



June 11, 2020

The Honorable Lorena Gonzalez
 California State Assembly
 State Capitol, Room 2114
 Sacramento, CA 95814

Re: AB 3075 (Gonzalez): Wages: enforcement – OPPOSE

Dear Assembly Member Gonzalez:

On behalf of the above business organizations in the Inland Empire, we write to express our opposition to your bill AB 3075, which would require that articles of incorporation include an attestation that the filer is not affiliated, as specified, with an employer that has an outstanding judgment issued by the Division of Labor Standards Enforcement (DLSE) or a court of law for violation of any wage order or provision of the Labor Code.

As a preliminary matter, there is no requirement that the “outstanding judgment” have any relationship to the corporation at hand. The requirement would apply if any specified individual had an “outstanding judgment,” presumably even a prior judgment that was completely unrelated to the current corporation and in the person’s individual capacity. More importantly, AB 3075 does not provide that the “outstanding judgment” must be a final judgment for which all time to appeal has lapsed. Therefore, a corporation may be penalized with respect to an “outstanding judgment” that is not final and is currently under appeal, either within DLSE or in superior court. Interfering with the

corporation’s ability to file articles of incorporation under such circumstances would be a violation of due process and unlawful.

AB 3075 also purports to authorize local jurisdictions to “enforce labor standards requirements regarding the payment of wages that are at least as stringent as those” in the Labor Code. While it is unclear what additional regulation is being proposed to be authorized at the local level, this would appear to open the door to local enforcement of an unknown and potentially unlimited number of “wage” standards that meet or exceed the requirements of state law. This would appear to include things like the time for payment of wages, overtime standards, penalties for violations of wage standards and a plethora of other issues currently covered by state law.

For the reasons stated above and others, we oppose AB 3075. If you have any questions or would like to discuss our position in greater detail, please contact Luis Portillo at 909-944-2201 or by email at lportillo@ieep.com. Thank you.

Sincerely,

Janice Moore Apple Valley Chamber of Commerce	Bette Rader Beaumont Chamber of Commerce	Zeb Welborn Chino Valley Chamber of Commerce
Bobby Spiegel Corona Chamber of Commerce	Gloria Martinez Fontana Chamber of Commerce	Joshua Bonner Greater Coachella Valley Chamber of Commerce
Peggi Hazlett Greater Ontario Business Council	Cyndi Lemke Hemet San Jacinto Chamber of Commerce	Shannon Shannon Hesperia Chamber of Commerce
Andrea De Leon Highland Chamber of Commerce	Paul Granillo Inland Empire Economic Partnership	Oscar Valdepeña Moreno Valley Chamber of Commerce

Patrick Ellis Murrieta/Wildomar Chamber of Commerce	Jennifer Walker Perris Valley Chamber of Commerce	Monique Manzanares Pomona Chamber of Commerce
Robert Hufnagel Rancho Cucamonga Chamber of Commerce	John Mills Redlands Chamber of Commerce	Dori Jared-Ferranto Upland Chamber of Commerce
Mark Creffield Victor Valley Chamber of Commerce		