

CALIFORNIA LEGISLATURE

Senate Committee on Public Employment and Retirement

Senator Norma Torres, Chair



**LEGISLATIVE BILL SUMMARY
2013 - 2014 REGULAR SESSION**

California Legislature

2013-2014 REGULAR SESSION

LEGISLATIVE BILL SUMMARY

**SENATE COMMITTEE ON
PUBLIC EMPLOYMENT AND RETIREMENT**

SENATOR NORMA TORRES, CHAIR

LEGISLATIVE BILL SUMMARY

2013-2014 REGULAR SESSION

SENATE COMMITTEE ON PUBLIC EMPLOYMENT AND RETIREMENT

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2013

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TED GAINES

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2014

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Committee Assistant

SENATE COMMITTEE ON PUBLIC EMPLOYMENT AND RETIREMENT
LEGISLATIVE BILL SUMMARY
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Senate Measures

SB 13 (Beall): PUBLIC EMPLOYEES' PENSION REFORM ACT OF 2013: TECHNICAL CORRECTIONS

SB 13 makes technical corrections to the Public Employees' Pension Reform Act of 2013 (PEPRA) to clarify the Legislature's intent in enacting PEPRA and to provide guidance to affected employers and retirement systems for the implementation of PEPRA.

- Urgency Bill

Chapter 528, Statutes of 2013

SB 24 (Walters): PUBLIC EMPLOYEES' RETIREMENT: BENEFIT PLANS

SB 24 would have authorized local agencies, for purposes of addressing a fiscal necessity, to independently adopt benefit formulas that result in a lower normal cost than the benefit formula available under existing law.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 39 (De Leon): PUBLIC OFFICERS: LOSS OF COMPENSATION RIGHTS FOLLOWING CONVICTION FOR A JOB RELATED FELONY

SB 39 provides that a convicted public official forfeits any claim against his or her public employer for pension benefits that are denied or discontinued by a public retirement system and requires both the convicted public official and prosecuting agency to notify the relative public employer within 60 days following conviction.

- Urgency Bill

Chapter 775, Statutes of 2013

SB 54 (Hancock): 1937 ACT COUNTY RETIREMENT SYSTEM: ALAMEDA COUNTY RETIREMENT FORMULA

SB 54 authorizes Alameda County to provide a 2% at 65 retirement benefit formula for new employees covered by a MOU adopted on or before December 31, 2012, i.e., prior to the effective date of PEPRA, and permits the county to provide a different retirement benefit formula to different bargaining units within the general members retirement class.

However, employees subject to the 2% at 65 formula remain subject to all other requirements of PEPR, including the cap on pensionable compensation and the 3-year final compensation factor.

- Urgency Bill

Chapter 795, Statutes of 2013

SB 215 (Beall): CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM: ANNUAL HOUSEKEEPING BILL

SB 215 makes technical changes to code sections governing the California Public Employees' Retirement System (CalPERS), the Public Employees' Medical and Hospital Care Act (PEMHCA), as well as some conforming changes to the Education Code with respect to CalPERS members, to improve CalPERS' administrative efficiency.

Chapter 778, Statutes of 2013

SB 216 (Beall): STATE EMPLOYEES: MANAGER & SUPERVISOR SALARY COMPACTION

SB 216 would have required the Department of Human Resources (CalHR) to address salary compaction for managerial and supervisory employees and provide data to the Legislature when insufficient revenue is available to implement a salary determination to increase managerial and supervisory salaries by 10 percent over the salaries of their subordinate rank and file employees.

9/29/14: Vetoed by the Governor

To the Members of the California State Senate:

I am returning Senate Bill 216 without my signature.

This bill would require the Department of Human Resources to address salary compaction issues for managers and supervisors by increasing pay by 10% and report to the legislature in years when a salary increase is not provided.

I understand that the intent of this bill is to ensure that the salaries for managerial employees are higher than the employees they supervise. My administration has made progress on this issue within the past 12 months and will continue to meet with representatives of excluded employees to discuss compaction issues as appropriate.

Sincerely,
Edmund G. Brown Jr.

SB 217 (Beall): STATE EMPLOYEES: MOU BETWEEN THE STATE AND BARGAINING UNIT 9

This bill would have approved the MOU between the State and Bargaining Unit 9. That MOU was included in an omnibus MOU bill, AB 478, making SB 217 unnecessary.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 220 (Beall): CALPERS: CONFORMITY WITH PEPRA

SB 220 makes technical amendments to the Public Employees' Retirement Law and related statutes to conform them to PEPRA.

Chapter 526, Statutes of 2013

SB 259 (Hancock): HIGHER EDUCATION EMPLOYER-EMPLOYEE RELATIONS ACT: STUDENT EMPLOYEES

SB 259 would have amended the Higher Education Employer-Employee Relations Act to cover, for purposes of collective bargaining, student employees at the University of California, California State University, and Hastings College of Law whose employment is contingent on their status as students. For UC students specifically, the bill would have excluded from the scope of representation in the collective bargaining process students' work required to achieve satisfactory progress toward their academic degrees.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 277 (Beall): STATE PEACE OFFICERS' AND FIREFIGHTERS' DEFINED CONTRIBUTION PLAN

SB 277 recognizes the bargained for elimination of contributions to the State Peace Officers' and Firefighters Defined Contribution Plan (PO/FFDCP); makes findings and declarations that the plan be terminated on the later of January 1, 2014, or upon obtaining approval from the Internal Revenue Service; and specifies how members' funds in the plan shall be distributed.

Chapter 755, Statutes of 2013

SB 423 (Huff): TRANSPORTATION WORKERS: ELIMINATION OF RIGHT TO STRIKE

SB 423 would have repealed statutes governing labor relations when a public transportation strike is threatened; would have prohibited public transportation workers from striking; and would have proscribed penalties and sanctions for employees and recognized labor organizations that participate in, cause, encourage, or condone strikes.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 496 (Wright): WHISTLEBLOWER PROTECTION ACT: ADMINISTRATIVE PROCEDURES

SB 496 codifies a California Supreme Court decision governing the State Personnel Board's administrative procedures for appeals from state employee whistleblowers alleging retaliation. The bill also clarifies that a whistleblower's civil action does not preclude a parallel administrative appeal by the alleged retaliating manager.

Chapter 781, Statutes of 2013

SB 503 (Galgiani): MOU BETWEEN THE STATE AND BARGAINING UNITS 06, 12, 16, 18, and 19

SB 503 would have approved the MOUs between the State and Bargaining Units 06, 12, 16, 18, and 19, respectively. However, those MOUs were incorporated into another MOU bill, AB 478, making SB 503 unnecessary.

- Urgency Bill

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 523 (Correa): CALIFORNIA DEPARTMENT OF HUMAN RESOURCES: LOCAL MERIT SYSTEM STANDARDS

This bill would have prevented Orange County from receiving an administrative waiver for all or part of its local agency merit system if an audit by the county or the State Personnel Board found the county out of compliance with a merit-based personnel system.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 619 (Yee): STATE EMPLOYEE CIVICS ORIENTATION

SB 619 would have required the State Department of Education to develop and make available online a federal and state civics orientation program for state employee by January 1, 2015, and would have required state employers to certify to CalHR that employees hired, promoted, or reclassified after July 1, 2015, had completed the orientation.

Died at the Assembly Desk

SB 673 (DeSaulnier): 1937 ACT COUNTY RETIREMENT SYSTEM: CONTRA COSTA COUNTY

SB 673 ratifies the mutual resolution of a local agency legal dispute by making the Contra Costa County retirement system (the System) an independent, public employer district within the Contra Costa County Employees Retirement Association (CCCERA) and makes the System, rather than the County of Contra Costa, the statutory employer for System employees.

Chapter 244, Statutes of 2014

SB 765 (Block): PUBLIC EMPLOYEES: BARGAINING UNITS FOR SCHOOL DISTRICT SUPERVISORY PEACE OFFICERS

SB 765 would have prevented school districts or the Public Employment Relations Board (PERB) from prohibiting any full time peace officer from joining or participating in bargaining units composed of rank and file peace officers, supervisory peace officers, or both, thus permitting rank and file peace officers and their management supervisors to be represented by the same bargaining unit.

Died on file pursuant to Joint Rule 58.5

SB 774 (Walters): PEMHCA: LONGER VESTING AND PREFUNDING OF STATE RETIREE BENEFITS

SB 774 would have prohibited public employers from offering PEMHCA retiree health care benefits to employees first hired after January 1, 2015, unless their employees are required to share equally in prefunding the benefit's normal actuarial cost.

The bill also would have required executive branch state employees subject to collective bargaining and first hired on or after January 1, 2015, to work 15 to 25 years with the State in order to receive retiree health benefits and would have prohibited the State from providing those benefits unless the State fully funds them.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 775 (Walters): STATE CONTROLLER: RETIREMENT SYSTEMS ANNUAL REPORT

SB 775 would have required the State Controller to evaluate the actuarial feasibility and associated costs of a statewide buyout of current state employees' vested retiree health care benefits in the Controller's annual report on the financial status of the State's public retirement systems.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 778 (Nielsen): STATE EMPLOYEES: MANAGER & SUPERVISOR SALARY COMPACTION

SB 778 would have required CalHR to address salary compaction and parity concerns with respect to managerial and supervisory employees and to provide to the Legislature existing data on the salary determination, including all salary compaction and parity determinations for supervisory and managerial employees, when it is determined that revenues do not allow the department to implement a salary determination to increase any excluded and exempt employee salaries in a given year.

Returned to Secretary of Senate pursuant to Joint Rule 56

SB 979 (Beall): LOCAL PUBLIC EMPLOYEE ORGANIZATIONS: FACTFINDING PANEL

SB 979 would have amended the factfinding process governing labor disputes between public employers and their employees as established by the Myers-Milias-Brown Act by providing that differences between the parties that are subject to a request by the employee organization for submission to a factfinding panel are not limited to negotiations after impasse after collective bargaining for a new or successor MOU but rather may include differences that arise from any dispute over any matter within the scope of representation as to which an obligation to meet and confer exists under Government Code Section 3505.

Died in Senate Public Employment and Retirement Committee

SB 984 (Walters): STATE TEACHERS' RETIREMENT SYSTEM: UNFUNDED LIABILITY

SB 984 would have made findings regarding CalSTRS' current unfunded liability; provided a \$2 billion General Fund appropriation to CalSTRS; and required the Governor to form a working group to propose long-term funding solutions.

- Urgency Bill

Died in Senate Public Employment and Retirement Committee

SB 1071 (Beall): STATE EXCLUDED EMPLOYEES' BILL OF RIGHTS: SENIORITY-BASED SHIFTS

SB 1071 would have provided state excluded supervisory employees in state departments operating two or more work shifts per day the right to obtain work shifts based on seniority. The shift selection rights would have applied only to 60 percent of the positions within the same classification scheduled for a shift.

9/29/14: Vetoed by the Governor:

To the Members of the California State Senate:

I am returning Senate Bill 1071 without my signature.

This bill provides state excluded supervisory employees in a workplace that operates two or more work shifts per day the right to obtain work shifts based on seniority and would limit shift selection to 60% of the positions within the same classification scheduled for a shift.

This bill is unnecessary. Several departments that operate multiple shifts and who have deemed it to be in the best interest of the department to provide seniority shift bidding have done so, including one department that applies this practice to supervisory employees. Unfortunately, this bill would circumvent that discretion. I encourage those departments without post and bid in place for excluded employees to meet with supervisors for further discussion.

Sincerely,
Edmund G. Brown Jr.

SB 1114 (Walters): STATE EMPLOYEES: RETIREE HEALTH CARE VESTING

SB 1114 would have required any state employee first hired on or after January 1, 2015, to be subject to a 15 to 25 year vesting schedule, eliminated the 100/90 formula, and prohibited retirees from having a contribution amount that is more generous than that received by active state employees. It would also have required an employee or annuitant enrolled in a Medicare health benefit plan to use those benefits to the fullest extent possible.

Died in Senate Public Employment and Retirement Committee

SB 1202 (Hueso): PUBLIC EMPLOYEES: RETIREE HEALTH BENEFITS

SB 1202 would have required a vesting schedule for use by the City of Indio under which a city employee would have to work 10 years with the city to get a 50% employer contribution for retiree health benefits. Each additional year worked with the city would add a 5% employer contribution up to a total of a 100% employer contribution after the employee works for the city for 20 years.

Died in Senate Public Employment and Retirement Committee

SB 1206 (Evans): STATE PERSONNEL BOARD: ADMINISTRATIVE REGULATIONS

This bill makes technical changes to statute governing SPB's rulemaking authority by updating references to the Administrative Procedure Act and eliminating obsolete code references to subject matters that were transferred to CalHR or the Department of Fair Employment and Housing in prior legislation.

Chapter 223, Statutes of 2014

SB 1219 (Torres): CALPERS: POST-RETIREMENT EMPLOYMENT

SB 1219 would have amended the Public Employees' Retirement Law to update and clarify implementation of post-retirement employment rules in conformance with PEPRA.

Died on the Assembly Inactive File

SB 1220 (Torres): CALSTRS: ANNUAL HOUSEKEEPING BILL

SB 1220 makes various technical, conforming, or non-controversial changes to the Teachers' Retirement Law to facilitate efficient administration of the State Teachers' Retirement Plan.

Chapter 755, Statutes of 2014

SB 1240 (Anderson): STATE CIVIL SERVICE: EMPLOYMENT FORMS

SB 1240 provides that the state standard employment form shall include a required disclosure by the applicant to disclose whether the applicant has ever entered into an agreement with a state agency or department not to seek or accept subsequent employment with the State.

Chapter 254, Statutes of 2014

SB 1251 (Huff): JOINT POWER AUTHORITY: PENSION BENEFIT FORMULA

SB 1251 clarifies that pre-PEPRA legacy employees who transfer from a public employer to a newly created Joint Powers Authority are eligible to receive the benefit formula offered by the employer on December 31, 2012, whereas employees who are subject to PEPRA would only be eligible for the new pension formulas established by PEPRA.

Chapter 757, Statutes of 2014

SB 1288 (Huff): LEGISLATIVE MEMORANDUM OF UNDERSTANDING APPROVAL PROCESS

This bill would have prohibited a bill presented to the Legislature for approval of a state MOU from providing for approval of more than one MOU.

Died in Senate Public Employment and Retirement Committee

SCA 15 (Yee): UNIVERSITY OF CALIFORNIA: RETIREMENT BENEFITS

SCA 15 would have required the University of California, its employees, and the UC Retirement Plan to be subject to PEPRRA.

Died in Senate Rules Committee

SR 18 (Leno): SENATE RESOLUTION: RUSSIAN AGGRESSION ON LGBT COMMUNITY

SR 18 makes findings and resolutions regarding persecutory Russian laws and actions targeting the lesbian, gay, bisexual, and transgender (LGBT) community, and makes requests regarding those actions of various persons and entities including CalPERS and CalSTRS.

9/10/13: Adopted by the Governor

Assembly Measures

AB 125 (Wieckowski): CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM: MANAGERIAL AND EXECUTIVE POSITIONS

AB 125 would have included the CalSTRS chief operating officer and chief financial officer in the list of positions for which the Teachers' Retirement Board has the authority to set compensation and would have limited their respective compensation to 110% of the maximum salary payable to an investment director of the retirement system.

Died on the Assembly Floor

AB 205 (Pan): PUBLIC PENSION FUNDS: INVESTMENTS IN CALIFORNIA INFRASTRUCTURE

AB 205 adds '37 Act retirement or investment boards to the list of public retirement system boards that are authorized to prioritize investment in in-state infrastructure projects over alternative out-of-state projects if the investments are consistent with the board's fiduciary responsibility.

Chapter 766, Statutes of 2013

AB 226 (Atkins): SCHOOL POLICE EMPLOYEES: ALTERNATIVE WORKWEEK SCHEDULE

AB 226 would authorize the governing board of a school district or county superintendent to establish a 12-hour-per-day, 80-hour-per-2-week work schedule, also referred to as a 3/12 workweek schedule, for school police departments if agreed to in a collective bargaining agreement.

Chapter 73, Statutes of 2013

AB 334 (Gomez): STATE EMPLOYEES: LEGAL SERVICE CONTRACTS

AB 334 would create an independent basis for State Personnel Board (SPB) to disapprove contracts by state agencies with private law firms for the provision of legal services if the state agency fails to provide a copy of the contract to Bargaining Unit 2's designated representative as required by existing law.

Chapter 585, Statutes of 2014

AB 372 (Eggman): STATE CIVIL SERVICE: VETERANS' PREFERENCE IN HIRING

AB 372 deletes current provisions granting veterans' preference points in specified state civil service examinations and instead requires that whenever any veteran, widow or widower of a veteran, or spouse of a 100% disabled veteran achieves a passing score on an entrance examination, he or she will be ranked in the top rank of the resulting eligibility list.

Chapter 75, Statutes of 2013

AB 373 (Mullin): PUBLIC EMPLOYEES: LONG-TERM CARE ELIGIBILITY

AB 373 would expand enrollment eligibility criteria for the CalPERS Long-Term Care program to include, subject to federal law, the adult children and domestic partners of CalPERS members and annuitants and would also provide authority to the CalPERS Board to expand eligibility to all classes of persons subject to federal eligibility requirements.

Chapter 768, Statutes of 2013

AB 410 (Jones-Sawyer): PEMHCA: RIGHT TO RETIREE HEALTH CARE BENEFITS

AB 410 permits a CalPERS annuitant who, after reinstatement to active employment, subsequently retires on or after January 1, 2014, to remain eligible upon the annuitant's subsequent retirement to receive either the employer contribution toward retiree health care that he or she had when first retired or that of the subsequent employer if higher than that provided by the prior employer.

Chapter 525, Statutes of 2013

AB 478 (Gomez): MOU BETWEEN THE STATE AND BARGAINING UNITS 06, 07, 09, 12, 16, 18, and 19

AB 478 provides the implementing language and necessary appropriations to ratify the recent MOUs agreed to by the State with, respectively:

- BU 06 (Correctional Peace Officers) represented by:
California Correctional Peace Officers Association (CCPOA);
- BU 07 (Protective Services and Public Safety) represented by:
California Statewide Law Enforcement Association (CSLEA);
- BU 09 (Professional Engineers) represented by:
Professional Engineers in California Government (PECG);
- BU 12 (Craft and Maintenance) represented by:
International Union of Operating Engineers (IUOE);
- BU 16 (Physicians, Dentists and Podiatrists) represented by:
Union of American Physicians and Dentists (UAPD);
- BU 18 (Psychiatric Technician) represented by:
California Association of Psychiatric Technicians (CAPT); and
- BU 19 (Health and Social Services/Professional) represented by:
American Federation of State, County and Municipal Employees-Health and Social Service Professionals (AFSCME).

- Urgency bill

Chapter 391, Statutes of 2013

AB 537 (Bonta): PUBLIC AGENCIES: COLLECTIVE BARGAINING

AB 537 makes changes to the Meyers-Milias-Brown Act (MMBA) governing collective bargaining between local public agencies and their employees with respect to ground rules, ratifications of MOUs, mediation, arbitration and factfinding.

Chapter 785, Statutes of 2013

AB 611 (Bonta): STATE PEACE OFFICERS' AND FIREFIGHTERS' DEFINED CONTRIBUTION PLAN

AB 611 makes technical changes agreed upon by CalPERS and the IRS to ensure that the termination and distribution of the State Peace Officers' and Firefighters Defined Contribution Plan (PO/FFDCP) meets federal requirements for tax-qualified governmental retirement plans.

- Urgency bill

Chapter 790, Statutes of 2014

AB 616 (Bocanegra): MYERS-MILIAS-BROWN ACT: LOCAL GOVERNMENT COLLECTIVE BARGAINING FACTFINDING PROCESS

AB 616 would have authorized unilateral rather than mutual requests for a PERB determination of impasse and would have clarified that an employee organization need not first go to mediation before making a request in writing that a local public employer submit the parties' difference to factfinding within 30 days of reaching an impasse in collective bargaining. The bill would have exempted the Los Angeles County and City Employee Relations Committees.

Died on the Senate Appropriations Suspense File

AB 837 (Wieckowski): PEPRA: EXEMPTION FOR SPECIFIED JUDGES

AB 837 would have exempted certain judges who were elected in 2012, but who did not take office until 2013, from the PEPRA requirements to make employee contributions equal to one half of the normal cost of the retirement benefit plan.

9/28/14: Vetoed by Governor:

To the Members of the California State Assembly:

I am returning AB 837 without my signature.

This measure creates an exemption to the California Public Employees' Pension Reform Act of 2013. I am unwilling to begin chipping away at these reforms.

Sincerely,
Edmund G. Brown Jr.

AB 855 (Brown): STATE EMPLOYEES: ABSENCE WITHOUT LEAVE AND REINSTATEMENT

AB 855 would have allowed a state employee who is absent without leave to demonstrate he or she is able to resume job duties by submitting written verification from a licensed healthcare provider and would have required CalHR to grant reinstatement if the appointing power invokes the "automatic resignation for state service" provisions before the employee is absent without leave for five consecutive work days.

10/13/13: Vetoed by Governor:

To the Members of the California State Assembly:

I am returning Assembly Bill 855 without my signature.

This bill seeks to remedy the rare circumstance when the state misapplies the absent without leave statute, forcing both the state and the employee to go to court to resolve the dispute. In these cases, both the state and the employee incur both delay and significant expenses. This does not make sense.

I am directing the Government Operations Agency and CalHR, as well as all of my department heads, to reinstate an employee in the limited instances when the state has improperly dismissed that employee under Government Code 19996.2, and there are no other grounds for dismissal. CalHR should develop any required administrative or regulatory changes necessary to effectuate this change.

Sincerely,
Edmund G. Brown Jr.

AB 906 (Pan): STATE CIVIL SERVICE: PERSONAL SERVICES CONTRACTS

AB 906 limits emergency, urgent, and similar state personal services contracts to a term no greater than two years and prohibits state agencies from executing the contracts until State Personnel Board (SPB) has contacted all respective employee organizations representing state employees who perform the type of work to be contracted for an opportunity to comment on the contracts and to request a SPB review for compliance with statutory standards. The bill exempts peace officer training contracts and developmentally disabled opportunity contracts and also expands authorized counterparties to include limited liability companies.

Chapter 744, Statutes of 2013

AB 989 (Mullin): CALSTRS: ELECTRONIC COMMUNICATIONS

AB 989 authorizes CalSTRS to provide communications or conduct other action through electronic delivery upon resolution by the CalSTRS' board and requires CalSTRS to notify affected parties of their right to continue to receive delivery by mail.

Chapter 459, Statutes of 2013

AB 1008 (Buchanan): ALAMEDA HEALTH SYSTEM: EMPLOYEE BENEFITS

AB 1008 specifies how employees of a facility like San Leandro Hospital that is acquired by or merged into Alameda Health System shall be treated with regard to retirement benefits and provides that those employees shall not automatically become members of the Alameda County Employees' Retirement Association.

- Urgency bill

Chapter 311, Statutes of 2013

AB 1062 (Jones-Sawyer): STATE HUMAN RESOURCES

The Governor's Reorganization Plan of 2011 (GRP 1) merged the Department of Personnel Administration (DPA) and the administrative functions of the State Personnel Board (SPB) into the Department of Human Resources (CalHR) but left intact the State Personal Board proper (Board) to carry out its constitutionally mandated function of preserving the merit principle in state civil service. AB 1062 clarifies CalHR's authority; updates civil service statutes by deleting archaic or obsolete language; and amends related statutes to streamline CalHR's and the Board's processes.

Chapter 427, Statutes of 2013

AB 1144 (Hall): PEMHCA: LOCAL EMPLOYER RETIREE HEALTH BENEFITS

AB 1144 would require the City of Carson, upon a MOU with its employees, to use a vesting schedule under which an employee would have to work 5 years to get a 50% employer contribution toward retiree health benefits. The schedule would add a 10% contribution annually so that an employee who works for the city for 10 years would receive 100% of the employer contribution for retiree health benefits.

Chapter 244, Statutes of 2013

AB 1163 (Levine): CALPERS BOARD MEMBERS EDUCATION

AB 1163 requires the CalPERS Board to adopt a policy for providing education to its board members that shall, at a minimum, identify appropriate education topics, establish a means to determine what qualifies as board education, set a requirement that board members receive 24 hours of education within two years of their appointment and ongoing for every two-year period thereafter, maintain a record of board member compliance with the education requirements, and provide an annual report thereof to be posted on CalPERS' website.

Chapter 140, Statutes of 2014

AB 1181 (Gray): LOCAL PUBLIC EMPLOYEES: COMPENSATED RELEASE TIME

AB 1181 expands provisions governing a local public agency's requirement to provide compensated time off for representatives of the recognized employee organization to participate in specified employee organization activities.

Chapter 305, Statutes of 2013

AB 1222 (Bloom): PEPRA: EXEMPTION FOR PROTECTED TRANSIT WORKERS

AB 1222 would exempt certain public transit workers from the requirements of PEPRA pending a ruling from the federal district court, or January 1, 2015, whichever is sooner, and would authorize cash flow loans—totaling up to \$26 million—to local mass transit providers. (See AB 1783 for extension of exemption until January 1, 2016.)

- Urgency bill

Chapter 527, Statutes of 2013

AB 1263 (John A. Pérez): MEDI-CAL: PATIENT CENTERED COMMUNICATION PROGRAM

AB 1263 would have established the Medi-Cal Patient Centered Communication (CommuniCal) program at the Department of Health Care Services (DHCS) to provide and reimburse for certified medical interpretation services to limited English proficient Medi-Cal enrollees; established a certification process and registry of CommuniCal interpreters at the DHCS; required DHCS to develop a Community Advisory Committee to assist with the certification process; and granted CommuniCal interpreters collective bargaining rights with the state.

10/13/13: Vetoed by the Governor:

To the Members of the California State Assembly:

I am returning Assembly Bill 1263 without my signature.

The bill would require the Department of Health Care Services to establish the CommuniCal program to certify and restructure current interpreter services provided under Medi-Cal.

California has embarked on an unprecedented expansion to add more than a million people to our Medi-Cal program. Given the challenges and the many unknowns the state faces in this endeavor, I don't believe it would be wise to introduce yet another complex element.

Sincerely,
Edmund G. Brown Jr.

AB 1346 (Pan): PUBLIC EMPLOYEES: RETIREE HEALTH BENEFITS

AB 1346 would authorize the Sacramento Metropolitan Fire District to contract with CalPERS for benefits under PEMHCA for a retiree health care vesting schedule that is not currently available in law. This new schedule will be subject to, and dependent upon, a MOU between the district and the affected district employees' exclusive representative.

Chapter 774, Statutes of 2013

AB 1377 (Assembly Public Employees, Retirement and Social Security Committee): MOU BETWEEN THE STATE AND SERVICE EMPLOYEES INTERNATIONAL UNION

AB 1377 approves the recent MOU agreed to by the State and bargaining units (BUs) represented exclusively by the Service Employees International Union (SEIU), Local 1000, including the following bargaining units:

- BU 1 (Professional, Administrative, Financial, and Staff Services)
- BU 3 (Professional Educators and Librarians)
- BU 4 (Office and Allied)
- BU 11 (Engineering and Scientific Technicians)
- BU 14 (Printing and Allied Trades)
- BU 15 (Allied Services)
- BU 17 (Registered Nurses)
- BU 20 (Medical and Social Services)

BU 21 (Educational Consultant and Library)

- Urgency bill

Chapter 63, Statutes of 2013

AB 1379 (Assembly Public Employees, Retirement and Social Security Committee):
CALSTRS: ANNUAL HOUSEKEEPING BILL

AB 1379 is CalSTRS' annual housekeeping bill which makes technical and non-controversial changes to the Teachers' Retirement Law (TRL).

Chapter 558, Statutes of 2013

AB 1380 (Assembly Public Employees, Retirement and Social Security Committee): 1937 ACT COUNTY RETIREMENT LAW: CONFORMITY WITH PEPRA

AB 1380 makes various technical corrections and conforming changes that align the '37 Act with PEPRA.

Chapter 247, Statutes of 2013

AB 1381 (Assembly Public Employees, Retirement and Social Security Committee):
CALSTRS: CONFORMITY WITH PEPRA

AB 1381 makes various technical corrections and conforming changes that align the Teachers' Retirement Law (TRL) with PEPRA.

Chapter 559, Statutes of 2013

AB 1550 (Rendon): PUBLIC SCHOOL EMPLOYERS: IMPASSE PROCEDURES

AB 1550 would have amended impasse procedures under the Educational Employment Relations Act to require additional time for the appointment of a mediator by PERB; a 30-day prior written notice requirement on the school employer of the implementation date and term details of its last, best, and final offer; a prohibition on the school employer from unilaterally changing language or implementing terms and conditions different from a negotiated collective bargaining agreement; and a requirement to meet and negotiate over remedies for any terms of the agreement found to be unlawful.

9/29/14: Vetoed by the Governor:

To the Members of the California State Assembly:

I am returning Assembly Bill 1550 without my signature.

This bill amends impasse procedures in the Educational Employment Relations Act to require an employer to give an employee representative written notice at least 30 days prior to implementing the terms of a Last, Best, and Final Offer, to ensure good faith bargaining.

Under current law employers are required to bargain in good faith and nothing has been shown to suggest that existing remedies are inadequate. The record shows that the Public Employment Relations Board has been extremely vigilant in taking action to curb bad faith bargaining.

Sincerely,
Edmund G. Brown Jr.

AB 1611 (Bonta): CLASSIFIED SCHOOL EMPLOYEES: WRITTEN NOTICE FOR CHANGES TO SCOPE OF REPRESENTATION

AB 1611 requires public school employers to provide to the exclusive representative of a classified school employee group reasonable written notice of their intent to make any changes to matters within the scope of representation.

Chapter 801, Statutes of 2014

AB 1783 (Jones-Sawyer): PEPPRA: EXEMPTION FOR PROTECTED TRANSIT WORKERS

AB 1783 extends the exemption from PEPPRA of certain public transit workers until January 1, 2016, pending a ruling from the federal district related to the U.S. Secretary of Labor's determination in 2013 that the implementation of PEPPRA precluded federal certification of certain transit projects and related federal funding. (See AB 1222 for original exemption.)

Chapter 724, Statutes of 2014

AB 1820 (Mullin): STATE EMPLOYMENT APPLICATIONS: ELECTRONIC SUBMISSIONS AND NOTIFICATIONS

AB 1820 requires CalHR and other appointing powers to use electronic means of communications with job applicants who file state employment applications and examinations online.

Chapter 266, Statutes of 2014

AB 1824 (Rendon): 1937 ACT COUNTY RETIREMENT LAW: OPTIONAL SETTLEMENT REVISIONS

AB 1824 permits, upon adoption by a county board of retirement, a retired member of a county retirement system being operated under the '37 Act to change a previously elected optional settlement.

Chapter 726, Statutes of 2014

AB 1834 (Williams): HIGHER EDUCATION EMPLOYER-EMPLOYEE RELATIONS ACT: STUDENT EMPLOYEES

AB 1834 would have amended the Higher Education Employer-Employee Relations Act to specifically include in the definition of "employee", for purposes of collective bargaining, any

employee, including student employees at the University of California, California State University, and Hastings College of Law, whose employment is contingent on their status as students. This bill also would have clarified that the scope of representation for UC students does not include work required to achieve satisfactory progress toward their academic degrees.
Died on the Senate Appropriations Suspense File

AB 1881 (Jones-Sawyer): LOS ANGELES CITY AND COUNTY: EMPLOYEE RELATIONS COMMISSIONS

AB 1881 would have required that appointments to the Los Angeles City Employee Relations Board (ERB) and the Los Angeles County Employee Relations Commission (ERCOM) be made from respective lists of nominees jointly submitted by the applicable public employer and a committee of the exclusive representatives of the employer's respective employees, within 30 days of submission of the list. The bill also provided additional measures intended to ensure the two labor relations commissions be independent and unbiased arbiters.

9/29/14: Vetoed by the Governor:

To the Members of the California State Assembly:

I am returning Assembly Bill 1881 without my signature.

This bill sets standards in state law for appointing members to the Los Angeles City Employee Relations Board and the Los Angeles County Employment Relations Commission.

Signing this bill would be a significant override of local decision making authority and a departure from my belief in subsidiarity. These issues should be resolved at the local level.

Sincerely,
Edmund G. Brown Jr.

AB 2032 (Bonta): STATE PERSONNEL BOARD APPEALS: BURDEN OF PROOF

AB 2032 would have required that the burden of proof to sustain a disciplinary action, rather than switching to the appellant employee, remains with the state employing agency in court proceedings for a writ of mandate brought in superior court if SPB has failed to render a decision in the administrative hearing process within existing statutorily required timeframes.

9/30/14: Vetoed by the Governor:

To the Members of the California State Assembly:

I am returning Assembly Bill 2032 without my signature.

If the State Personnel Board fails to issue a decision on a disciplinary appeal within six months, this bill requires the burden of proof to remain with the state employer if the employee pursues court action.

Last year, I signed AB 1062 that requires the Board to issue a decision within the six month timeframe. The law hasn't even been in place a year. Let's give it a little more time before making fundamental changes, as proposed by this bill.

Sincerely,
Edmund G. Brown Jr.

AB 2126 (Bonta): MYERS-MILIAS-BROWN ACT: MEDIATION AND FACTFINDING

AB 2126 would have authorized unilateral requests for mediation in local agency collective bargaining after providing a written declaration of impasse; would have required parties to agree on a mediator within 5 days of a mediation request or upon failure to agree upon mediator selection; would have required PERB appointment of a mediator no later than 5 days after the receipt of a PERB mediator request; and would have exempted agencies with binding arbitration from the requirement for mediation. Moreover, AB 2126 would have clarified that a factfinding request is not limited to MOU impasse negotiations but can include differences that arise from any dispute over any matter within the scope of representation.

The bill also provided more flexibility to factfinders in weighing the criteria for making their findings and recommendations and allowed an employee organization to voluntarily waive, in writing, its procedural right to request a factfinding panel.

9/30/14: Vetoed by the Governor:

To the Members of the California State Assembly:

I am returning Assembly Bill 2126 without my signature.

This bill would amend the Meyers-Milias-Brown Act to provide that mediation in the collective bargaining process may be invoked by one party, rather than requiring both parties to mutually declare impasse and request mediation as required under current law. The bill would also specify that fact finding is not limited to disputes over a new memorandum of understanding but also applies when negotiations reach impasse over issues within the life of the contract.

This measure is premature because a key issue it raises is currently pending before two separate courts of appeal. I would like to get the benefit of the courts' reasoning before I take any action on a bill of this type.

I would note, however, based on my experience as Mayor of Oakland, that the negotiating process between labor and management under the Meyers-Milias-Brown Act seems extraordinarily robust and extensive.

Sincerely,
Edmund G. Brown Jr.

AB 2155 (Ridley-Thomas): NURSES AND CERTIFIED NURSE ASSISTANTS: OVERTIME

AB 2155 would have prohibited mandatory overtime for state employee registered nurses, licensed vocational nurses, and certified nursing assistants (CNAs) working in state hospitals and facilities. The prohibition would not apply when the state employee is participating in a surgical procedure and that procedure is still in progress or when an unanticipated catastrophic event has occurred causing a large number of patients in need of immediate medical treatment such that the

facility is incapable of providing sufficient nurses or CNAs to attend to the patients without resorting to mandatory overtime.

9/30/14: Vetoed by the Governor:

To the Members of the California State Assembly:

I am returning Assembly Bill 2155 without my signature.

This bill would prohibit mandatory overtime for nurses in state facilities. This measure covers matters more appropriately settled through the collective bargaining process.

Sincerely,
Edmund G. Brown Jr.

AB 2419 (Garcia): PUBLIC EMPLOYEE RELATIONS: AGENCY SHOP ARRANGEMENTS

AB 2419 would have exempted the County and City of Los Angeles from a prohibition against agency shop arrangements for management employees.

7/18/14: Vetoed by the Governor:

To the Members of the California State Assembly:

I am returning Assembly Bill 2419 without my signature.

This bill would authorize management employees in the County of Los Angeles and the City of Los Angeles to establish an agency shop arrangement, an arrangement that is not permissible under the labor law that governs state employees.

Granting agency shop to managers, as required by this bill, goes against sound labor-management relations that should require a clear separation between managers and rank and file employees.

Sincerely,
Edmund G. Brown Jr.

AB 2472 (Assembly Public Employees, Retirement and Social Security Committee): CALPERS: ANNUAL HOUSEKEEPING BILL

This bill makes technical changes to code governing CalPERS, the Judges' Retirement System, and the Judges' Retirement System II to increase administrative efficiency.

Chapter 237, Statutes of 2014

AB 2473 (Assembly Public Employees, Retirement and Social Security Committee): 1937 ACT COUNTY RETIREMENT SYSTEM: FEDERAL LAW COMPLIANCE

AB 2473 amends sections of the '37 Act to conform with provisions of the federal Internal Revenue Code in order to ensure compliance with federal tax law.

Chapter 740, Statutes of 2014

AB 2474 (Assembly Public Employees Retirement and Social Security Committee): 1937 ACT COUNTY RETIREMENT SYSTEM: CONFORMITY WITH PEPRA

AB 2474 makes various technical corrections and conforming changes that align the '37 Act with PEPRA.

Chapter 741, Statutes of 2014

AB 2476 (Assembly Public Employees, Retirement and Social Security Committee): PEPRA: TECHNICAL CLEANUP

Makes technical corrections to PEPRA in order to clarify the Legislature's intent in enacting PEPRA and to assist affected employers and retirement systems implement PEPRA.

Chapter 238, Statutes of 2014

AB 2582 (Bonta): PEMHCA: BAY AREA RAPID TRANSIT DISTRICT RETIREE HEALTH BENEFITS

AB 2582 authorizes BART to establish a vesting requirement for retiree health benefits under which the employer contribution would be 50% for annuitants with 10 years of credited service and would add a 10% employer contribution for each credited year of service, up to a 100% employer contribution for 15 years of credited service. Annuitants who retire for disability and have at least 5 years of BART service would receive 100% of BART's employer contribution.

Chapter 216, Statutes of 2014

ACR 61 (Beth Gaines): STATE EMPLOYEES: MERIT AWARDS

ACR 61 declares that specified merit award payments authorized by the five-member Merit Award Board and CalHR be made in amounts up to and including 20 percent of the first-year savings generated by each suggestion of the proposed recipients.

Res. Chapter 138, Statutes of 2013

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