



# Business Comments

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## Economic Outlook Encouraging for Vacaville

by: Mike Palombo - Economic Development Director, City of Vacaville

Vacaville, like the rest of the world, has felt the sting of the economic crisis. However, taking a closer look at what is happening in development shows that there are many reasons to feel good about what is happening here, in a wide variety of areas.

As is usual, Vacaville has fared better than most communities. It looks like the local economy will continue to improve in 2010. The most striking fact is the number of residential permits issued in 2009. This year, the city issued 270 permits, which is an increase of 150 over 2008 and remarkably close to the 10-year average of 300.

Major players on the commercial/ industrial side have continued with their plans to improve and expand operations. Kaiser opened its long-awaited hospital this fall, completing its 700,000-square-foot Vacaville Medical Center. Novartis has continued its upgrade of the former Chiron campus and has plans to continue that process for the next several years. Genentech is

also upgrading the functioning of its plant by improving the water supply system.

Even retail is beginning to recover. A major clothing seller has expressed an interest in leasing the entire former Mervyn's store in Vacaville Commons. There is also interest in the former CompUSA/Circuit City building on Nut Tree Parkway. On a smaller scale, Sonic Drive Inn is working on opening sites on both Davis Street and East Monte Vista. Another encouraging sign is the reopening of the County Square Market in the Peabody Center.

The city is also taking advantage of the lowered cost of construction to complete two long-desired projects. The expansion of the sewer line in Elmira Road will upgrade service in a wide area of Vacaville. Also, the city is about to bid the new Inter Modal Transit Center, which will be built on Allison Drive, across the street from Travis Credit Union administrative headquarters. ■

## See a Solano County economic report on page 5

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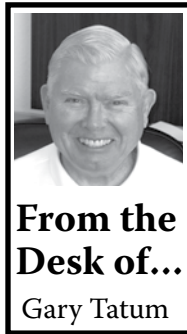
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### From the Desk of...

Gary Tatum

Governor Rick Perry of Texas reportedly spoke about the possibility of Texas seceding from the union. In further reading Perry's remarks it appears he really has no intention of doing so and stated to the effect that this was a very good union, and indeed it is.

What we are probably hearing from Governor Perry is the frustration that is being felt by many of us: the frustrating reality of spending more and more money and creating deeper and deeper debt that appears to have no end.

The state of Texas did refuse the stimulus monies from the federal government in part because Perry does not want more strings attached to handouts from Washington. He also spoke out about the federal government's increasing violation of our 10th Amendment, which simply says, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

Very simply put, but still difficult to understand until the rest of the Constitution is made clear. One obviously needs to ask just what are the powers given to the federal government under the Constitution? Once that is understood it becomes somewhat easier to deem what falls to the states, or We the People.

It is a fact that, for many years now, the states have been losing their independence under the Constitution to a growing, more complex and powerful federal government. This being the case, perhaps it is time for governors like Rick Perry of Texas to stand up to any further federal intrusions. ■

## Interested in Joining the Vacaville Chamber of Commerce?

You can get the process started by contacting Chad Oakes or  
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For a complete description of membership benefits and pricing levels, visit  
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# NorthBay Physicians Now Use Electronic Medical Records

A three-year mission to move NorthBay Healthcare's two hospitals into the top tier of information technology leaders culminated Dec. 1 as physicians shed the paper world for the digital age of electronic medical records.

Hundreds of tasks previously tracked and recorded on paper-and-ink charts are now entered and stored electronically. The outcome, project leaders report, is higher quality, more efficient care and greater patient safety.

"Outstanding care in our hospitals will be even better," said Dr. Donald Denmark, vice president for medical affairs. "This is an enormous undertaking for a system our size, one which required collaboration across every department and extending into the community to include physicians and everyone who works within NorthBay Medical Center and VacaValley Hospital."

This technology initiative "puts NorthBay in the top 2 percent of hospitals using information technology across the clinical setting, according to data collected by the New England Journal of Medicine," he explained.

An integrated electronic record system connects doctors and nurses to the latest evidence-based medical practices related to the management of their patient's condition. Once data is in the electronic "chart," links to best-care practices are automatically generated, giving physicians and staff the latest and best information from journals and other publications at their fingertips.

A more complete medical history for each patient will be immediately available to all care providers across all hospital services. This will prevent unnecessary tests and thereby save costs. It will provide better data to produce better outcomes.

And entering everything via the computer means a physician's hard-to-decipher penmanship is no longer an issue.

Delivering patient care will be more efficient, especially the time it takes to discharge a patient once he or she is ready to go home. Since it is faster to move orders electronically, completing discharge paperwork, planning for follow-up care and providing education materials related to the patient's diagnosis will be completed in a more efficient and timely fashion. Patients get more care-at-home instructions to speed up their recovery after leaving the hospital.

"In most cases, except for seeing the physicians and staff working on computers in their rooms, this will not be very noticeable to patients," said Dr. Denmark, "but it will greatly improve the quality of their care and prevent errors." ■

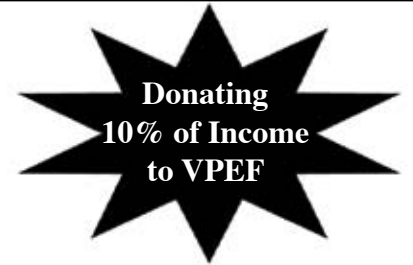


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# networking events



Patsy Van Ouwerkerk, (left) immediate past chair, helped Jill Schafer of Burger City meet and greet visitors at the Merriment on Main event.

Tracy Mitchell (below) and Jennifer Capoot took a brief break from the festivities during Merriment on Main.



No Slippy Hair Clippy (above) held a ribbon-cutting event on November 18.



Chairman Gary Passama (above, left) congratulates newly inducted Honorary Members Marge and John Bowman following a recent board meeting.

The Vacaville Chamber of Commerce offers many networking opportunities. Above are just some of the opportunities you can participate in when joining the Chamber. Ribbon cuttings and wake-ups are open to all members at no cost and mixers cost only \$5 to attend. For the full event calendar go to page 14 or visit the Chamber's Web site at [www.vacavillechamber.com](http://www.vacavillechamber.com).

## Solano EDC Spreads the Word at Marketing Events

by: Mike Ammann - President, Solano EDC

Solano EDC has completed a busy fall schedule of on-the-road cooperative marketing events, centered on site consultants, corporate real estate managers and the rapidly growing Solar Power industry.

First off was the International Economic Development Council (IEDC), held in Reno during the second week of October. This event included one-on-one meetings with a dozen of the top global site consultants who work with major expansion and relocation of prospect companies. Although overall projects are down, there are still prospects looking for locations, mainly in life sciences and energy, with even a few distribution deals. Of course, Solano County – and Vacaville in particular – has a great story to tell with past location of biotechnology and energy companies. Overall, site consultants said that their prospects view California as a non-competitive state due to the lack of investment incentives in comparison to surrounding states. However, a growing market of more than 35 million consumers still makes California worth looking at.

Up next was the CoreNet International meeting in Las Vegas, held the third week of October. This was sponsored by TeamCA, a statewide marketing group composed of economic development organizations, investor utilities (including PG&E) and state agencies (BTH & CalBIS) who leverage resources to co-sponsor a trade show booth and an evening reception. I'm the immediate past president of TeamCA. Due to the recession the attendance was smaller but the Northern California Chapter, of which I am a member, won Chapter of the Year award. The one-on-one contact with corporate real estate managers, real estate service providers, architects and engineering firms at this meeting allows me to update and tell the Solano growth story to growth companies nationally and in the Bay Area, as well as their suppliers.

Finally, during the last week of October I participated again with TeamCA at the Solar Power International Show in Anaheim, which included an in-depth presentation by site

location consultants on the how to attract solar production facilities to California, trade show booth and floor selling. Show attendance doubled from last year when it was held in San Diego. We followed up on a number of leads obtained during the trade show. As a direct result of this show a German solar fixture company visited Solano County and toured several industrial buildings. Solano is in competition with several communities in the Central Valley and Sacramento for this location.

Immediately following the Solar International Show, Solano EDC launched the Energy Cluster Report on November 19, 2009. This report, available at [www.solanocounty.com/energycluster](http://www.solanocounty.com/energycluster), details the growth and diversity of Solano County's both carbon-based energy and clean energy businesses. Be sure to learn more how Solano County benefits from favorable location and natural conditions for the production of energy from natural gas, wind, solar, biofuels and even geothermal, by linking to and downloading this report.

In summary, Solano EDC continued to market the benefits of "Planting Your Business in Solano" during these tough recessionary times. The ability to partner with other economic development groups to leverage marketing budgets and gain access to decision-makers of growing companies is what sets Solano EDC apart from many other economic development organizations. Consistency in branding Solano County and the personal one-on-one sales pitch brings benefits and positions our communities well for the coming uptrend in the global economy in 2010. I'm optimistic that Solano County's diverse economy will provide the base for recovery during 2010. ■



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## Employment Law Forecast for 2010



by: Teresa A. Cunningham, Esq.  
Director and Employment Practice Chair with  
Gaw Van Male

There are myriad of pending federal and state employment-related legislation to monitor through the year 2010. The following is not meant to be an exhaustive list by any means, but rather demonstrates the variety of issues that, if passed, may have a profound effect on California employers.

**H.R. 3991** (Emergency Influenza Containment Act): Proposed legislation that would require employers to provide up to five (5) days of paid sick leave for workers with contagious illnesses such as H1N1.

**H.R. 12** (Paycheck Fairness Act): To amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex and for other purposes.

**H.R. 2151** (Fair Pay Act of 2009): To amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

**H.R. 2808** (Truth in Employment Act of 2009): To amend the National Labor Relations Act to protect employer rights.

**H.R. 1020** (Arbitration Fairness Act of 2009): Invalidates certain pre-dispute arbitration provisions for employment, consumer, franchise and statutory civil rights.

**H.R. 2564** (Paid Vacation Act of 2009): To amend the Fair Labor Standards Act to require employers provide a minimum of one (1) week of paid annual leave to employees.

**H.R. 2570** (Wages Act): To amend the Fair Labor Standards Act of 1938 to establish a base minimum wage for tipped employees.

**H.R. 3017** (Employment Non-Discrimination Act of 2009): To prohibit employment discrimination on the basis of sexual orientation or gender identity.

**H.R. 2819** (Breastfeeding Promotion Act of 2009): To amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers; to provide for a performance standard for breast pumps; and to provide tax incentives to encourage breastfeeding.

**A.B. 1000** (Employment: Paid Sick Days): Proposed paid sick days for personal illness, to care for a sick family member or to recover from domestic violence or sexual assault with enforcement by the Labor Commissioner and accompanying civil penalties.

**A.B. 514** (Employment: Lactation Accommodation): Provision of a twenty (20) minute paid rest period for lactation purposes during each four (4) hour work period and compliance does not satisfy separate obligations regarding meal and rest periods.

**A.B. 569** (Meal Period: Exemptions): Seeks to create from certain wage orders employees in a construction occupation, commercial drivers in the transportation industry, and employees in the security services industry if covered by a valid collective bargaining agreement with specific meal period provisions.

**A.B. 849** (Family and Medical Leave): Proposed bill would increase the circumstances under which an employee is entitled to protected leave under Family Rights Act by eliminating the age and dependency elements from the definition of "child" and expanding the definition of "parent" to include the employee's parents-in-law and permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner as defined.

In addition to such pending legislation, watch for continued legal cases regarding wage and hour issues including, but not limited to, furloughs for exempt employees, immigration legislation, implementation of a possible national E-Verify database, and improved administrative procedures for DFEH claims. Employment practices in 2010 are bound to be challenging. ■

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### 10-19 Years

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 Master Drywall, Inc  
 Midway Truck Repair  
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### 1-9 Years

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 CPV Vaca Station  
 DeBartolo & Co. Fine Jewelers  
 Fairfield Funeral Home  
 Hopkins Acura of Fairfield  
 Law Office of Yvonne F. Thrasher  
 Napoli Pizzeria  
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 Small Town Storage  
 7 Flags Car Wash  
 Peabody Self Storage  
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### Reinvestment Spotlight – Kappel & Kappel Real Estate – Chamber Member for 35 Years

Steve and Sue Kappel opened their Real Estate business in downtown Vacaville in the early 1970s, and it wasn't long before they became members of the Chamber of Commerce. "At first it was just the two of us, and now we have six offices and 185 employees," Steve Kappel notes. "Our business grew with the Chamber."

There has never been a year over the past 35 that the Kappels haven't been involved in some way with Chamber activities. "I have served as past president, been an ambassador, served on several committees and participated in countless fundraisers. The Chamber is a focal point of our community." For the Kappels, Steve says, "Chamber membership has been an important way to meet people, to create friendships, and get involved not only in business, but in political and social activities." Make the most of your Chamber membership, he urges. "As Fay B. King used to say, 'you must be present to win.'" ■

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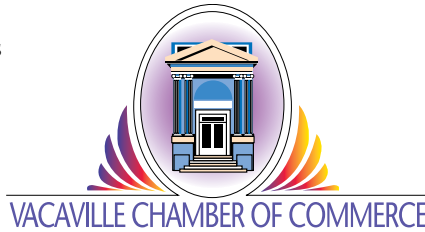
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## Member News

### ANNUAL ELECTION OF DIRECTORS

Each year the Board of Directors has openings that the Board votes on at their March meeting. Besides the work of the Nominating Com-



mittee the following excerpt from the By-laws, Section 3, subsection D will apply:

"Any member may enter his/her name for nomination for election to the Board by submitting a petition to the Board at or before the March Board meeting. The petition shall be on a form prepared by the Board and provided to the member without cost. The petition must bear the signatures of the lesser of (1) twenty-five (25) members, or (2) five percent (5%) of the total membership. The proposed nominee must sign his/her acceptance of the nomination."

### VACAVILLE MUSEUM GUILD BUNKO BASH #18

The Vacaville Museum Guild's Bunko Bash #18 will be held on Wednesday, January 27, 2010, at McBride Senior Center, 91 Town Square Center, in downtown Vacaville. Come join us at 6:00 p.m. for delicious ap-



petizers, wine and good fellowship. Bunko begins at 7:00 p.m. As always, there will be many great prizes to be won, all donated by the Museum Guild members, and all proceeds go to the Vacaville Museum.

Tickets are \$20, and are on sale at the Vacaville Museum, 213 Buck Avenue. Museum hours are Wednesday through Sunday, 1-4:30 pm. For further information, call Karen Seiden at 446-9063.

### SOLANO COUNTY FARM BUREAU EARNS STATE RECOGNITION

The Solano County Farm Bureau recently learned it had earned an Activities of Excellence Award from the California Farm Bureau Federation.

The Solano County Farm Bureau was recognized for excellence in the following activities: membership, policy implementation, leadership, Ag education and public relations. It received a Presidents Program award for its work in public relations.

"The applications were impressive and showed an outstanding program of work at the grassroots level," noted Doug Mosebar, president of the California Farm Bureau Federation, when making the awards announcement. "Innovative educational ideas, unique member services and effective policy outreach initiatives were just some of the things County Farm Bureaus have been working on throughout this year."

The Solano County Farm Bureau is considered a Class A bureau, as it has from one to 699 members. Other Class A bureaus receiving recognition were Mariposa County and Siskiyou County. ■

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## Solano College Receives \$418,000 Green Education Grant

by: Charles Eason, Director of the Solano College Small Business Development Center

Solano College was recently awarded a \$418,000 Green Building Pre-apprenticeship grant through the California Clean Energy Workforce Training Program. The college is one of 34 recipients, for a total of \$27 million in grants. The grant will provide training for veterans, unemployed construction workers, and other individuals for them to secure clean jobs in weatherization and building retrofit construction, solar installation, green plumbing and energy auditing among others.

Governor Schwarzenegger's California Recovery Taskforce, in collaboration with the Green Collar Jobs Council, the California Energy Commission, the Employment Development Department, the Employment Training Panel and the California Workforce Investment Board, led a partnership of agencies, organizations, and employers in developing the California Clean Energy Workforce Training Program. Coupled with a dollar-for-dollar match leveraged from public-private partnerships, the program promotes the use of industry sector strategies for training workers in occupations related to energy efficiency, water efficiency, renewable energy, and alternative and renewable transportation technologies. Program participants will receive a variety of green-related degrees and certificates such as certified green building professional, home energy rater, certified photovoltaic installer, water/energy auditor, and weatherization specialist/auditor.

The Solano College Green Education Training program will provide 108 hours of training plus five 40-hour specialty classes. For the spring and fall semesters, the college will offer three concurrent classes in Vacaville, Fairfield and Vallejo. An estimated 60 students per semester will be trained.

Another component of the grant will be to provide entrepreneurial training to participants who are interested in starting a business in the Green Building industry. The training will be provided by the Solano College Small Business Development Center, which will conduct two NxLevel Entrepreneurial Training Programs and provide one-on-one counseling.

As part of the grant effort, a Green Employer Council will be formed. The Green Employer Council members will provide program oversight and expertise as the curriculum is created and the program progresses. The Green Education Program will initially be offered as a not-for-credit program, but the college intends to convert the classes to a credit program so that the program can be sustained after the 18-month grant ends.

For more information about the Green Education Program, contact the Solano College Small Business Development Center at (707) 864-3382 or visit [www.solanosbdc.org](http://www.solanosbdc.org).

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# Tough Times, Tough but Necessary Decisions

by: Gary Passama - Chairman of the Board



The calendar year has nearly ended, but the Chamber's fiscal year is just at the halfway mark. These will be a challenging six months ahead.

Your Board of Directors has been monitoring a gradual decline in both members and in sponsorships of various Chamber fundraising events during the last year.

The resulting drop in operational revenue is substantial. It became readily apparent that changes in our expenditures were unavoidable.

In retrospect, this should have been no surprise. Many of the Chamber's members have had to reduce the expense side of their businesses as the impact of the recession continues. Like any other enterprises, the Chamber is affected by macroeconomic conditions.

The Board is ultimately responsible for the finances of the Chamber. Our CEO is responsible for day-to-day operations. Reducing budgeted expenses, after consultation with the Board, were difficult but necessary decisions by our CEO.

We have been fortunate, in one sense, since some proactive measures have been taken. A second sales person was added to help recruit new members. We are adding new members every month, but it only partially offsets the closing of businesses that had been members. The Board also approved in the 2009-2010 budget a request by the CEO for a part-time position to retain existing members. That staff member is stemming further membership losses.

The Chamber has many important roles. For larger businesses, it plays a critical advocacy role, working with local and state governments. For smaller or new businesses, it provides valuable networking activities and marketing opportunities. For all members, it is a place for businesses to come together and collaborate to make our community a better place to live, work and play.

Yes, things are rough right now. But they will improve for all businesses and for the Chamber. It is our duty and responsibility as your Board of Directors, working with our CEO, to ensure you know what is going on with your Chamber. That is our pledge to you. ■

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(707) 761-9192  
alohaklean@comcast.net



### Bronico Incorporated

Dennis Butters  
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(916) 215-0715  
Dennis\_butters@bronico.net  
www.bronico.net



### Goodwill Industries of the Greater East Bay

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# Ambassador of the Month



photo by Ryan Bates Photography



## Sonia Rodriguez

Pixel Rhythms Multimedia Design Studio is the brainchild of local business woman Sonia Rodriguez. She launched Pixel Rhythms as a college senior at Sacramento State University in 2003, where she went on to earn a bachelor's degree in Communications with an emphasis in Digital Media, as well as a certificate from the College of Computer Science and Engineering for "Managing Information on the Web." With the entrepreneurial spirit running deep through her

veins, Sonia ventured to develop a strong business relationship with local Web design firm Cirkadia, Inc. and hit the ground running. The two teamed up to develop online awareness of prominent community businesses, including many Vacaville Chamber of Commerce members.

Sonia had the distinct honor of being a graduate of the inaugural class of Leadership Vacaville in 2007. Through this Chamber-sponsored program, Sonia was able to leverage her client base to include Kaiser Permanente, NorthBay Healthcare and many local non-profit organizations. Sonia currently sits on the board of directors for the Solano Mid-night Sun Foundation and is a committee member for the Festival of the Trees Gala, Loop the Lagoon, VPEF Halloween Ball and Alamo Elementary PTA.

Pixel Rhythms is not only your source for corporate Web and graphic design but also custom invitations. As a certified Envelopments designer, Sonia creates unique invitations for weddings, parties, and corporate events.

In addition, Pixel Rhythms can now accommodate fast and cost effective digital printing solutions for its clients.

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With six years of operating experience under its belt, Pixel Rhythms has cemented its reputation as one of the premier design studios in the area. When asked what makes Pixel Rhythms successful, Sonia replied, "Understanding our clients' business is a key part of our process. It lets us tailor our designs to meet their unique business needs. We are confident that our designs will evoke the emotional response that is desired to attract the right customers for their business. Pixel Rhythms stands behind the philosophy that a good design has to do more than just look pretty, it has a functional purpose. Your business image relies on a design that is polished, distinctive and memorable. Pixel Rhythms exists to make your vision, a reality."

View the complete portfolio online at [www.pixelrhythms.com](http://www.pixelrhythms.com) or contact Sonia Rodriguez at (707) 761-4435. ■

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## Solano County Honored for Collaborative Spirit

Solano County's cooperative spirit among its cities, counties and schools has earned the county statewide recognition.

Following a series of economic summits -- and the efforts they inspired -- Solano County was awarded the 2009 Cities, Counties and Schools Partnership Award from California's Cities, Counties, Schools Partnership organization.

"This award is more than an accolade of our economic partners working together on a common goal. It tells all the other California communities that we are the example they should follow," Supervisor John Vasquez of Vacaville, chairman of the Board of Supervisors, was quoted as saying in *The Reporter*.

The award recognizes the county's efforts to develop a forum where the cities and county could come together to craft a common economic vision, define a role in economic development for the county and establish a shared commitment toward achieving that vision.

The first Economic Summit in February 2007 branded Solano County as the center of a mega-economic region stretching from the Bay Area to Sacramento and beyond. The more than 180 people at that summit identified a series of opportunities and challenges common to all Solano communities, and they committed to working together to enhance the overall economic vitality of the region.

"By the end of the first summit, we were committed to working together to make our local economy even more vibrant," said Supervisor Mike Reagan.

The summits led to the creation of the inaugural Solano Index of Economic and Community Progress in November 2008, which evaluated a series of insightful indicators that shape the local economy and community. An analysis of the life science and energy industry clusters in 2009 were follow-up reports based on the findings in the index.

The summits also inspired other collaborative efforts to

address issues identified as critical to building and sustaining the local economy:

\$ More than 300 students came together for the first countywide Youth Summit that resulted in a commitment to form a countywide Youth Commission and increase the number of career fairs at local high schools.

\$ Business and education leaders began working together to develop a science, technology, engineering and mathematics (STEM) program at Solano schools.

\$ The cities of Benicia, Suisun, Dixon and Rio Vista partnered with the county on a Community Development Block Grant program that provides assistance to micro-enterprise businesses.

\$ GOSolano! was formed as a working group of representatives from nonprofits, economic development and the public sector to maximize federal stimulus grant opportunities.

"Solano County has a history of using its collaborative capital to address issues of common concern, and our communities have rallied around doing what it takes to secure our shared economic future," said Mike Ammann, president of Solano Economic Development Corporation, an agency that seeks to attract, grow and retain business and industry in the county.

Cities, Counties, Schools Partnership is a collaborative effort of the League of California Cities, California State Association of Counties, and the California School Boards Association. The officers and executives of these associations make up the Board of Directors of the CCS Partnership, and they meet regularly to examine common issues.

The CCS Partnership Awards program offers statewide recognition for the creativity and leadership demonstrated in choosing to collaborate with other jurisdictions to address community issues. ■

## Calendar of Events

### January

- January 8 - Business Issues Committee Meeting at the Chamber. 9 am.
- January 11 - Mixer hosted by Hisui's #2, 3001 Alamo Drive. 5:30 pm.
- January 14 - Ambassador's Meeting at the Hampton Inn. 8 am.
- January 21 - Wake Up Vacaville hosted by H & R Block, 2060 Harbison Drive. 8 am.
- January 21 - Ribbon Cutting at Fisher Construction, 875 Cotting Lane. 5:30 pm.

January 27 - New Member Coffee at the Chamber Office. 8:30 am.

January 28 - Ribbon Cutting at Emeritus of Vacaville, 1111 Ulatis Drive. 5:30 pm.

### February

- February 1 - Mixer hosted by Emeritus of Vacaville, 1111 Ulatis Drive. 5:30 pm.
- February 5 - Business Issues Committee Meeting. Location TBA. 9:00 am.
- February 11 - Ambassadors Meeting at Hampton Inn. 8 am.

# Notes from the California Chamber: Training Deadlines Approach

The California Chamber of Commerce is reminding employers with 50 or more employees that the mandatory supervisor sexual harassment training that must occur every two years may be due before the end of 2009. The deadline for many companies probably falls at the end of this calendar year, given that the original requirement went into effect in 2005.

AB 1825, signed in 2004, requires California employers with 50 or more total employees (including temporary service employees, independent contractors and employees outside the state) to provide newly hired or promoted supervisors working in California with two hours of classroom or other interactive sexual harassment training within six months of assuming a supervisor position. Employers must provide training to all employees who have "A supervisory authority," which generally includes anyone who has independent authority to:

- Hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees;
- Direct the work of other employees; and/or
- Resolve employee conflicts.

Employees who make recommendations to managers about such matters also must receive training if their recommendations are likely to be acted upon.

## Training Must Be Interactive

California law also requires that the training be interactive. This means that video training alone is likely insufficient without discussion, role playing, a question and answer session, or other similar techniques led by a qualified trainer.

Businesses that do not complete the training are subject to a corrective order from the state Department of Fair Employment and Housing, as well as increased exposure to harassment claims, lawsuits and liability.

## Training and Tracking Compliance

Specifically, if a company started training supervisors and managers in 2005, they must have updated that training in 2007. This also means that 2009 is time for another update. Employers can choose either of the following methods or a combination of the two methods to track compliance.

- **Individual Tracking:** An employer may track its training requirement for each supervisory employee, measured two years from the date of completion of the last training of the individual supervisor. For example, a supervisor trained February 15, 2007 must be trained by February 14, 2009.

- **Training Year Tracking:** An employer may designate a "training year" in which it trains some or all of its supervisory employees and thereafter must again retrain these supervisors by the end of the next "training year," two years later. For example, a supervisor trained February 15, 2007 must be trained by the end of 2009.

If newly hired or promoted supervisors receive training within six months of assuming their supervisory positions and that training falls in a different training year, the employer may include them in the next group training year, even if that occurs sooner than two years. An employer shall not extend the training year for the new supervisors beyond the initial two year training year.

For example, with the training year method, assume that an employer trained all of its supervisors in 2007 and sets 2009 as the next training year. If a new supervisor is trained in 2008 and the employer wants to include the new supervisor in its training year, the new supervisor would need to be trained in 2009 with the employer's other supervisors.

## The CalChamber recommends that employers:

- Ensure all training, including name of provider and dates of training, are maintained for all supervisors.
- Provide mandatory sexual harassment training, such as CalBizCentral's online, interactive 2 Hour California Harassment Prevention Training, every two years based on the tracking method(s) the company chooses.
- Give all employees a copy of the employer's anti harassment policy and a sexual harassment information sheet at least once a year but always upon hire.

### More Information

CalChamber offers an affordable, well produced online training system that satisfies the training requirement. More information on the course, Harassment Prevention Training for Supervisors, is available at [www.calbizcentral.com](http://www.calbizcentral.com). ■

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