank you Laurel for your counsel, your guidance and most importantly your friendship! Congratulations on 20 very successful years with the Chamber and for our Community!"



—Kevin Brown
Board Member and Owner Breaker Glass

"Congratulations on 20 years of being the leader among leaders at OUR local County Chamber. What a milestone!

Thank you for all you do, and have done, for our members, for local businesses, for our community and for our board. Through your leadership the Chamber continues to have a positive & relevant impact on our communities. I hope we all can continue to count on your support for many more years to come, it is greatly appreciated!



Thanks again and cheers!"

—Gordon Helm, Madrone Tree Hill and EDC Chamber President

"Thank you Laurel for 20 years of being a champion for small businesses in El Dorado County. Your vision and leadership has, and continues to leave a valuable and positive impact on our community."



—Adam Anderson
Owner of WealthGuard Advisors, EDC Chamber Director

"No matter what the situation Laurel is unwavering. Whether it promoting a business, supporting business friendly legislation or leading the business community back to work after shelter in place Laurel is unrelenting on behalf of our community."



—Mark Luster
Sierra Pacific Industries, EDC Chamber Director

"El Dorado County Chamber CEO Laurel Brent-Bumb is a dedicated advocate for the preservation, growth, and sustainability of Agri-business and Agri-tourism in our county. She champions "Our Culture is Agriculture."



—Christa Campbell
Rainbow Orchards, EDC Chamber Director

A heart felt congratulations for 20 years of dedicated service with the El Dorado County Chamber of Commerce. Laurel continues to play a major role in attracting new business investment to the county that ultimately improves our quality of life. She's a steadfast community advocate, a firm spokesperson of the chamber, an ally to our membership and a cherished friend to the Mountain Democrat and me personally.



—Richard Esposito, Publisher, Mountain Democrat

UCAN Update

LEGISLATURE

Given the circumstances surrounding COVID-19, the Legislature has chosen to reduce individual legislators' bill packages and limit the focus primarily to three topics: COVID-19 response; the recent wildfires; and Homelessness.

The legislative deadlines, including the June 15 budget deadline, are currently being followed but the hearing process is being compressed and conducted in part remotely.

There has been some discussion that the legislative session may be extended into the fall and the legislature may be called back into special session to address outstanding issues concerning the budget among other items.

UCAN FOCUS

UCAN has focused most of its efforts relative to COVID response and actively participated in the Business Lobbyists Group. Among the issues UCAN has engaged include:

COALITION LETTER re: Executive Order – Moratorium on Regulations

COALITION LETTER re: Executive Order – Immunity from COVID related lawsuits

AB 2843 (CHIU) Coalition Letter re: \$150 per employee tax to fund homelessness programs. **OPPOSE.** (in committee)

AB 1107 (CHU) Coalition Letter re: Payroll tax to fund additional Unemployment benefits. **OPPOSE** (in Senate)

AB 3366 (Judiciary Committee) Coalition Letter re: Suspension of Statute of Limitations on Civil Actions. **OPPOSE** (in committee)

SB 806 (Grove) re: Repeal, replace AB 5. **SUPPORT** (failed passage in Senate Labor)

SB 1457 (Borgeas) re: Waiver, reduction of fees due to regulatory non-compliance. **UCAN SUPPORT** (approved in Senate Govt. Operations)

COALITION LETTER **CLSB 939** (Weiner) re: Moratorium on commercial leases. **UCAN OPPOSE.** (approved in Senate Judiciary)

BUDGET LETTER from UCAN

- Oppose trailer bill language re: Paid Family Leave extension
- Support full exemption of federal subsidies
- Support expansion of business' ability to write off net operating losses

Note: We asked the Elk Grove Chamber to contact Asm. Cooper, who chairs Budget Subcommittee #4

GOVERNOR'S RECOVERY TASK FORCE

– letter to A. Zarembeg encouraging flexibility to re-open local communities



CALENDAR OF EVENTS

Do you miss this feature?

So do we, but unfortunately a lot of things that normally would be happening have had to be cancelled or rescheduled to a future date. The good news is that things are being added to our community calendar every day, so be sure to visit:

<https://visit-eldorado.com/community-calendar/>

to see what's happening, or to add YOUR EVENT.

Furloughs Versus Layoffs: Is There a Difference in California?

Employers are facing difficult decisions during this COVID-19 pandemic. Many Californian businesses are facing difficult choices during this COVID-19 pandemic (also known as the coronavirus pandemic). Confronting losses in revenue and uncertainty in the future, businesses are evaluating their options for preserving their companies while maintaining their workforce.

CalChamber members are asking, "What is the difference between furloughing and laying off employees?" Essentially, a furloughed employee remains an employee but with reduced or eliminated work hours, while a layoff generally means a complete employment severance. (You may remember "furlough" when it was commonly used a decade ago during Governor Schwarzenegger's administration when he furloughed state workers to address budgetary concern.)

However, under the current circumstances, the California Labor Commissioner may not see a real difference between a temporarily furloughed employee without any work hours and a laid-off employee.

In a pair of opinion letters (Opinion Letter 1993.05.04 and Opinion Letter 1996-05-30), the Labor Commissioner stated that if an employer reduces an employee's scheduled work hours to zero — and does not reschedule that employee within the same pay period — the employer has effectively laid off the employee, which triggers the final pay requirements under Labor Code section 201.

In addition to Labor Code section 201 concerns, if an employer with 75 or more employees ends up "laying off" 50 or more employees, it may trigger California Worker Adjustment and Retraining Notification Act (CalWARN Act) requirements, which Governor Newsom temporarily modified last week. Because of the unique circumstances surrounding the Governor's CalWARN order and the pandemic, CalChamber continues to ask the Labor Commissioner for clear guidance on the final pay rules.

Employers need to stay in close contact with their legal counsel because of the constantly evolving legal atmosphere and other employment issues arising from COVID-19.

Matthew J. Roberts, Esq., Employment Law Counsel Subject Matter Expert

Visit the [CalChamber Coronavirus \(COVID-19\) webpage](#) for more COVID-19-related federal, state and local resources, including CalChamber coverage.

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Best Sellers to Help You Do Business.

2020 California and Federal Employment Poster

You must post a compliant Employment Poster in a conspicuous place in the workplace where all employees and applicants can see it. The poster also must include information about your workers' compensation benefits, payday schedule and emergency contacts. You may need to order several to ensure that your business, branches and satellite offices are displaying the poster according to the law. Failure to comply can result in severe penalties and fines by the state of California. ***If any of your company's workers are Spanish-speaking, you will need to order the Spanish version.***

2020 HR Quick Guide for California Employers (HR Handbook)

Includes color-coded easy reference sections. Required and recommended forms for California businesses available to download using a special URL provided in the book.

Required Pamphlets Kit

Contains 20 copies of each of six pamphlets that employers must distribute to employees.

California Labor Law Digest 2020 Edition

This comprehensive, California-specific *Digest* puts answers to labor law questions right at your fingertips, updated with new case law and regulations.

These products are produced by the **California Chamber of Commerce**, a publisher of top-quality human resource products and services with more than 125 years of experience helping California business do business.

Substantial discount when you purchase through the El Dorado County Chamber of Commerce.

Order Today and SAVE!

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All required notices on one laminated poster @ \$40.49	
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_____ <i>2020 HR Quick Guide for California Employers</i> @ \$64.99	\$ _____
_____ <i>2020 California Labor Law Digest</i> @ \$174.99	\$ _____
_____ <i>2020 Required Pamphlets Kit</i> @ \$92.49	\$ _____
_____ English _____ Spanish	
Subtotal	\$ _____
Tax	\$ _____
Total	\$ _____

**Another business solution brought to you
by the California Chamber of Commerce**

#BackInBusinessElDorado

IS YOUR BUSINESS OPEN?

Let us help you spread the news through this no-cost-to-you member benefit. Simply fill in the form on our website to have your re-opening promoted and receive your free #BackInBusinessElDorado yard sign.

HOW DOES IT WORK?

Complete the simple form found at eldoradocounty.org. We will review your

submission and contact you to schedule a time to deliver a yard sign for display and capture a photo of you and your team to post on social media, tagged with BackInBusinessElDorado on Facebook and/or Instagram, E-Newsletter, and our website home page. We ask that you display your sign in a visible location for at least 30 days to ensure potential customers and Chamber members know you're "Back In Business".

an employer requires that an employee not drink alcoholic beverages the day before they are called to work, the shift is deemed as restrictive on call.

"The more we are limiting the employee's ability to pursue their personal pursuits, which is the phrase that is used under the law, the more likely the time will be considered restricted and therefore must be paid at the applicable minimum wage rate," Shaw says.

If an employer, however, does not restrict an employee's time, the employer is required to pay only for actual hours worked. For example, Shaw says, if a manager tells an employee that hours may be available on Thursday and it's fine if they don't answer the call to work, then the on-call shift is unrestricted and the company does not need to compensate the employee for the time.

Another situation that creates wage and hour issues is if an employer requires workers to call at a certain time to check to see if there will be hours available, Shaw explains. For example, if an employer requires a worker to call at 8 a.m. to check if they must report to work at 11 a.m. and the worker is asked to report to work, the employer must compensate for the gap hours between 8 a.m. and 11 a.m., in essence paying an employee to wait.

"It's a 'sort of' shift," Shaw says, because the shift technically began at 8 a.m.

Given that most people are staying home due to the COVID-19 pandemic, Frank asks Shaw if on-call rules are affected if an employee who

6 ways to prepare to re-open

Steps to prepare businesses to open their doors after Covid-19

Moving our county forward safely is up to you!

1. Build a Covid-19 Plan

Prepare a plan of action. This plan will later be used in marketing efforts to show your customers that you care. Call it your Covid-19 Safety Plan. Include cleaning and sanitizing schedules, new protocols, safety procedures, social distancing, and options that include both indoor shopping and curbside. Be sure to continue reaching customers virtually with Facebook Live, videos, webinars, photo updates, and more.

2. Social Distancing

By now, you've been to a store that has stickers on the floor showing you where to stand, saw the signs that limit the number of entrants, noticed some doors are marked Entry and some Exit, workers are using gloves and are wearing face masks, and you have even seen plastic shields in front of counters. You need to consider similar procedures. Start gathering necessary supplies and signage to accomodate your Covid-19 plan.

3. Cleaning Schedule

Consumers will notice if your store is clean, organized, and safe to enter. Make sure you are rebuilding your cleaning plan and have all the necessary items needed to do so. Build a new schedule and add it to your daily calendar. Make sure your staff is fully aware of the new procedures - have staff meetings before re-opening to go over your plan. Build in inspection times and checklists for quality control.

4. Market Your Plan

As businesses begin to re-open, consumers will look for those locations who have clearly marketed their Covid-19 Safety Plan. Big franchises, as well as other small businesses who have already remained open, have executed this very well and for some it has even increased their business. When you begin to market that you're back open, follow it up with your new plan. Consumers will notice and make sure they are entering a safe environment.

5. Respect The Process

This process of re-opening will constantly adjust as our leaders evaluate the current environment. Just as many people who are ready for business to be open as usual, there are others who will remain overly cautious for quite some time. If you cater your plan to the cautious, consumers will be more open and respect those procedures. The lack of a Covid-19 Safety Plan will undoubtedly lose some customers. The faster you adhere to the safety protocols, the faster you will get back to business as usual.

6. Contact the Chamber

The El Dorado County Chamber of Commerce is launching a Back in Business campaign. Let us help you spread the news that you are back in business.

Contact the chamber to have your re-opening promoted.

#BackInBusinessElDorado



Cathy Zuber, (left), and Laurel Brent-Bumb Chamber CEO (right), with one of the #BackInBusinessElDorado yard signs.

works remotely cannot leave their home due to shelter-in-place ordinances.

Shaw replies that in this scenario, employers are not the reason an employee's actions and movements are restricted. It does not apply to employers, she says.

Paycheck Protection Program

The Paycheck Protection Program (PPP) reimburses businesses for payroll expenses during the COVID-19 pandemic crisis, and incentivizes businesses to keep employees on the payroll, even if the business has to close up shop due to shelter-in-place ordinances.

This may mean paying people to do nothing, Shaw says. Putting employees on on-call shifts can complicate matters for companies that seek payroll reimbursement through the PPP. Some employers may think that simply putting people on on-call shifts will meet PPP requirements to "maintain payroll," but the PPP will look at if an employer is actually paying the payroll, Shaw explains.

Shaw points out that there are many payroll questions that still need to be addressed under the PPP, such as what if someone quits or what if an employer has to fire someone due to performance issues? Much of the rules under the PPP are still fluid, and there has not been much guidance on these issues.

And because rules are still so fluid and open to interpretation, Frank cautions employers to be careful of the information they are listening to and following. It's important to follow credible sources, she emphasizes.

AVOID LIABILITY: On-Call Rules to Know

By CalChamber

CalChamber Executive Vice President and General Counsel Erika Frank, and employment law expert Jennifer Shaw discuss the difference between "restricted" and "unrestricted" on-call shifts, and what issues may arise with the Paycheck Protection Program if employers place workers on on-call shifts.

Restricted vs. Unrestricted

As more employees are allowed to work from home due to the COVID-19 pandemic and shelter-in-place county ordinances, employers may find that not all positions have enough work to complete full-time hours, Frank says. To balance company needs, some employees are being shifted to on-call status, working only if the company expects hours at a particular time.

Wage and hour issues may arise, however, if an employer doesn't understand the difference between "restricted" and "unrestricted" on-call shifts.

Shaw explains that a restricted on-call shift is when an employer sets restrictions on when an employee should report to work. For example, if an employer requires that an employee work within 30 minutes of being asked to do so, or if