



Employee Relations Legislative Bulletin

2015-16 LEGISLATIVE SESSION

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Current as of May 15, 2015

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

Bill No.	Area	Author	Description	CSAC Position	Status
AB 11	IHSS	Gonzalez	As amended 3/11/15: would require mandatory paid sick leave for IHSS workers.	Pending	Asm. Approps SUSPENSE
AB 52	DA	Gray	As amended 2/18/15: would provide that defendant’s max liability for statutory damages in a construction-related accessibility claim against a place of public accommodation is \$1K for each offense if defendant has corrected all violations within 180 days of being served.	Pending	Asm. Judiciary
AB 67	ER	Gonzalez	As introduced 12/1/14: Enacts the Double Pay on the Holiday Act of 2015 that would require an employer to pay at least 2 times the regular rate of pay to an employee for work on a family holiday	Pending	Asm. Approps SUSPENSE

AB 75	V	Mathis	As amended 4/23/15: would continuously appropriate \$3 million to DVA to assist USDVA in processing vets claims.	Watch	Asm. Approps SUSPENSE
AB 97	IHSS	Weber	As amended 3/26/15: requires DSS to program CMIPs to receive payments from MCOs for specified add'l personal care service and related domestic service hours, issue a single payroll check to providers and to differentiate between the two types of authorized hours.	Watch	Asm. Approps SUSPENSE
AB 171	Vets	Irwin	As amended 3/17/15: continuously appropriate the sum of \$5.6M from the General Fund to the Department of Veterans Affairs to be available for allocation to counties to fund the activities of county veterans service officers.	Support	Assembly Approps SUSPENSE
AB 211	IHSS	Gomez	As introduced 2/2/15: spot bill – to become Statewide Authority bill.	Watch	Asm. Approps SUSPENSE
AB 219	PW	Daly	As amended 4/14/15: would expand the definition of “public works,” for purposes of prevailing wage payment to include the delivery of ready-mixed concrete with respect to contracts involving any state agency or any political subdivision of the state.	OPPOSE	Asm. Approps SUSPENSE
AB 241	RB	Gordon	As amended 4/29/15: would require local public entity to provide name and address of retired employees to any organization representing retired employees in a neutral eval process, declaration of fiscal emergency or a bankruptcy proceeding.	Watch	Asm Approps 5/20/15

AB 247	PS	Waldron	As amended 3/24/15: would require every person appointed as an animal control officer prior to 7/1/16 to complete a course in the exercise of powers of arrest and to serve warrants no later than 1/1/17. Would require every person appointed as an ACO and everyone appointed as a director, manager or supervisor or any person in direct control of an animal control agency to complete a course in the exercise of powers of arrest and to serve warrants.	Concerns	Asm. Approps SUSPENSE
AB 251	PW	Levine	As introduced on 2/9/15: provides that a public subsidy is de minimis if both less than \$25K and less than 1% of total project cost.	Watch	Senate L&I.R.
AB 259	O	Dababneh	As introduced on 2/10/15: would require an agency, if the agency was the source of the breach and the breach compromised a person's social security number, driver's license number, or California identification card number, to offer to provide the person with identity theft prevention and mitigation services at no cost for not less than 12 months	Pending	Asm. Approps SUSPENSE
AB 272	ER	Lackey	As amended 4/15/15: expands FEHA protections to reserve or auxiliary peace officers.	OPPOSE	Sen. Rules

AB 295	CB	Gipson	As introduced on 2/12/15: would require public agency if it becomes successor employer to a private employer that offers emergency med trans services, to immediately recognize a new bargaining unit consisting of the employees of the predecessor private employer.	Pending	A. P.E.R. & S.S. 2-year bill
AB 304	ER	Gonzalez	As amended 3/26/15: AB 1522 sick leave clean up bill;	Oppose	Asm. Approps
AB 305	WC	Gonzalez	As amended 4/30/15: prohibits apportionment of PD from being based on pregnancy, menopause or osteoporosis.	Oppose	Senate Rules
AB 327	PW	Gordon	As amended 4/30/15: deletes sunset on CA Conservation Corp members, volunteers and volunteer coordinators from prevailing wage.	Support	Senate Rules
AB 334	PS	Cooley	As amended 4/7/15: would require POST to ensure profiling of motorcycle riders addressed in basic law enforcement training and all local law enforcement agencies to adopt a written policy designed to condemn and prevent profiling of motorcycle riders.	Watch	Asm. Approps. SUSPENSE
AB 373	PS	Medina	As introduced on 2/17/15: would require heads of law enforcement agencies to assess jurisdiction to determine if any Indian tribal lands are within jurisdiction and ensure peace officers in those jurisdictions complete a course including a review of PL-280.	Pending	Asm. Approps. SUSPENSE
AB 438	WC	Chiu	As amended 4/6/15: makes provisions of Dymally-Alatorre Bilingual Svc Act applicable to SCIF, DIR and DWC.	Watch	Senate Rules

AB 471	ER	Harper	As introduced on 2/23/15: spot bill pertaining to meal periods.	Pending	In Print
AB 511	WC	Gipson	As amended 4/20/15: expands certain presumptions to certain categories of peace officers.	Oppose	Asm. Approps.
AB 537	RB	Allen	As introduced on 2/24/15: prohibits public agency or employee from entering into MOU providing retiree health care benefits without a strategy for permanently prefunding those benefits.	Pending	Asm. / P.E.R., S.S. 2-year bill
AB 546	PS	Gonzalez	As introduced on 2/23/15: authorizes a probation department to apply to POST or BSCC to become certified provider of an introductory training course.	Pending	Senate Public Safety
AB 578	O	Low	As amended 4/13/15: requires employer to give notice to workers who will be affected by a temporary order granting a variance from an OSHA standard if employees may be affected by or exposed to hazards by that variance.	Pending	Asm. Approps SUSPENSE
AB 588	O	Grove	As introduced on 2/24/15: would provide employer with right to cure certain violations under PAGA before employee can bring a civil action.	Pending	A. Labor & Employment, 2-year bill
AB 622	ER	Hernandez	As amended 4/27/15: expands definition of unlawful employment practice to prohibit employer from using E-Verify to someone who has not rec'd offer of employment except as req'd by federal law or as a condition of receiving federal funds.	Watch	Asm. Floor

AB 651	PS	Cooper	As amended 4/9/15: authorizes employing public agency to grant right of representation to a FF or public safety officer if an interview regarding the investigation of another FF or public safety officer if interview is likely to result in punitive action against the FF or officer who is not formally under investigation.	Oppose	Senate Rules
AB 663	RB	Irwin	As introduced on 2/24/15: would allow Ventura County to appoint an alternate member of its CERL retirement board.	Watch	Senate Rules
AB 671	PS	Medina	As introduced on 2/25/15: would state intent of Legislature to enact legislation authorizing county deputy coroners to become full time peace officers.	Pending	In Print
AB 676	ER	Calderon	As introduced on 2/25/15: would prohibit employer from asking applicant for employment to disclose information concerning applicant's current employment status; would prohibit employer from operating website for posting jobs from interfering with or discriminating against a person exercising this right.	Pending	Asm. Approps SUSPENSE
AB 698	WC	Gaines, B.	As introduced on 2/25/15: spot bill pertaining to workers' comp.	Pending	In Print

AB 842	PW	Patterson	As introduced on 2/26/15: would provide that a contractor that bids on or has been awarded work covered by a project labor agreement that provides health care coverage to workers on the project that is the subject of the agreement that includes PPACA essential health benefits is exempt from a requirement to pay into a trust or custodial benefit plan for health for those workers an amount equal to the amount that the contractor would have been required to pay into that trust.	Pending	A. Labor & Employment
AB 852	PW	Burke	As amended 4/6/15: would expand the definition of public works to include any construction, alteration, demolition, installation or repair work done under private contract on a hospital or health care facility project when project is paid for in whole or in part with proceeds of conduit revenue bonds issued on or after 1/1/16.	Pending	Senate L. & I.R.
AB 883	ER	Low	As amended 4/6/15: prohibits employers, or a person who operates specified job posting Internet Web site, from publishing or posting a job advertisement that would disqualify an applicant who is currently, or was at one point, a public employee, authorizes a job applicant or prospective applicant to bring an action against the perspective employer, and provides for a fine for an intentional violation.	OPPOSE	A. Labor & Employment 4/8/15
AB 898	W	Gonzalez	As introduced on 2/26/15: spot bill pertaining to wages.	Pending	In Print

AB 970	W	Nazarian	As introduced on 2/26/15: authorizes Labor Commissioner to enforce local laws regarding overtime or minimum wage.	Pending	Asm. Floor
AB 984	ER	Calderon	As amended 3/26/15: prohibits employer from using information regarding a person's age when making any employment decision regarding that person.	Pending	Asm. Approps. SUSPENSE
AB 987	ER	Levine	As introduced 2/26/15: would prohibit an employer or other covered entity from retaliating or discriminating against a person for requesting accommodation of his or her disability or religious beliefs regardless of whether the accommodation request was granted.	Pending	Senate Judiciary
AB 992	RB	PERSS Committee	As introduced on 2/26/15: specifies that a member who applies for disability and is granted a service retirement pending a determination of disability may change the type of allowance that s(he) elected at the time of the service retirement.	Pending	Senate Rules
AB 1007	W	McCarty	As introduced on 2/26/15: spot bill pertaining to minimum wage.	Pending	Asm. Labor & Employment
AB 1031	HB	Thurmond	As introduced on 2/26/15: would specify that a contracting agency that has elected to be subject to PEMHCA is required to fulfill its employer contribution obligations for health benefits, including reimbursement for Medicare Part B premiums.	Pending	Senate Rules

AB 1052	RB	Cooley	As introduced on 2/26/15: would specify that a retirement board of a public pension is authorized to enter into agreements for the investment of the fund or appt investment managers to manage the assets of the fund under the terms and utilizing the processes the board deems necessary and consistent with its fiduciary duties.	Pending	Senate Rules
AB 1065	ER	Chiu	As amended 4/15/15: would make it an unlawful employment practice for an employer to request more or different documents than are required under fed law relating to verification that an individual is not an unauthorized alien.	Pending	A. Approps. SUSPENSE
AB 1124	WC	Perea	As amended 4/14/15: would require DWC Admin Director to establish a formulary for prescribing prescription medications.	Pending	Asm. Approps. SUSPENSE
AB 1154	PRA	Gray	As amended 4/23/15: would provide that PRA shall not be construed to require disclosure of home addresses and phone numbers of applicants for firearms or of licensees for firearms.	Watch	Asm. Public Safety

AB 1168	PS	Salas	As introduced on 2/27/15: would, until 1/1/19, exempt a custodial peace officer that does not become employed within 3 years of passing the examination or who has a 3-year + break in service, from requirement to retake the exam if s(he) has been continuously employed as a custodial peace officer of that class for a period not exceeding 5 years by the agency making the appointment.	Pending	Asm. Public Safety
AB 1170	WC	Alejo	As introduced on 2/27/15: creates the Pilot Program for the Care of Agricultural Workers; would require DIR to evaluate amount spent by agricultural employers on workers' comp and the amount spent on workers' comp medical coverage.	Pending	Asm. Insurance 2-year bill
AB 1227	PS	Cooper	As amended 3/26/15: would require POST to assess all training courses on interactions with persons with mental illnesses or developmental disabilities.	Watch	Asm. Approps SUSPENSE
AB 1245	O	Cooley	As amended 5/11/15: would require an employer with 10+ employees to file all reports and returns electronically and remit contributions for UI premiums by EFT. Would authorize the granting of a waiver from these requirements.	Pending	Asm. Floor
AB 1246	PS	Quirk	As amended 3/26/15: would prohibit disclosure of a recording from a body worn camera except to person whose image is recorded.	Pending	Asm. Public Safety 2-year bill

AB 1410	RB	Nazarian	As introduced on 2/27/15: would prohibit PERS and STRS from investing public employee retirement funds in a Turkish investment vehicle.	Watch	Asm. Approps. SUSPENSE
AB 1418	IHSS	Gipson	As introduced on 2/27/15: would state intent of Legislature to enact legislation that would improve the economic security of IHSS program providers.	Pending	In Print
AB 1468	ADA	Baker	As introduced on 2/27/15: would except public buildings, public facilities and other public places of a public entity that met specified ADA access standards on a specified date from the application of provisions that a person aggrieved or potentially aggrieved by a violation of ADA may bring an action for damages and the prevailing party be entitled to recover atty's fees	Pending	Asm. Judiciary 2-year bill
AB 1469	PS	Achadjian	As introduced on 2/27/15: spot bill pertaining to POST.	Pending	In Print
ACA 3	RB	Gallagher	As introduced 2/27/15: would require any enhancement to public employee's retirement formula or benefit adopted on or after effective date of this measure to apply only to service performed on and after this date.	Pending	A. P.E.R., S.S.
SB 3	C	Leno	As amended 3/11/15: increases the minimum wage, on and after January 1, 2016, to not less than \$11 per hour, on and after July 1, 2017, to not less than \$13 per hour.	Watch	Senate Approps. SUSPENSE

SB 11	PS	Beall	As amended 4/15/15: requires POST to include evidence-based behavioral health classroom training course and instructor-led active learning in basic training.	Pending	Senate Approps. SUSPENSE
SB 29	ER	Beall	As amended 4/15/15: requires POST to require field training officers to complete 40 hours evidence-based behavioral health training related to public safety officer interaction with people with mental illness.	Pending	Senate Approps SUSPENSE
SB 56	Vets	Knight	As introduced 12/19/15: spot bill pertaining to veteran' benefits	Pending	Senate Rules
SB 58	RB	Knight	As introduced 12/19/14: spot bill pertaining to PERS membership.	Pending	Senate Rules
SB 67	ADA	Galgiani	As introduced 1/7/15: extends period for correcting construction-related violations that are the basis of a claim from 60 days to 120 days of being served with the complaint, for purposes of reducing a defendant's minimum statutory damage liability to \$1000.	Pending	Senate Judiciary
SB 201	PRA	Wieckowski	As introduced on 2/10/15: would require a court, in an action by a 3 rd party to enjoin disclosure of a public record or declaratory relief concerning a request to inspect a public record, to apply PRA provisions as if the action had been initiated by a person requesting disclosure of a public record.	Oppose Unless Amended	Senate Judiciary

SB 216	RB	Pan	As amended 4/21/15: would repeal provisions directing CalPERS Board to invest not less than 25% of all funds available in a fiscal year for new investments in specified obligations and securities connected with residential realty.	Watch	Asm. P.E.R.SS 4/13/15
SB 237	PS	Anderson	As introduced on 2/26/15: would require every person appointed as an animal control officer prior to 7/1/16 to complete a course in the exercise of powers of arrest and to serve warrants no later than 1/1/17. Would require every person appointed as an ACO and everyone appointed as a director, manager or supervisor or any person in direct control of an animal control agency to complete a course in the exercise of powers of arrest and to serve warrants.	Concerns	Senate Approps SUSPENSE
SB 272	PRA	Hertzberg	As amended 4/6/15: requires inventory of data gathered by local agencies that discloses what data is maintained by agency to be available to the public.	Pending	Asm. Desk
SB 292	RB	Pan	As amended 4/21/15: exempts city or county that pays pension costs with revenue from property tax rate, approved by voters of a city or county to make payments in support of pension programs and levied in addition to general prop tax rate and its employees from the specified-described 50% contribution rate provision under PEPR.A.	Pending	Asm. Desk
SB 293	RB	Pan	As introduced on 2/23/15: spot bill pertaining to PERL.	Pending	Senate Rules

SB 309	RB	Morrell	As introduced on 2/23/15: spot bill pertaining to '37 Act county contribution rates.	Pending	Senate Rules
SB 354	RB	Huff	As introduced on 2/24/15: spot bill pertaining to definition of "member" for PERS.	Pending	Senate Rules
SB 331	PRA/ BA	Mendoza	As introduced on 2/23/15: requires public entities with COIN ordinances to go through certain procedures for the negotiation and approval of contracts \$50K or more.	Watch	Sen. Approps.
SB 339	O	Gaines	As introduced on 2/23/15: spot bill pertaining to Unemployment comp payroll tax.	Pending	Senate Rules
SB 358	W	Jackson	As introduced 2/24/15: extends prohibitions on employers from conditioning employment on requiring an employee to refrain from disclosing amount of his or her wages, etc. to discussions and inquiries regarding the wages of an employee, other employees and workplace conditions.	OPPOSE	Senate Approps 5/18/15
SB 375	RB	Berryhill	As introduced on 2/24/15: spot bill pertaining to PERS employer contributions.	OPPOSE	Senate Rules
SB 406	ER	Jackson	As amended 4/23/15: would require employers to allow employees to use sick leave to address a childcare or school emergency.	OPPOSE	Senate Approps SUSPENSE
SB 522	WC	Mendoza	As amended 4/6/15: clarifies that independent medical reviews are medical provider network independent medical reviews.	Watch	Asm. Desk

SB 542	WC	Mendoza	As amended 4/30/15: authorizes fee schedule of workers' comp in home care services to be based on either max service hours and fees set forth in state law or other state or federal home health care services fee schedules.	Watch	Senate Rules
SB 563	WC	Pan	As introduced on 2/26/15: requires that the method of compensation and any incentive payments contingent upon approval, modification or denial of a claim for an individual or entity providing services pursuant to workers' comp UR process be filed with DWC and disclosed to employees, physicians and public upon request.	OPPOSE	Senate Approps 5/18/15
SB 579	ER	Jackson	As amended 4/15/15: allows paid sick leave for employees to use to address a childcare or school emergency.	Oppose	Senate Floor
SB 585	WC	Leyva	As amended 5/5/15: would require Department of Insurance to consult with the Department of Child Support Services to develop a program requiring an insurer or a self-insurer, each as defined, to notify the Department of Child Support Services of a claim owed to a person owing a duty of child, spouse, or family support, defined as an "obligor."	Pending	Senate Approps 5/18/15

SB 604	WC	Hall	As introduced on 2/26/15: would amend existing law to clarify that self-insured government entities are not liable for the workers' compensation benefits for employees of contracted temporary service agencies whose insurer becomes insolvent, but rather that those liabilities are covered by the California Insurance Guarantee Association.	Support	Senate Insurance 2-year bill
SB 623	WC	Lara	As introduced on 2/27/15: would provide that a person shall not be excluded from receiving benefits under the Uninsured Employers Fund or the Subsequent Injuries Benefits Trust Fund based on citizenship or immigration status.	Pending	Asm. Desk
SB 735	PS	Galgiani	As introduced on 2/27/15: would establish the Postretirement Law Enforcement Officer Cold Case Grant program to fund the hiring of retired law enforcement officers to work on unsolved cases; program would be administered by DOJ.	Pending	Senate P.E.R.
SB 771	ER	Stone	As introduced on 2/27/15: spot bill pertaining to the Private Attorneys General Act of 2004.	Pending	Senate Rules