

# 2020, the Year Everything Changed

By Lou Caron

This year has been one for the record books. Our lives and workplaces have been radically changed. Despite this year's challenges, I'm proud that PIASC has stayed focused on our mission of serving our members and on promoting the positive image of our industry.

We started the year by helping and promoting the future employees of our industry. The RAISE Foundation's 33rd Annual Surplus Drive took place in January. Over 30 schools benefited from the generosity of our members. Over 90 pallets of paper and supplies were donated.

In February, our celebration of print education continued with the culmination of the RAISE Foundation's competition. We were able to judge the entries from high school and college. Unfortunately, the world changed overnight, and we were not able to celebrate with the students and their teachers and parents. It took a while, but we managed to deliver awards to the winning students.

While we were carrying on with our routine, reports began circulating regarding a virus from Wuhan, China. But that



seemed a long way from us here in California. At PIASC, we were promoting the 2020 Print Excellence and Graphics Night events.

## Then Everything Changed

On January 31, 2020, the World Health Organization declared a Global Health Emergency due to the coronavirus outbreak. The Trump administration declared a public health emergency three days later. Yet, as of February 28, there were only a few reported COVID-19 cases in California and no deaths. Then, on March 4, everything changed: California Governor Gavin Newsom declared a state of emergency.

What followed was unprecedented.

As an association, we knew that our members needed guidance in this new world of COVID-19. Thus, within days of the state of emergency declaration, we had the first of many webinars regarding continuing operations during the virus, "Responding to the Coronavirus: An Employer's Guide." This webinar provided our members with guidelines and protocols for addressing life-threatening infectious diseases in the workplace.

As we were implementing the necessary protocols in our printing businesses, Newsom issued a mandatory statewide

stay-at-home order on March 19, 2020. Per the order, the State Public Health Officer compiled a list of "Essential Critical Infrastructure Workers." And printers were not on the list! How ludicrous? This, along with the conflicting Federal, State and local rules and regulations, added to the state of confusion that many of our members experienced.

Within days of Newsom's stay-at-home order we began working with our state lobbyists, RJ Cervantes and his team at Fernandez Cervantes Government Affairs, to amend the list. We also communicated with Michael Makin and Lisbeth Lyons from Printing Industries of America. Once we developed a plan, we called on our members for additional help, and they came through.

We asked company owners, their managers, employees and everyone else to contact Governor Newsom and urge him to add the printing industry to his critical infrastructure and essential business list. On April 30, 2020, I was thrilled to announce that workers in the printing

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## GOVERNMENT & LEGISLATIVE

# Making Sense of California's Privacy Laws, Part 1: CCPA

The California Consumer Privacy Act (CCPA), which affects many of our members, was signed into law in June 2018 and went into effect on January 1, 2020.

On November 3, 2020, just as businesses were starting to wrap their heads around the complexities of the CCPA, voters passed Proposition 24. Prop 24 creates a new privacy law: the Consumer Privacy Rights Act (CPRA). Most of the CPRA, which expands and amends the CCPA, will not go into effect until January 1, 2023. Consequentially, businesses need to understand both.

To help our members do so, PIASC recently hosted a webinar on "Making Sense of the California Consumer Privacy Act" (available for replay at <http://bit.ly/PrivacyAct-Webinar>). Courtney Jensen, Legislative Advocate at Fernandez Cervantes Government Affairs, our lobbyist in Sacramento, presented a wealth of information about these laws.

The following provides a recap of the CCPA portion of this discussion. We'll cover the CPRA portion of the webinar in a separate article.

### Who does the CCPA apply to?

The CCPA applies to for-profit companies doing business in California that collect and distribute personal information of California consumers and meet at least one of the following criteria:

- Have \$25 million or more in annual revenue
- Possess personal information of more than 50,000 California

consumers, households or devices

- Derive at least 50% of annual revenue from selling consumers' personal data

### Are there exclusions to this?

No business that meets one of the above criteria is fully excluded from compliance. However, information that is subject to the Fair Credit Reporting Act, the Driver's Privacy Protection Act or the Graham-Leach-Bliley Act is excluded.

### What is considered "personal information"?

Personal information is defined fairly broadly as information that identifies, relates to, describes, reasonably can be associated with or is linked with a consumer or household.

Examples of personal information include:

- Name and address
- Protected classification information
- Commercial information, such as information about purchases made or considered by the consumer, or other purchasing history or tendencies
- Biometric information
- Geolocation information
- Information about behavior, intelligence, aptitudes or personal characteristics
- Any inferences drawn from any information identified as being about a consumer in order to create a profile of that consumer reflecting

their preferences or characteristics

Excluded from the list of covered personal information is non-biometric information that is lawfully made available from federal, state or local government records.

### What are some other key definitions in this law?

In addition to understanding what is meant by "personal information," it is also important to understand some other key terms as well. In the CCPA...

- **Collection** means buying, renting, gathering, obtaining, receiving, assessing or accessing any personal information pertaining to a consumer by any means. This can refer to information that you receive directly from the consumer, receive passively, receive through observing consumer behavior or receive through any other means.
- **Sell** means giving or making available personal information about a consumer to another business or other third party, for monetary or other valuable considerations.
- **Service Provider** means a for-profit entity that processes information on behalf of a business, pursuant to a written contract and for a business purpose. Note that in the CCPA a "service provider" is not a "third party."

### What rights do consumers have under the CCPA?



The CCPA gives consumers five key rights:

- **Access** – The consumer has the right to ask a business to disclose/list the specific personal information that it has about the consumer.
- **Deletion** – The consumer has the right to request that a business delete all of the personal information that the business has about that consumer. The primary exception to this is any personal information needed to complete the requested transaction or service that the consumer wants from that business.
- **Knowledge** – The consumer has the right to request disclosure of the categories of information (such as "name, address, social security

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## HUMAN RESOURCES

# Reminders About CDC COVID-19 Guidance

One thing we all learned in 2020 is that dealing with a novel coronavirus is a real challenge. Just when you wrap your head around the latest guidance, new information and studies become available and the guidance changes again.

In case you missed it, the Centers for Disease Control and Prevention (CDC) revised some of their advice late last year, now stating that...

### Shorter quarantines can be acceptable

On December 2 the CDC presented options to reduce quarantine for those who were in close contact with someone who tested positive for COVID-19. This new guidance (see <http://bit.ly/quarantine-guidance>) is based on a combination of symptom monitoring and diagnostic testing.

The CDC still states that a 14-day quarantine is ideal. However, to allow employers to bring employees back to work more quickly, the revised guidance states that:

- Quarantine can end after Day 10 without testing if no symptoms have been reported during daily monitoring.
- Quarantine can end after Day 7 if a diagnostic specimen tests negative and if no symptoms were reported during daily monitoring. The specimen for this test may be collected and tested within 48 hours

before the time of the planned quarantine discontinuation.

### Cloth face masks also protect the wearer

The CDC previously thought that cloth face masks should be worn solely because they protect others from any virus that the wearer might transmit. On November 20 the CDC issued a scientific brief (see <http://bit.ly/CDC-masking-brief>) presenting evidence that cloth masks can "reduce the wearer's exposure to infectious droplets through filtration, including filtration of fine droplets and particles less than 10 microns." Of course, the mask's fabric and fit impact its efficacy.

## Returning Personal Belongings to a Terminated Employee

When a terminated employee has left personal belongings at your facility, how should you handle returning these items to them?

You may pack personal belongings for the employee, or you can ask that they come in and collect their items. When possible, it is preferable to let the employee gather their things so that you avoid any disputes about missing personal items. However, either way

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## STATE HAPPENINGS BY RJ

*Monthly Update from Our Lobbyist in Sacramento*

# The Impact of the 2020 General Election on 2021

The 2020 general election resulted in a mixed bag of results for the California printing industry. Here's what we're seeing moving forward...

### Tax increases

On one hand we had a significant victory with the failure of Proposition 15, the split roll property tax measure. Had Prop 15 passed, our industry would have faced massive property tax increases.

On the other hand, some of the pro-industry elected officials in the state senate did not get reelected. When we look at who will be in the state legislature, pro-taxation forces could have an upper hand in 2021. Although we had an important victory with Prop 15, we could face a number of tax increase bills in 2021.

This is especially the case because Governor Newsom and the legislature will be highly dependent on federal coronavirus relief funding for next year's state budget. A recent deal in Congress left state and local government funding off the table. If the federal government does not send coronavirus relief funding to California early in 2021, we anticipate that the legislature will look to use tax increases to balance the state budget.

### Redistricting

Meanwhile, the redistricting pro-

cess for new legislative districts has already launched and will be completed in 2021. New state legislative districts are being drawn that will last the next decade, and these of course could impact the balance of power in the legislature for the years ahead. Although the redistricting process is in the hands of an independent redistricting commission, this does not necessarily prevent gerrymandering. As we look ahead to 2022, we need to be aware that the redistricting effort will affect state legislative districts.

### Senate appointment

With the election of Joe Biden and Kamala Harris, Governor Newsom got the opportunity to appoint a replacement for Senator Harris' seat. We are excited that he has chosen Secretary of State Alex Padilla, who was a key ally for our industry in ensuring we could remain open as an essential business during the lockdowns.

Padilla's appointment, of course, creates a cascade of political movement in California, as each appointment creates another open position to be filled. For example, Assembly-member Shirley Weber of San Diego has been appointed to fill Padilla's role as Secretary of State, which in turn creates a vacancy in her Assembly district. The fun never stops with the appointments cascade!



Download & print individual articles at [bit.ly/NN-01-11-21](http://bit.ly/NN-01-11-21)

FEATURE ARTICLE

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and graphic communications industry were now on California’s amended list of Essential Critical Infrastructure Workers. During this pandemic, it has been reassuring to see that several PIASC members have found ways to provide essential services to the nation. Members continue to help by printing packaging and shipping cartons for crucial products. Some PIASC members are printing labels for food and hand sanitizers, while others have created unique branded facemasks that use replaceable n-95 filters. Still, others have produced face shields as Personal Protective Equipment for the medical industry.

As an association, we did our best to help members navigate the many COVID-19 related issues during this year, including the Paycheck Protection Program, COVID-19 Funding Options, and PPP Loan Forgiveness Guidance. While this year has been challenging, we have seen several small victories.

Election Victory

While we continued to focus on COVID-19 issues, there was also a BIG victory for our members in the California election on November 3, 2020. Proposition 15 would have been the most massive

annual property tax increase in California history and would have been devastating to our industry. Through many blog posts, emails and one-on-one conversations, we were able to educate the association’s members regarding the impact of Prop 15. The final results showed 52% No votes and 48% Yes votes. We may have won this time, but the backers of Prop 15 will try again.

Job Growth

As of October, the unemployment rate in California was at 9.3 percent. This marked the first month since March 2020 that the

State’s unemployment rate was below 10 percent, and the fifth straight month it fell below the all-time unemployment rate high of 16.4 percent set in April and May of this year. These numbers show that the economy is growing. While the employment numbers are rising, they were still down 1.2 million from the employment total in October of last year.

Continue reading at <http://bit.ly/2020-changes-blog>

GOVERNMENT & LEGISLATIVE

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number”) that the business has about that consumer, where the business got that information, why they need that information and what categories of third parties that personal information was shared with or sold to. In other words, “what do you have, where did you get it, why do you have it and what did you do with it?”

- **Opt-Out or Opt-In** – The consumer has the right to opt out of the sale of their personal information. For children under the age of 16, an opt-in is required before a company can sell that minor’s personal information.
- **Equal Service or Non-**

**Discrimination** – Businesses are not permitted to discriminate against a consumer for exercising any of the rights they have under the CCPA, such as by giving them a higher price or a lower quality product. However, businesses are allowed to provide a financial incentive to a consumer to entice them to decide not to have their personal information deleted from the business’ system.

Who is responsible for enforcing the CCPA?

The CCPA is enforced by the Attorney General, not by private rights of action. The only exception to this is that a private right of action is included for data breaches in which a consumer’s

information is stolen.

Conclusion

So far, we have not seen a lot of CCPA enforcement action by the Attorney General. This is most likely because the first round of regulations governing the CCPA were not approved until August 14, 2020—over eight months after the law went into effect! An additional set of regulations are currently out for comment, so it’s not yet known when those rules will go into effect. Stay tuned!

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HUMAN RESOURCES

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is fine. As long as the items are not harmed or discarded, you should be in good shape to collect their personal belongings for them. Given COVID-19, right now this option may be preferable. If you go this route, explain to the employee that you have packed up their personal items and will arrange to have these items returned to them. You have a few options here as well. You and the employee can schedule a time for them to collect the items at the worksite, you can offer to meet them at an agreed-upon location, or you can mail them to the employee’s address. If you and the employee choose to have them come to the worksite, establish a reasonable deadline for the collection of personal property and make it clear that after that date, personal items left at the workplace will be considered abandoned and will therefore be disposed of or donated. You should also maintain documentation of your efforts to contact the individual regarding these items.

Source: HR | Bizz

NATIONAL NEWS

The PRINTING United Digital Experience Continues with Engagement Through the Holiday Season, Sets the Stage for 2021

PRINTING United 2021 has already garnered impressive participation and engagement for its live, in-person Exposition being planned next Oct. 6-8 in Orlando, Fla., with health and safety measures in place

**Fairfax, Va.** — The PRINTING United Digital Experience remains live and accessible in the holiday season through January 31, 2021 for attendees to take advantage of all the education, resources and new product information from leading exhibitors. At the conclusion of the Digital Experience, the Alliance will immediately transition into preparations for this in-person Expo, slated for October 6-8, 2021 at the Orange County Convention Center in Orlando, Florida. Registration for PRINTING United will open in Spring 2021 and will be shared once it is available.

The PRINTING United Digital Experience continues with constant engagement from attendees worldwide. The Experience is rapidly approaching 10,000 visitors from all job titles across 5,800 companies from 108 countries watching 112,000 page views and 7,800 hours of video watched. Equally as promising is the commitment that exhibitors and attendees are displaying for the return of the in-person Expo slated for 2021. Pre-show booth sales shattered records this year before the Digital Experience concluded with more than 230,000 square feet of event space already booked, with more space being sold each day.

“The excitement and positivity we’re

seeing as companies move through the pandemic and into next year will undoubtedly kick off the new year with a reinvigorated vision, goals, and partnerships like we’ve never seen,” said Mark J. Subers, president, PRINTING United Exposition. “PRINTING United 2021 will be the global event of record in 2021. Not only is everyone eager to be together again safely in-person, but businesses truly need that personal connection and ability to showcase this technology they’ve worked so hard to bring to market at the physical Expo. The recent approval from the FDA on the COVID-19 vaccine is a promising step in the right direction.”

“We cannot thank the industry enough for allowing us to be that vehicle for the future. PRINTING United Alliance is your association and we look forward to supporting the industry as we move through the recovery.”

The PRINTING United Expo team is building best-in-class marketing programs and services to attract the full convergent community. Exhibitors and attendees will have access to exciting new event components and features. More details will be shared in the new year.

**PRINTING United 2021 Sponsorship**

To learn more about participating in PRINTING United 2021, or for inquiries about sponsorship for the event, contact Jack Noonan, VP of Business Development, PRINTING United Alliance: [jnoonan@printing.org](mailto:jnoonan@printing.org).



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