



# **Employee Relations & Admin Services Legislative Bulletin**

## **2015-16 LEGISLATIVE SESSION**

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**As of 8/23/2016**

**Subject Area Key:**

**BA** – Brown Act

**C** - Compensation

**CB** – Collective Bargaining

**DA** – Disabled Access

**ER** – Employee Rights

**H** – Hospitals

**HB** – Health Benefits

**IHSS** – In Home Supportive Services

**Imm** – Immigration

**O** – Other

**PRA** – Public Records Act

**PubW** – Public Works Projects

**PS** – Public Safety

**PW** – Prevailing Wage

**RB** – Retirement Benefits

**WC** – Workers’ Compensation

**WH** – Work Hours

**Vets** – Veterans

<b>Bill No.</b>	<b>Area</b>	<b>Author</b>	<b>Description</b>	<b>CSAC Position</b>	<b>Status</b>
<b>AB 54</b>	<b>Pub W PW</b>	<b>Olsen</b>	<b>As amended 5/24/16:</b> Would require that information about demand letters and complaints related to the Construction-Related Accessibility Standards Compliance Act be submitted to the California Commission on Disability Access in a standard format specified by the commission.	Watch	Enrolled
<b>AB 241</b>	<b>RB</b>	<b>Gordon</b>	<b>As amended 8/19/16:</b> would require local public entities to provide names and addresses of retired employees to any organization representing retired employees in a neutral eval process, declaration of fiscal emergency or a bankruptcy proceeding.	Watch	Enrolled
<b>AB 626</b>	<b>O</b>	<b>Chu</b>	<b>As amended 8/19/16:</b> would establish a claim resolution process applicable to any claim by a contractor in connection with a public works project.	Watch	Senate Floor

AB 779	C	Garcia	As amended 8/3/16: would require local agencies to post a link in a conspicuous location on its website to the names, positions, and total compensation (with many specified details) of each elected official within that entity for the previous fiscal year.	Oppose	Assembly Local Government
AB 874	CB	Santiago	As amended 8/15/16: would apply the Dills Act to employees of the Judicial Council, with some exceptions.	Watch	Concurrence
AB 1244	WC	Gray	As amended 8/19/16: makes updates to the workers' compensation system related to qualified providers and those who are suspended for reasons of felony conviction or misdemeanors involving fraud or abuse.	Support	Senate Floor
AB 1546	O	Olsen	As amended 6/21/16: would require a study of security features used in vital records, and would authorize the State Registrar to suspend the use of any security feature if necessary. Would authorize local registrars to release registrations of births, deaths, fetal deaths, and marriages to the county recorder within its jurisdiction for purposes of the preparation or maintenance of the indices of the county recorder.	Sponsor	Enrolled
AB 1643	WC	Gonzalez	As amended 3/16/16: would prohibit apportionment of permanent disability from being based on pregnancy, menopause, osteoporosis, or carpal tunnel syndrome. The bill would also prohibit apportionment of permanent disability in the case of psychiatric injury occurring on or after January 1, 2017 from being based on psychiatric disability or impairment caused by any of these conditions.	Oppose	Senate Floor

AB 1661	O	McCarty	<b>As amended 8/15/16:</b> would require local agency officials to receive sexual harassment training and education if the local agency provides any type of compensation, salary, or stipend to those officials; would allow a local agency to require employees to receive sexual harassment training or information.	Watch	Concurrence
AB 1669	O	Hernandez	<b>As amended 6/27/16:</b> would add employees of solid waste collection and transportation contractors to the existing law that requires local agencies letting a contract out to bid to give preference to contractors who agree to retain certain employees by the previous contractor; applies to subcontractors.	Oppose	Concurrence
AB 1676	O	Campos	<b>As amended 8/19/16:</b> would specify that prior salary cannot be the sole reason for disparity in compensation.	Oppose	Senate Floor
AB 1692	RB	Bonilla	<b>As chaptered:</b> would authorize the Contra Costa County BOS to apply certain terms and conditions from CERL to nonsafety officers and employees who are new members subject to the retirement formulas specified in PEPR.	Watch	Chapter No. 123, Statutes of 2016
AB 1787	O	Gomez	<b>As amended 8/2/16:</b> would require legislative bodies to provide at least twice the allotted time during public comment to a member of the public who utilizes a translator to ensure that non-English speakers receive the opportunity to address the body, unless simultaneous translation equipment is used.	Support	Assembly Local Government
AB 1843	ER	Stone	<b>As amended 8/11/16:</b> would prohibit an employer from asking an applicant to disclose information concerning specific juvenile court actions or custodial detentions, or from using this information as a factor in determining any condition of employment.	Watch	Senate Floor

AB 1853	RB	Cooper	As amended 6/20/16 would authorize any CERL retirement board to elect to be a district. Specifies changes related to county employees who would become retirement system employees.	Oppose	Concurrence
AB 1890	O	Dodd	As amended 8/17/16: would require an employer who contracts with the state and is a certain size to submit a description of nondiscrimination program to the Department of Fair Employment and Housing and to submit periodic reports to show compliance.	Watch	Assembly Floor
AB 1926	PW	Cooper	As amended 8/17/16: would require, when a contractor requests the dispatch of an apprentice to perform work on a public works project that the apprentice be paid the prevailing rate for the time spent on a required activity.	Pending	Assembly Floor
AB 1974	O	Gallagher	As amended 8/19/16: would require documents being re-recorded to be executed and acknowledged or verified as new documents, and to contain a notation on the face specifying the reason for the re-recording.	Watch	Senate Floor
AB 2086	WC	Cooley	As amended 8/1/16: adjusts the definition of who is qualified to serve as a medical evaluator in the workers' compensation system.	Watch	Senate Floor
AB 2143	O	Irwin	As enrolled: would authorize a county recorder to contract with an authorized submitter for the delivery for recording, and return to the part requesting recording, or a digital or digitized electronic record.	Support	Enrolled
AB 2197	ER	Garcia	As amended 5/31/16: would delete the existing prohibition on payment of unemployment insurance benefits to certain educational employees.	Watch	Assembly Floor
AB 2257	BA	Maienschein	As enrolled: would require an online posting of an agenda, as allowed under the Brown Act, to be posted on the local agency's primary website homepage accessible through a prominent, direct link.	Dropped Opp/ Neutral	Enrolled

AB 2272	O	Thurmond	<b>As amended 8/15/16:</b> would require the Occupational Safety and Health Standard Board to adopt standards to protect health care personnel and patients from airborne contaminants generated as byproducts during the use of specific devices during surgical, diagnostic, or therapeutic procedures.	Watch	Senate Floor
AB 2288	O	Burke	<b>As introduced 8/16/16:</b> requires the California Workforce Development Board and local boards to ensure pre-apprenticeship training follows Multi-Craft Core Curriculum and that programs and services funded by WIOA include plans to increase the percentage of women in trades.	Watch	Senate Floor
AB 2296	O	Low	<b>As chaptered:</b> provides that an electronic signature includes a digital signature under certain provisions of the Government Code and that a digital signature under those provisions is a type of an electronic signature as set forth in the Uniform Electronic Transaction Act.	Watch	Chapter No. 144, Statutes of 2016
AB 2337	ER	Burke	<b>As enrolled:</b> would require employers to inform in writing each employee of his or her rights related to employment protections for victims of domestic violence, sexual assault, or stalking.	Watch	Enrolled
AB 2375	CB	Comm on PERSS	<b>As amended 8/8/16:</b> The Public Employees' Retirement System omnibus bill. Would revise definitions related to employment classification, bargaining units, date of hire, and date of retirement to remove redundant language and make technical and style changes. Deletes references to enrolled actuaries for purposes of California Actuarial Advisory Panel.	Watch	Senate Floor
AB 2376	RB	Comm on PERSS	<b>As chaptered:</b> revises definitions related to the Los Angeles County retirement system.	Watch	Chapter No. 134, Statutes of 2016

AB 2404	RB	Cooley	As amended 8/2/16: would provide that the right of a PERS member to receive a recalculated allowance upon the death of his or her beneficiary only applies to a member who retires on or before 12/31/17.	Watch	Enrolled
AB 2405	ER	Gatto	As amended 5/31/16: would require employers to provide at least 8 hours of PTO for purposes of certain child care of school-related planned absences.	Oppose	Assembly Floor – Stricken from File
AB 2498	PRA	Bonta	As amended 8/19/16: would exempt the names, addresses, and images of victims of human trafficking and their families from disclosure pursuant to the PRA.	Watch	Concurrence
AB 2503	WC	Obernolte	As amended 8/19/16: would require a physical providing treatment to an injured worker to send any requests for medical treatment to the claims administrator for the employer, insurer, or other entity as specified by rules.	Pending	Senate Floor
AB 2591	O	Dababneh	As amended 8/2/16: would reinstate certain exemptions related to electronic records and signatures.	Watch	Assembly Floor
AB 2611	PRA	Low	As amended 6/22/16: would prohibit a public agency from disclosing a visual or audio recording of the death of a peace officer killed in the line of duty, unless the disclosure is authorized by the peace officer's immediate family, in which case, the bill would require the public agency to disclose the visual or audio recording.	Support	Assembly Judiciary
AB 2636	O	Linder	As amended 8/16/16: would allow counties the option of accepting electronic knowledge-based authentication to verify the identity of requesters for vital records. If an applicant's identity cannot be established electronically, the applicant would have to include with the request a notarized statement of identity.	Sponsor	Concurrence

AB 2828	O	Chau	<b>As amended 5/27/16:</b> would require persons or businesses conducting businesses and any agency that owns or licenses computerized data that includes personal information to disclose a breach of the security of the data to any resident of California whose encrypted personal information as, or is reasonably believed to have been, acquired by an unauthorized person.	Watch	Senate Floor
AB 2833	RB	Cooley	<b>As amended 6/21/16:</b> would require a public pension or retirement system to require private equity fund managers, partnerships, portfolio companies, and affiliates to make specified disclosures regarding fees and expenses. Public pension or retirement systems would be required to disclose this information at least once annually at a public meeting.	Watch	Concurrence
AB 2835	O	Cooper	<b>As amended 8/19/16:</b> would require state and local agencies to provide mandatory orientations to newly hired public employees within two months of hiring	Oppose	Senate Floor
AB 2853	PRA	Gatto	<b>As enrolled:</b> would authorize a public agency that posts a public record on its website to refer a person who requests to inspect or obtain a copy of that public record to the website where it is posted.	Support	Enrolled
AB 2883	WC	Committee on Insurance	<b>As enrolled:</b> would require the Commission on Health and Safety and Workers' Compensation to conduct, or contract for, a feasibility study regarding the extent to which physicians' requests for authorization of a medical treatment for injured employees may be processed using an entirely paperless system.	Watch	Enrolled
AB 2895	O	Hernandez	<b>As amended 8/2/16:</b> would require employers to keep a complete, updated copy of specific records related to injury prevention programs at worksites and to make them (or a summary) available to any employee upon oral request.	Watch	Senate Floor

<b>SB 24</b>	<b>RB</b>	<b>Hill</b>	<b>As amended 8/18/16:</b> authorizes a specific JPA involving the Belmont Fire Protection District, the Estero Municipal Improvement District, and the City of San Mateo to provide employees who are not new members under PEPRRA with the defined benefit plan or formula received by those employees from their respective employers, if they are employed by the JPA within 180 days of the city providing for the exercise of a common power to which the employee was associated.	Watch	Assembly Floor
<b>SB 441</b>	<b>PRA</b>	<b>Wolk</b>	<b>As enrolled:</b> would exempt certain data used by a public agency to identify a vendor or contractor from disclosure, unless the data is used in a public bidding or an audit involving the public agency.	Watch	Enrolled
<b>SB 563</b>	<b>WC</b>	<b>Pan</b>	<b>As amended 6/23/16:</b> prohibits employers or entities conducting utilization review on behalf of employers, from offering or providing any financial incentive to physicians based on the number of modifications, delays, or denials made.	Dropped Opp/ Neutral	Assembly Floor
<b>SB 654</b>	<b>ER</b>	<b>Jackson</b>	<b>As amended 8/18/16:</b> would prohibit employers from refusing to allow employees to take up to 12 weeks of parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement. Employers would also be prohibited from refusing to maintain and pay for coverage under a group health plan for employees who take this leave. Only certain types of employees (those with more than 12 months of service to the employer and at least 1,250 hours of service during the previous 12 months).	<b>Oppose</b>	Assembly Labor & Empl and Approps
<b>SB 897</b>	<b>WH</b>	<b>Roth</b>	<b>As amended 8/19/16:</b> would allow certain employees of local agencies, including police officers, firefighters, and sheriffs, an additional year of a leave of absence without loss of salary when injured by a catastrophic injury at the hands of another.	<b>Oppose</b>	Concurrence

<b>SB 914</b>	<b>WC</b>	<b>Mendoza</b>	<b>As introduced 1/26/16:</b> would delete the authorization to use the American College of Occupational and Environmental Medicine's Occupational Medicine Practice Guidelines as the standards for independent medical reviews in the case where a treatment or diagnostic service remains disputed after a third opinion.	Watch	Chaptered (Statutes 2016, Chapter 84)
<b>SB 985</b>	<b>WH</b>	<b>Berryhill</b>	<b>As amended 4/14/16:</b> would establish an overtime exemption for an employee-selected flex schedule. Would allow for workdays up to 10 hours per day within a 40-hour workweek. The employer would be obligated to pay overtime for hours over 40 in one workweek or over 10 hours in one workday, whichever is greater.	Watch	Senate Labor & Industrial Relations – Reconsid Granted
<b>SB 1001</b>	<b>Imm</b>	<b>Mitchell</b>	<b>As amended 8/18/16:</b> would make it an unlawful employment practice for an employer to request more or different documents than are required under federal law, or to refuse to honor documents that on their face reasonably genuine, related to status verification. Applicants or employees could bring civil action.	Watch	Assembly Floor
<b>SB 1063</b>	<b>ER</b>	<b>Hall</b>	<b>As amended 8/19/16:</b> would expand the prohibition on paying employees at wage rates less than the rates paid to employees of the opposite sex for substantially similar work to apply to rates paid to employees of different races or ethnicity.	<b>Oppose</b>	Assembly Floor
<b>SB 1160</b>	<b>WC</b>	<b>Mendoza</b>	<b>As amended 8/18/16:</b> would require new regulations for utilization review in the workers' compensation system. Increased penalty assessments for violation of data reporting requirements in the workers' compensation system.	<b>No Position</b>	Assembly Insurance
<b>SB 1162</b>	<b>RB; PS</b>	<b>Berryhill</b>	<b>As enrolled:</b> would authorize the Mammoth Lakes Fire District to transfer available excess assets credited to the miscellaneous member category of the employer account to satisfy unfunded accrued actuarial obligations for its safety plan.	Watch	Enrolled

<b>SB 1175</b>	<b>WC</b>	<b>Mendoza</b>	<b>As enrolled:</b> would require that requests for payment with an itemization of services provided and the charge for each service be submitted to the employer within 12 months of the date of service or within 12 months of the date of discharge for inpatient facility services.	Watch	Enrollment
<b>SB 1200</b>	<b>PS</b>	<b>Jackson</b>	<b>As enrolled:</b> would require the Department of Justice's annual report to the Governor to include information concerning arrests for animal cruelty.	Watch	Enrollment
<b>SB 1203</b>	<b>PS, RB</b>	<b>Hertzberg</b>	<b>As enrolled:</b> would require JPAs to offer defined benefit plans or formulas that are not PEPPRA plans or formulas, provided that the plans or formulas were those the employees receive prior to the creation of the JPA, the employees are not new members under PEPPRA, and they are employed by the authority within 180 days.	Watch	Enrollment
<b>SB 1436</b>	<b>BA</b>	<b>Bates</b>	<b>As chaptered:</b> would require the final action on salaries, salary schedules, or fringe benefits paid to a local agency executive to be announced in oral report during the open meeting in which the final action is to be taken.	Watch	Chapter No. 175, Statutes of 2016