



Good news for justice: “Justice Killers” defeated

SACRAMENTO (May 22, 2013) – An assault on the legal rights of California consumers has been turned back, as all seven bills identified as “**Justice Killers**” have been defeated in the California legislature for this session.

A coalition of consumer advocacy groups had labeled the bills as “**Justice Killers**” because they aimed to trample the rights of California citizens, part of the continuing effort by corporate executives to use the legislative process to rob Californians of their legal rights and line their own pockets at the public’s expense.

The coalition consists of, in alphabetical order:

- **AFSCME California** (American Federation of State, County and Municipal Employees, AFL-CIO)
- **California League of Conservation Voters**
- **California Teamsters**
- **Consumer Attorneys of California**
- **Consumer Federation of California**

The bills defeated were:

- **SB 737** (Sen. Bob Huff-R): Would have all but eliminated class actions in California by granting defendants the right to immediate appeal of class certifications, thus bringing the proceedings to a halt for years and unnecessarily clogging appellate court calendars. Defendants already have the right to challenge the class certification while the case proceeds.
- **SB 713** (Sen. Lou Correa-D): Would have let defendants off the hook for violations of the law caused by following a written order or opinion from someone with a government agency or department — even if that order or opinion were in conflict with state or federal law or the official policies of the agency.
- **SB 607** (Sen. Tom Berryhill-R): Would have undermined the legal protections of the eight-hour work day by allowing employees to “request” they work a four-day week of ten-hour days and then not receive overtime for working more than eight hours in a day. Of course, unscrupulous employers could force such a “request” on employees, who might not feel they could say no for fear of losing their jobs and thus could be forced into unsafe and unfair working conditions.
- **SB 554** (Sen. Joel Anderson-R): Would have prevented employees of certain residential care facilities from receiving overtime unless they worked more than 16 (!) hours in a day.

- **AB 223** (Asm. Kristin Olsen-R): Would have allowed local governments to delay legal proceedings brought against them by disabled persons alleging violations of laws guaranteeing access for the disabled. Those local governments also would have paid reduced damages for violations. If anything, our units of government should be held to an even higher standard when it comes to knowing and observing the law.
- **AB 228** (Asm. Dan Logue-R): Would have essentially given employers leave to violate wage-and-hour and occupational safety regulations by allowing the state Labor Commissioner to waive any penalties against the employer if the claim is resolved within 30 days. By that logic individuals should not be punished for stealing from someone if they give back what they took within 30 days of being caught.
- **AB 167** (Asm. Curt Hagman-R): Would have made it okay for businesses to rip off customers — as long as it's for no more than \$499.99 each. It would have required any member of a class filing suit under one of California's most important consumer protection laws, the Unfair Competition Law, to have suffered "injury in fact" of at least \$500.

For more on our coalition and these "**Justice Killer**" bills, contact:

J.G. Preston, Consumer Attorneys of California, 916-669-7126, jgpreston@caoc.org

David Allgood, Political Director, California League of Conservation Voters

Barry Broad, Legislative Advocate, California Teamsters Public Affairs Council

Richard Holoher, Executive Director, Consumer Federation of California

Brian Kabateck, President, Consumer Attorneys of California

Willie Pelote, Assistant Director, Political Action Department, AFSCME International