



March 19, 2021

The Honorable Frank Bigelow
 California State Assembly
 State Capitol, Room 4158
 Sacramento, CA 95814

SUBJECT: AB 513 (BIGELOW) TELECOMMUTING: EMPLOYEE NOTICES AND ACKNOWLEDGEMENTS; FINAL PAY SUPPORT

Dear Assembly Member Bigelow:

The California Chamber of Commerce and the organizations listed below are pleased to **SUPPORT** your **AB 513 (Bigelow)**. **AB 513** will make it easier for telecommuting employees to receive required notices from their employer and to receive their final paycheck without having to travel to their worksite.

During the current COVID-19 crisis, many employers have considered offering employees the opportunity to work from home in the midst of shelter-in-place and stay-at-home orders. Where such telecommuting is possible, it allows employees to remain working and earning income, even during a pandemic or other disruption. With near-record unemployment, we should be doing everything possible to maximize opportunities for employers to allow telecommuting so that workers can continue to be employed and support themselves and their families.

These changes will be necessary even beyond the current pandemic. A recent survey of employers indicated that 52% will be offering telecommuting until the pandemic subsides, and 30% plan to allow employees to work remotely on an ongoing basis.

Unfortunately, current law has not kept pace with the flexibility and technology that allows remote work, and fails to distinguish an employee working remotely from an employee working at the employer's place of business. As a result, employers presently must meet certain requirements that were imposed without consideration of a remote workforce and cause legal uncertainties. Those uncertainties discourage employers from allowing employees to work from home because employers cannot properly assess the risks and potential liabilities associated with allowing employees to work from home. If an employer is unwilling to offer remote work (where appropriate) due to these legal uncertainties, employers are faced with the choice of either (1) instructing the employee to report to the worksite (which may raise concerns about increased exposure), or (2) lay-off the employee, neither of which are good outcomes.

Therefore, **AB 513** seeks to clarify certain issues and remove barriers from employers agreeing to allow telecommuting in two areas:

- It clarifies that workplace notices and posters can be provided electronically, and electronic signatures will be accepted, for employees working from home.
- It allows employers to mail a telecommuting employee's final paycheck so that the employee is not required to come to the employer's worksite to pick up the payment.

These modest changes will remove legal uncertainty that currently acts as a barrier to more employers offering employees the opportunity to telework where appropriate. Promoting policies that allow employees to continue to be employed and earning income while working from home is needed now more than ever.

For these and other reasons, we are pleased to **SUPPORT** your **AB 513**.

Sincerely,



Ashley Hoffman
Policy Advocate
California Chamber of Commerce

Acclamation Insurance Management Services
Allied Managed Care
California Food Producers
California Hotel & Lodging Association
Carlsbad Chamber of Commerce
Chino Valley Chamber of Commerce
Coalition of Small and Disabled Veteran Businesses
Family Business Association of California
Flasher Barricade Association
Fremont Chamber of Commerce
Greater Coachella Valley Chamber of Commerce
Greater High Desert Chamber of Commerce
Housing Contractors of California
Lodi Chamber of Commerce
Long Beach Area Chamber of Commerce
Murrieta/Wildomar Chamber of Commerce
National Federation of Independent Business
North Orange County Chamber
Oceanside Chamber of Commerce
Pleasanton Chamber of Commerce
Rancho Cordova Area Chamber of Commerce
Roseville Area Chamber of Commerce
San Gabriel Valley Economic Partnership
Santa Maria Chamber of Commerce
Simi Valley Chamber of Commerce

Southwest California Legislative Council
Torrance Area Chamber of Commerce
Western Electrical Contractors Association

cc: Stuart Thompson, Office of the Governor

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