



Downey Business

OFFICIAL PUBLICATION OF THE DOWNEY CHAMBER OF COMMERCE

11131 BROOKSHIRE AVENUE • DOWNEY • CALIFORNIA • 90241 | PHONE (562) 923-2191

www.DOWNEYCHAMBER.org • info@downeychamber.com | MARCH 2022 • VOL 50 • NO. 3

STREET FAIRE IS READY TO GO!

Saturday, March 19th is the official date of Street Faire 2022. Bring the kids, Grandma and everyone you know to a wonderful outdoor adventure!! We already have over 75 vendors and multiple food trucks along with our popular Petting Zoo. The Street Faire Stage will feature live entertainment and a DJ. Already set to perform are Ballet Folkloric Mixteco, the band Gramps with Amps and Lou Apadaca. Don't forget that adjacent to our Faire, in the Downey High School parking lot will be the Second Annual Kiwanis Classic Car show!! So prepare to be dazzled by vintage autos, shop for those one of a kind items and pretty much eat until you drop. Sounds like a GREAT day.



DOWNEY
CHAMBER OF COMMERCE

**CITY
AFFAIRS**



GUEST SPEAKER:

City of Downey
Chief of Police
Leslie R. Murray

Wednesday, March 16, 2022 - 12:00pm

Downey Chamber of Commerce Board Room
11131 Brookshire Ave., Downey, CA 90241

Or join via ZOOM:

<https://us02web.zoom.us/j/2945371177>
Meeting ID: 294 537 1177

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DOWNEY CHAMBER OF COMMERCE WELCOMES

Candeeland Kids Café

February 17th was a great day for the ribbon cutting of the Chamber's newest member, Candeeland!! Located in Stonewood Mall near the old Sears building, Candeeland is an awesome maze of games, food, slides, and of course, candy. Peter and Bo, graduates of Warren High School, have created a space where kids can play safely and with supervision while the parents shop. Candeeland is also a great site to plan your child's next party or even your own corporate event. Stop in and say "hello" and I promise you will have a wonderful time.



Supporting the Candeeland team (center, holding the scissors) are members of the Chamber Board, Ambassadors and Executive Officers.

Candeeland Kids Café
450 Stonewood St.
Downey, CA 90241
703-981-9293

Welcome to our New Members!

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www.fishwindowcleaning.com/3236

Optum

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8311 Florence Ave.
Downey, CA 90240
(562)923-4911
www.Optum.com

Elim Hvac

Donald Arrington, Marketing
8060 Florence Ave. Suite 213
Downey, CA 90240
(866)651-5103
www.elimhvacinc.com

Candeeland Kids Café

Bo Shim, CFO
450 Stonewood St.
Downey, CA 90241
(703)981-9293
www.Candeeland.co

Congratulations and Thank You!

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Pina Pizza House, 57 years
Lynn's Auto Air, Inc., 44 years
Peak Realty Co. dba Century 21 Peak, 42 years
Cerritos College, 35 years
SELACO-WIB, 34 years
Days Inn, 25 years
Gallatin Dental Group, 22 years
Worthy Properties, 14 years
State Farm Insurance-Louis Grimaldi, 14 years
State Farm Insurance-Efferem Sanchez, 7 years
1st Stryke Pest & Termite Control, 5 years
St. Louise Resource Services, 3 years
Randy's Donut, 2 years

Lifetime Members

Steve Allen • Diane Boggs
Dominick DiMario • Maria Larkin
Nader Moghaddam • Susan Nordin
Jim Reynolds

DOWNEY BUSINESS

--STAFF--

Michael Calvert, Executive Director
Sarah Sellers, Administrative Assistant

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- JEANNIE WOOD, Albertson's Market

The board of directors meets at the chamber office on the third Monday of each month at 12:00 noon.

Message from the Executive Director



February seemed incredibly busy for such a short month. The Chamber brought back our popular City Affairs Series. We had a great speaker, Downey Fire Chief Dan Hurlock who talked about the Fireman's training, a typical day in their life, the many types of calls they respond to and even gave us a clue to who cooks and what the food is like. It sounded like an amazing profession and even I asked about how to qualify and was told "You're too old buddy!" Well, I guess I'll just have to appreciate my Chamber work. Seriously, thank you Chief Hurlock we really appreciate you giving of your time. Later in the week, the Chamber welcomed our newest member, Candeeland, with a ribbon cutting to help celebrate their Grand Opening. Peter and Bo, owners are local kids who grew up shopping at Stonewood Mall and now they own a business there. Candeeland is an amusement style venue with activities for children of all ages and of course a wonderful selection of Candy. Come and visit their store located in Stonewood Mall near the old Sears location. It's a blast!!

Let's all get together and celebrate Spring by attending the Chamber's Annual Street Faire. It's been nearly two years since our last Street Faire and our vendors, entertainers, and foodies are truly ready to participate this year. The date is March 19th, we will be on Brookshire Ave. between 10am and 4pm. Also on the same day, in the parking lot at Downey High School, will be the second annual Kiwanis Classic Car Show. They are planning on over 300 cars so if you would like to see some amazing automobiles, this event will be right around the corner from Street Faire.

I know we've been busy, but I would like to take this time to thank the Downey Business Community for supporting our new members with their attendance at ribbon cuttings, mixers, and just by being great consumers. The Chamber Directors have been a big help during this time and, for Sarah and me, it's so good to know that we have a strong group of Downey Leaders behind us and really making us look good.

I am so happy that winter is saying "bye, bye" and we can start looking forward to warmer days and nights. Let's get outside and enjoy our City, we all deserve it!!

See you at the Faire,

Michael Calvert, Executive Director
Downey Chamber of Commerce



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Legal Corner | The Future of California PAGA Waivers in Arbitration Agreements



Introduction

It is well established California law that Private Attorney General Act (PAGA) waivers in arbitration agreements are prohibited. However, this may soon change. The U.S. Supreme Court has finally agreed to resolve the issue of whether PAGA waivers in arbitration agreements are enforceable in the case of Viking River Cruises v. Moriana.

Background

Enacted in 2004, PAGA authorized employees the right to sue employers on behalf of a group of workers for labor code violations. It was written because state agencies lacked the resources to ensure that employers were complying with California's labor laws. PAGA allowed employees to step into the shoes of the state to pursue penalties for labor code violations.

Many California employment agreements contain an arbitration clause that require an employee to waive their right to participate in or bring a class action against their employer. California used to have a rule that prohibited such class action waivers. In 2011, the U.S. Supreme Court struck this rule down in the AT&T Mobility LLC v. Concepcion case because it interfered with federal policy favoring arbitration. The Court held that federal law requires the enforcement of class action waivers in arbitration agreements.

After the Concepcion case, employees turned away from filing class actions to PAGA lawsuits. In response, employers included waivers of PAGA claims in arbitration agreements. In Iskanian v. CLS Transportation Los Angeles, LLC, the California Supreme Court held that PAGA waivers were unenforceable. In the years following this decision, many employees have been able to avoid arbitration agreements by filing PAGA suits.

Where Are We Now

In 2018, an employee of Viking River Cruises filed a PAGA suit in state court on behalf of a group of employees. Viking tried to enforce the arbitration agreement the employee signed, but California courts held that employees cannot be required to arbitrate PAGA claims.

In other words, PAGA waivers in arbitration agreements remained unenforceable.

After several requests to hear this case, the U.S. Supreme Court agreed to do so on March 30, 2022. In the case of Viking River Cruises, Inc. v. Moriana, the court will review the rule that prohibits PAGA waivers in arbitration agreements. If the Court were to decide that PAGA waivers in arbitration agreements are enforceable, it would significantly change things for employers. It would allow employers to efficiently resolve these disputes and cut the costs of defending PAGA suits.

Regardless of the Court's decision in the Viking River case, the fate of PAGA is at risk. A proposed ballot seeks to repeal PAGA in its entirety and replace it with a new law called Fair Pay and Employer Accountability Act. Under this law, employees would no longer be able to file suits on behalf of the state for labor code violations. Instead, state regulators would enforce the labor code. This proposed ballot seeks to double existing statutory penalties and civil penalties for companies willfully violating the law.

Conclusion

2022 may change PAGA litigation as we know it. Employers should keep an eye on the outcome of the Court's decision in Viking River, and be prepared to work with counsel to revise their arbitration agreements accordingly. Moreover, employers should also closely monitor the proposed ballot initiative.

Colin P. Calvert is a partner in the Irvine, California office of the labor and employment law firm Fisher & Phillips LLP. Please do not hesitate to contact him if you have any questions or seek additional information. Mr. Calvert may be reached at (949) 798-2160.

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DOWNEY CHAMBER OF COMMERCE

CITY AFFAIRS

The Chamber hosted our first City Affairs Meeting since the start of the pandemic, and what a great speaker to start with. Downey Fire Chief, Dan Hurlock was our guest speaker, and he gave us a comprehensive look at the Downey Fire Department. We all enjoyed the details of the new Fire Stations, the cadet training, and even a glimpse of a "day in the life" of our brave men who serve. Thank you Chief, for bringing us up to date and we look forward to hearing from you at future meetings.

March 16th the Chamber will host our new Police Chief Leslie Murray who will give us an update on the Downey Police Department. The event starts at noon, and you can come to the Chamber Office or participate by Zoom.



Thanking Chief Hurlock (second from left) for his insights are Chamber Board Member Carrie Uva of 24 Hour Real Estate, Chamber President Sheila Tetangco-Bartolone of the Downey Foundation, Chamber Board Member Jennifer DeKay of The Downey Patriot, Michael Calvert Executive Director, and Immediate Past President Maria Fernandez of Sunrise Realty.

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