



Employee Relations & Admin Services Legislative Bulletin

2015-16 LEGISLATIVE SESSION

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As of 5/13/2016

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

Bill No.	Area	Author	Description	CSAC Position	Status
AB 54	Pub W PW	Olsen	As amended 1/13/16: 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	Senate Judiciary
AB 241	RB	Gordon	As amended 4/29/15: 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	Senate Gov & Finance
AB 874	CB	Santiago	As amended 2/17/16: would apply the Dills Act to employees of the Judicial Council, with some exceptions.	Watch	Senate Judiciary

AB 1233	Pub W	Levine	As amended 1/4/16: would provide that a public subsidy is de minimis if it is both less than \$250k and less than 2% of total project cost. Would only apply to projects advertised for bid or contracts awarded after July 1, 2017.	Watch	Senate Labor & Industrial Relations
AB 1546	O	Olsen	As amended 4/14/16: 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	Senate Health
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	Assembly Approps
AB 1661	O	McCarty	As amended 4/11/16: 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	Assembly Approps SUSPENSE
AB 1669	O	Hernandez	As amended 4/28/16: 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	Senate Labor & Industrial Relations

AB 1676	O	Campos	As introduced 1/19/16: would prohibit an employer from seeking salary history information about an applicant for employment. Requires employers to provide the pay scale for a position to applicants for employment.	Concerns	Assembly Approps SUSPENSE
AB 1692	RB	Bonilla	As Introduced 1/21/16: 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	Senate Rules
AB 1843	ER	Stone	As amended 5/12/16: 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 Labor & Industrial Relations
AB 1853	RB	Cooper	As amended 5/11/16 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	Assembly Floor
AB 1872	PS	Gray	As amended 4/4/16: Would include deputy sheriffs performing custodial assignments in Merced County in the definition of peace officers. Also includes funding for certain facilities.	Watch	Assembly Approps SUSPENSE
AB 1890	O	Dodd	As introduced 2/11/16: would require an employer with 100 or more employees in the state and a contract with the state of 30 days or more 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 Approps
AB 1913	Vets	Baker	As amended 3/30/16: would require the Employment Development Department, upon request of the local CVSO, to provide training to county staff for providing assistance to veterans.	Pending	Assembly Approps SUSPENSE

AB 1926	PW	Cooper	As amended 3/30/16: 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 1940	PS	Cooper	As amended 5/3/16: would require law enforcement agencies that employ peace officers using body-worn cameras to develop a policy for those cameras. Peace officers would be allowed to review the recordings before making a report, giving an internal affairs statement, or before any criminal or civil proceeding.	Pending	Assembly Approps
AB 1974	O	Gallagher	As introduced 2/16/16: 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 Gov & Finance
AB 2086	WC	Cooley	As amended 5/13/16: adjusts the definition of who is qualified to serve as a medical evaluator in the workers' compensation system.	Watch	Senate Labor & Industrial Relations
AB 2143	O	Irwin	As amended 4/12/16: would authorize a county recorder to contract with an authorized submitter for the delivery for recording, and return to the party requesting recording, or a digital or digitized electronic record.	Support	Assembly Approps
AB 2197	ER	Garcia	As amended 4/21/16: would delete the existing prohibition on payment of unemployment insurance benefits to certain educational employees.	Watch	Assembly Approps SUSPENSE
AB 2230	WC	Chu	As amended 5/9/16: would clarify the privilege status of documents the interpreter has interpreted or transliterated.	No Position	Assembly Floor

AB 2257	BA	Maienschein	As amended 5/11/16: would require an online posting of an agenda, as allowed under the Brown Act, to have a prominent direct link to the current agenda itself. However, agencies would be exempted from this requirement if they utilize an integrated agenda management platform that meets certain requirements.	Dropped Opp/ Neutral	Assembly Approps
AB 2272	O	Thurmond	As introduced 2/18/16: 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	Assembly Floor
AB 2288	O	Burke	As introduced 2/18/16: 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	Assembly Floor
AB 2296	O	Low	As amended 4/19/16: intent bill to enact legislation clarifying that a digital signature may be used to satisfy the requirements of an electronic signature under the Uniform Electronic Transactions Act.	Watch	Senate Judiciary
AB 2337	ER	Burke	As amended 4/20/16: 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	Assembly Floor
AB 2375	CB	Comm on PERSS	As amended 5/4/16: 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	Assembly Floor

AB 2376	RB	Comm on PERSS	As amended 3/9/16: revises definitions related to the Los Angeles County retirement system.	Watch	Senate Rules
AB 2404	RB	Cooley	As amended 4/12/16: 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	Senate PE&R
AB 2405	ER	Gatto	As amended 4/13/16: would require employers to provide at least 24 hours of PTO for purposes of certain child care of school-related planned absences.	Oppose	Assembly Approps SUSPENSE
AB 2407	WC	Chavez	As amended 4/27/16: would require a workers' compensation provider to assess an employee's level of risk for chronic back pain and whether he or she meets the criteria for a surgical consultation, as well as other treatments.	Oppose	Assembly Rules
AB 2425	O	Brown	As amended 4/5/16: would require adoption of standards and protocols to establish a uniform incident site report requirement for purposes of collecting statewide information on unintentional injury accidents.	Watch	Assembly Approps SUSPENSE
AB 2498	PRA	Bonta	As amended 4/7/16: would exempt the names, addresses, and images of victims of human trafficking and their families from disclosure pursuant to the PRA.	Watch	Assembly Floor
AB 2503	WC	Oberholte	As amended 4/19/16: would require that when an employee is referred to a provider subject to the provisions governing utilization review, the physician treating the employee be notified of the name and contact information of the claims administrator or utilization review organization.	Pending	Senate Rules
AB 2533	PS	Santiago	As amended 4/14/16: would require a public safety officer to be provided a minimum of 3 business days' notice before a department or agency releases audio or video of the officer recorded by the officer.	Watch	Assembly Floor

AB 2582	W	Maienschein	As amended 5/12/16: would allow a tax credit for employers who pay a qualified employee, defined as a person with a disability who may be paid less than minimum wage, a wage equal to or exceeding the state minimum wage.	Watch	Assembly Approps
AB 2591	O	Dababneh	As amended 5/10/16: would remove certain types of insurance notices from provisions of the Civil Code that apply to electronic records and signatures.	Watch	Assembly Floor
AB 2611	PRA	Low	As amended 4/14/16: would specify that a disclosure exception under PRA applies to disclosures about a victim.	Pending	Assembly Floor
AB 2626	PS	Jones-Sawyer	As amended 4/25/16: would require the POST Commission to develop and disseminate guidelines and training for peace officers on principled policing, including the subjects of procedural justice and implicit bias.	Pending	Assembly Approps
AB 2636	O	Linder	As amended 4/12/16: 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	Assembly Approps SUSPENSE
AB 2642	O	Garcia, E.	As amended 4/26/16: would require the California Workforce Investment Board to work with the Employment Development Department to create a grant program to provide fund to local workforce investment boards and community-based organizations.	Watch	Assembly Approps SUSPENSE
AB 2828	O	Chau	As introduced 2/19/16: 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	Assembly Approps SUSPENSE

AB 2830	PS	Salas	As amended 3/17/16: would include correctional officers who are employed by a city, county, or city and county in facilities with specific types of inmates in the application of the Public Safety Officers Procedural Bill of Rights Act.	Pending	Assembly Approps
AB 2833	RB	Cooley	As amended 4/12/16: 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	Assembly Approps SUSPENSE
AB 2853	PRA	Gatto	As amended 4/13/16: 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.	Watch	Senate Rules
AB 2883	WC	Committee on Insurance	As amended 3/29/16: 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	Assembly Approps SUSPENSE
AB 2895	O	Committee on Labor & Employment	As amended 4/13/16: 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	Assembly Approps SUSPENSE
AB 2898	O	Committee on Labor & Employment	As introduced 3/1/16: would extend time periods for the Labor and Workforce Development Agency to notify employers and aggrieved employees when they do not intend to investigate an alleged violation.	Watch	Assembly Approps

SB 24	RB	Hill	As amended 1/5/16: authorizes a JPA formed by the Cities of Belmont, Foster City, and 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 PERSS
SB 563	WC	Pan	As amended 1/4/16: 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 Insurance
SB 897	WH	Roth	As amended 5/11/16: 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.	Oppose	Senate Floor
SB 914	WC	Mendoza	As introduced 1/26/16: 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	Assembly Insurance
SB 985	WH	Berryhill	As amended 4/14/16: 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

SB 1001	Imm	Mitchell	As amended 3/28/16: 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	Senate Approps SUSPENSE
SB 1063	ER	Hall	As amended 4/20/16: 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.	Oppose	Senate Approps SUSPENSE
SB 1125	ER	Nguyen	As amended 3/28/16: would require applicants for licenses issued by the Board of Barbering and Cosmetology to include a signed acknowledgement that applicants understand they are responsible for compliance with applicable labor laws.	No Position	Assembly Desk
SB 1155	Vets	Morrell	As amended 3/28/16: would require every board within the Department of Consumer Affairs to grant a fee waiver for the application of and issuance of licenses to honorably discharged veterans.	Watch	Senate Approps SUSPENSE
SB 1160	WC	Mendoza	As amended 4/6/16: would increase penalty assessments for violation of data reporting requirements in the workers' compensation system.	Pending	Senate Approps SUSPENSE
SB 1162	RB; PS	Berryhill	As amended 3/30/16: 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	Assembly PERSS
SB 1163	PS	Leno	As amended 4/13/16: would amend the Firefighters Procedural Bill of Rights to specify that when a firefighter-EMT or paramedic is subject to certification or licensure action, the firefighter due process procedures are applicable to that punitive action.	Pending	Senate Approps SUSPENSE

SB 1166	HB, ER	Jackson	As amended 4/21/16: prohibits employers from refusing to allow an employee to take parental leave, and would prohibit employers from refusing to maintain and pay for coverage under a group health plan for employees who take parental leave.	Oppose	Senate Approps
SB 1170	Pub W	Wieckowski	As introduced 4/6/16: would prohibit public entities, charter cities, and charter counties from delegating to a contractor the development of a plan to prevent or reduce water pollution or runoff on a public works contract. Would also prohibit entities from requiring a contractor on a public works project that includes compliance with a plan to assume responsibility for the completeness and accuracy of a plan developed by that entity.	Oppose	Senate Approps
SB 1175	WC	Mendoza	As amended 4/19/16: 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	Assembly Desk
SB 1200	PS	Jackson	As amended 4/4/16: would require the course of basic training for law enforcement officers, including probation officers, on domestic violence to include adequate instruction on the seriousness of animal cruelty and its link to violence against humans.	Watch	Senate Approps SUSPENSE
SB 1203	PS, RB	Hertzberg	As amended 4/13/16: would require JPAs to offer defined benefit plans or formulas that are not PEPRAs 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 PEPRAs, and they are employed by the authority within 180 days.	Watch	Senate Approps SUSPENSE
SB 1214	Vets	Allen	As amended 3/31/16: extends a pilot program for UC to contract for certain types of projects based on best value procedures.	Watch	Assembly Desk

SB 1286	PS	Leno	As amended 4/21/16: would, notwithstanding any confidentiality afforded to personnel records of peace officers or custodial officers, authorize local public agencies to hear and adjudicate administrative appeals in proceedings that are open to the public and in which some or all documents files are available for public inspection.	Pending	Senate Approps SUSPENSE
SB 1342	O	Mendoza	As amended 4/12/16: would authorize a board of supervisors or legislative body of a city to delegate the authority to issue subpoenas and to report noncompliance thereof to the judge of the superior court of the county for the purpose of conducting investigations to enforce local wage laws.	No Position	Assembly Judiciary
SB 1436	BA	Bates	As amended 4/6/16: 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	Assembly Local Gov