

ASSEMBLY COMMITTEE ON PUBLIC EMPLOYMENT AND RETIREMENT

**Assemblymember Freddie Rodriguez,
Chair**

2019-20 SUMMARY OF LEGISLATION

MEMBERS:

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Sabrina Cervantes
Ken Cooley
Jim Cooper
Vince Fong
Patrick O'Donnell



STAFF:

Michael A. Bolden, Chief Consultant
Kathi Kanae, Committee Secretary (2019)
Irene Reteguín, Committee Secretary (2020)

Vice-Chair
Voepel, Randy

California State Assembly

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PUBLIC EMPLOYMENT AND RETIREMENT

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FREDDIE RODRIGUEZ
CHAIR

December 7, 2020

To all interested parties:

The following summary of legislation reviewed by the Assembly Committee on Public Employment and Retirement during the 2019-20 Legislative Session includes a brief description of all bills and the status of those bills at the end of the legislative session. Additionally, this booklet contains copies of the Governor's veto messages for those bills that were vetoed.

I hope this publication will be informative and useful as a reference tool. For additional information regarding this summary, or other activities of the committee, please contact the committee staff at (916) 319-3957.

Sincerely,

A handwritten signature in black ink that reads "Freddie Rodriguez".

Freddie Rodriguez,
Chairman

ASSEMBLY MEASURES

AB 33 (Bonta) - State public retirement systems: divestiture from private prison companies.

Prohibited investments, as prescribed, by the California Public Employees' Retirement System and California Teachers Retirement System, in private prisons, as described.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 181 (Maienschein) Hazardous waste: cost reimbursement.

Requires the Boards of Administration of the California Public Employees' Retirement System and the California State Teachers' Retirement System to each provide an annual report to the Legislature on the use of emerging managers.

Status: This bill was subsequently amended to address a different subject matter. Chapter 797, Statutes of 2019.

AB 249 (Choi) Public employers: employee organizations.

Prohibits certain activities by a public employer relating to labor organizing, including taking adverse action against a public employee or applicant for public employment, as specified.

Status: Failed passage in the Assembly Committee on Public Employment and Retirement.

AB 271 (Cooper) Civil service: Personnel Classification Plan: salary equalization.

Requires an evaluation and report by the California Department of Human Resources on gender and ethnicity pay equity for all civil service classifications where there is an underrepresentation of women and minorities, among other provisions.

Status: Died on the Senate inactive file.

AB 287 (Voepel) Public employees' retirement: annual audits.

Requires each state and local pension or retirement system to post a concise annual audit of the information described above on that system's internet website no later than the 90th day following the audit's completion.

Status: Not heard in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 314 (Bonta) Public employment: labor relations: release time.

Repeals, recasts and establishes uniform and minimum requirements for the exercise of statutory release time rights relating to public sector labor relations.

Status: Vetoed by the Governor.

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 314 without my signature.

This bill would require all public employers in the state to grant a reasonable number of public employees "release time" to serve as representatives of their unions for a range of purposes.

Release time is certainly an important element in collective bargaining agreements, and I believe that employers and employees benefit when workers participate in labor relations.

Yet, this bill is a one-size-fits-all approach. This issue is best left to the collective bargaining process so that governing authorities and public employee unions can best determine their priorities and needs at the bargaining table.

*Sincerely,
Gavin Newsom*

AB 355 (Daly) Public Employment Relations Board: Orange County Transportation Authority.

Requires employers and employees of the Orange County Transportation Authority to adjudicate charges of unfair practice before the Public Employment Relations Board, among other provisions.

Status: Chapter 713, Statutes of 2019.

AB 365 (Cristina Garcia) State civil service: examination and hiring processes.

Makes changes relating to the Limited Examination and Appointment Program administered by the California Department of Human Resources.

Status: Vetoed by the Governor.

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 365 without my signature.

Being inclusive and accommodating of people with disabilities is critical to creating a diverse workforce. Assembly Bill 365, however, would make permanent, at a significant cost, a pilot program that is still in need of improvement. Furthermore, this effort can be addressed administratively.

As a result, I am directing the Government Operations Agency, in collaboration with CalHR, to ensure that disability policies are included in the newly established Diversity Taskforce. This Taskforce has been created in order to ensure we achieve a state workforce that reflects the Californians we serve. The Taskforce will bring together civil and public servants to improve the State's hiring and retention of persons with disabilities, among other diversity issues.

For these reasons, I am unable to sign this bill but remain determined in our efforts to address this important issue.

*Sincerely,
Gavin Newsom*

AB 372 (Voepel) State employees: Infant at Work programs.

Authorizes a state agency, as defined, to adopt an Infant at Work pilot program to allow an employee who is a new parent or caregiver and to bring the infant to the workplace between January 1, 2020, until January 1, 2022, among other provisions.

Status: Vetoed by the Governor.

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 372 without my signature.

This bill would allow a state agency to adopt an Infant at Work pilot program, and adopt the necessary regulations that would permit an employee, who is a new parent or caregiver to an infant, the option to bring their infant to the workplace.

I recognize the value of this program, which is in line with my commitment to strengthening parent and caregiver bonding during the earliest months of a child's life. As such, an Infant at Work program might be worth exploring, but the bill as written exposes the state to a high level of risk of lawsuits and should be handled administratively or through collective bargaining. Moreover, the timeline stipulated does not provide adequate time to establish a policy and regulations for a program of this magnitude.

Therefore, I am directing CalHR to develop a pilot program to implement this concept in a thoughtful manner.

*Sincerely,
Gavin Newsom*

AB 462 (Rodriguez) Asset management: emerging managers.

Makes minor and technical changes relating to the Teachers' Retirement Law, administered by the California State Teachers' Retirement System, and the Public Employees' Retirement Law, administered by the California Public Employees' Retirement System.

Status: Held in the Senate Committee on Rules.

AB 529 (Ramos) Psychiatric technicians and psychiatric technician assistants: overtime.

Prohibits a state facility, as defined, from requiring psychiatric technicians or psychiatric technician assistants from being compelled to work overtime during a regularly scheduled workweek or work shift, except under certain circumstances, among other provisions.

Status: Died on the Senate inactive file.

AB 644 (Assembly Committee on Public Employment and Retirement) State teachers' retirement: compensation.

Makes various technical, conforming, clarifying and nonsubstantive changes to the Education Code relating to the Teachers' Retirement Law, administered by the California State Teachers' Retirement System.

Status: Chapter 96, Statutes of 2019.

AB 664 (Cooper) County employees' retirement: permanent incapacity.

Requires, for purposes of determining incapacity of certain peace officers in the County of Sacramento, that they be evaluated by the county retirement system to determine ability to perform duties, as provided, among other provisions. This bill was subsequently amended to address a different subject matter.

Status: This bill was subsequently amended to address a different subject matter. Died on the Senate inactive file.

AB 672 (Cervantes) Public employees' retirement: disability retirement: reinstatement.

Makes changes relating to disability retirement for purposes of the Public Employees' Retirement Law, administered by the California Public Employees' Retirement System.

Status: Chapter 98, Statutes of 2019.

AB 866 (Petrie-Norris) State employment: reduced worktime.

Requires an appointing power for a full-time position to allow for reduced worktime, including, but not limited to, job sharing by two or more employees for a position, in accordance with the Reduced Worktime Act, among other provisions.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 894 (Santiago) Attorney General: directors and employees: exemption from civil service.

Requires the Governor, with recommendation of the Attorney General, to appoint six directors and six associate directors of the Attorney General's office who are exempt from state civil service.

Status: Chapter 311, Statutes of 2019.

AB 969 (Gonzalez) Collective bargaining: Legislature.

Establishes the Legislature Employer-Employee Relations Act that would grant collective bargaining rights to certain employees of the Legislature; thereby, governing the employer-employee relationship, among other provisions.

Status: Held in the Assembly Committee on Public Employment and Retirement.

AB 979 (Reyes) Judges' Retirement System II: deferred retirement.

Makes changes to the Judges' Retirement System II relating to deferred retirement of judges, as provided.

Status: This bill was subsequently amended to address a different subject matter. Chapter 316, Statutes of 2020.

AB 1002 (Quirk-Silva) State public employment: memorandum of understanding: Bargaining Unity 6.

Ratifies provisions of a Memorandum of Understanding between the state and state bargaining unit 6, represented exclusively by the California Correctional Peace Officers Association.

Status: This bill was subsequently amended to address a different subject matter. Held in the Senate Committee on Environmental Quality.

AB 1007 (Jones-Sawyer) State Civil Service Act: adverse action: notice.

Makes changes to causes of discipline and adverse action relating to state employees, as provided, and applies a date certain for other causes for discipline, adverse action and notice requirement.

Status: This bill was subsequently amended to address a different subject matter. Held by the Senate Committee on Public Safety.

AB 1033 (Cooper) State employment: new employees: information.

Requires a state employer as the appointing authority, to provide an explanation of the benefits that accompany state service before offering employment and, before the applicant accepts employment, there must be a written memorialization acknowledging that the applicant received specified materials, among other provisions.

Status: Chapter 447, Statutes of 2019.

AB 1140 (Mark Stone) Public Employees' Retirement System: contracting agencies: consolidation.

Authorizes on or after June 30, 2020, a successor agency for the Central Fire Protection District and the Aptos/La Selva Fire Protection District to provide employees the defined benefit plan or formula that those employees received from the respective employer prior to the consolidation, and includes legislative findings and declarations for these purposes.

Status: Chapter 65, Statutes of 2020.

AB 1198 (Mark Stone) Public employees' retirement: pension reform: excepted employees: transit workers.

Excepts transit workers hired before January 1, 2016, from the Public Employees' Pension Reform Act (PEPRA) by removing the federal district court contingency language from the provision excepting certain transit workers from PEPRA, among other provisions.

Status: Held in the Assembly Committee on Public Employment and Retirement.

AB 1200 (Patterson) Whistleblower protection.

Expands the definition of "protected disclosure" to include a complaint made to a Member of the Legislature, the Legislature, or any subdivision thereof.

Status: Held on the Assembly Committee on Appropriations suspense file.

AB 1212 (Levine) Public employees' retirement: pension fund management: in-state infrastructure.

Requires a state agency that is responsible for infrastructure projects to produce a list of priority infrastructure projects for funding consideration by the respective boards of the California Public Employees' Retirement System, California State Teachers' Retirement System and the boards of investment and retirement for 1937 Act County Employees' Retirement Law, and the state agency to provide further project information to the board upon request to help the board determine if investment is suitable.

Status: Vetoed by the Governor.

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1212 without my signature.

The bill would require the Department of Transportation and the Department of Water Resources to develop a list of priority infrastructure projects to provide to the California Public Employees' Retirement System, the California State Teachers Retirement System, and county retirement systems.

The reporting requirements that this bill proposes are unnecessary, as existing law already encourages public retirement systems to invest in state infrastructure.

*Sincerely,
Gavin Newsom*

AB 1320 (Nazarian) Public employee retirement systems: prohibited investments: Turkey.

Prohibits the California Public Employees' Retirement System and the California State Teachers' Retirement System from investing in the government of Turkey and certain financial instruments of the sovereign state, if the federal government of the United States, as provided, imposes sanctions on Turkey for failing to acknowledge the Armenian Genocide, among other provisions.

Status: Chapter 459, Statutes of 2019.

AB 1332 (Bonta) Sanctuary State Contracting and Investment Act.

Established the Sanctuary State Contracting and Investment Act, which would, among other things, prohibit a city, county, or city and county from entering into a new, amended, or extended contract or agreement with any person or entity that provides United States Immigration and Customs Enforcement or United States Customs and Border Protection with any data broker, extreme vetting, or detention facilities services, as defined, unless the city, county, or city and county has made a finding that no reasonable alternative exists, as specified, and among other provisions.

Status: This bill was withdrawn from the Assembly Committee on Public Employment and Retirement, and re-referred to another Assembly policy committee.

AB 1353 (Wicks) Classified employees: probationary period.

Reduces the maximum length of the probationary period for classified (K-12) public school employees working in nonmerit based districts from one year to not exceeding six months or 130 days of paid service, whichever is longer, among other provisions.

Status: Chapter 542, Statutes of 2019.

AB 1452 (O'Donnell) State teachers' retirement.

Repeals, recasts by restructuring relevant provisions, and clarifies membership in the Defined Benefit Program and Cash Balance Benefit Program administered by the California State Teachers' Retirement System.

Status: Chapter 318, Statutes of 2019.

AB 1681 (Gonzalez) Public employees: collective bargaining: unit determinations.

Eliminates the threshold requirement of 20 or more supervisory peace officer employees in a negotiating unit for K-12 public school and community college districts relating to the appropriateness standard for purposes of bargaining unit determination.

Status: Vetoed by the Governor.

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1681 without my signature.

This bill would amend the Educational Employment Relations Act (EERA) by lowering the numerical threshold for supervisory peace officers to form an exclusive supervisory peace officer bargaining unit in the K-12 and community college systems.

This bill is unnecessary, as the EERA offers a robust and well-established framework for these peace officers to negotiate pay and benefits at a level commensurate with their duties and risk exposure in our education system.

For this reason, I am returning this bill without my signature.

*Sincerely,
Gavin Newsom*

AB 1906 (Salas) Pregnant correctional officers: duty assignment policy.

Requires the Department of Human Resources, in cooperation with the California Department of Corrections and Rehabilitation, to establish a policy relating to pregnant correctional officers and work assignments, among other provisions.

Status: Vetoed by the Governor.

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1906 without my signature.

This bill would require the Department of Corrections and Rehabilitation (CDCR), in consultation with the Department of Human Resources, to establish a policy permitting a pregnant peace officer to perform alternate, light duty assignments, as specified, and would require the policy to include specified elements.

CDCR is already implementing a policy allowing staff with medical limitations, including those related to pregnancy, to request light-duty assignments. Because this bill is duplicative of existing efforts, I am unable to sign it.

*Sincerely,
Gavin Newsom*

AB 1926 (Gonzalez) University of California: employees: collective bargaining agreements.

Makes it unlawful for the regents or any other person or entity representing the University of California to demand or insist that employees of the university or the exclusive representative of those employees waive the right to petition the government, or the voters pursuant to the initiative power, for redress of grievances as part of a collective bargaining agreement.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 1945 (Salas) Emergency services: first responders.

Defines, for purposes of the California Emergency Services Act, “first responder” as an employee of the state or a local public agency who provides emergency response services, including a peace officer, firefighter, paramedic, emergency medical technician, public safety dispatcher, or public safety telecommunicator, among other provisions.

Status: This bill was re-referred to the Assembly Committee on Governmental Organization. Chapter 68, Statutes 2020.

AB 1975 (Bigelow) Postretirement health benefits: contributions: County of Madera.

Creates an alternative funding formulation for employer contributions for postretirement health care benefits for specified employees of the County of Madera, among other provisions.

Status: Not heard in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 2101 (Assembly Committee on Public Employment and Retirement) Public employees' retirement.

This is the omnibus public employees' retirement technical clean-up bill relating to the Public Employees' Retirement Law, the Teachers' Retirement Law, and the 1937 Act County Employees' Retirement Law administered by the California Public Employees' Retirement System, the California State Teachers' Retirement System, and the 20 independent County Employee Retirement Systems, respectively.

Status: Chapter 275, Statutes of 2020.

AB 2114 (Rodriguez) Higher Education Employer-Employee Relations Act: procedures relating to employee termination or discipline.

Provides minimum rights, including due process, for specified nonprobationary employees working for a higher education employer, as provided, among other provisions.

Status: Vetoed by the Governor.

Governor's Veto Message

To the Members of the California State Assembly:

I am returning Assembly Bill 2114 without my signature.

This bill would require certain higher education employers to provide an arbitration or hearing officer process to challenge a termination of employment or a disciplinary action for medical and dental interns and residents. The bill excludes disciplinary actions and terminations based on academic or clinical matters, making arbitration available only for matters within the scope of representation.

These residents and interns represent our State's pipeline of medical professionals, and they have been on the frontlines of the COVID-19 pandemic. They deserve an opportunity to challenge a disciplinary action or termination of employment that may be wrongful and that could potentially jeopardize their professional career. However, I believe that the definition of "academic" and "clinical" in this bill is too narrow and does not fully consider the various criteria used in determining a resident's readiness to safely practice.

I encourage the affected parties to agree upon a definition that both protects employees' due process rights and patient safety.

*Sincerely,
Gavin Newsom*

AB 2212 (Assembly Committee on Accountability and Administrative Review) State employees: pay system: warrants upon death.

Revises provisions regarding pay warrants to instead require the appointing power, upon sufficient proof of the person's identity, to endorse and deposit the warrants in a specified manner and issue a revolving fund check in the original amount payable to the designated person.

Status: Held in the Assembly Committee on Accountability and Administrative Review.

AB 2219 (O'Donnell) State Teachers' Retirement System: individual retirement plans: administration.

Authorizes the California State Teachers' Retirement System to offer a traditional tax-deferred Individual Retirement Account, among other provisions.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 2234 (Chau) Classified school and community college employees: personnel commission: legal counsel.

Makes changes relating to legal counsel and representation of a personnel commission.

Status: Chapter 48, Statutes of 2020.

AB 2307 (Bonta) Public employment: labor relations: release time.

Prescribes requirements relating to release time that would apply to all of the public employers and employees subject to the various employer-employee relations acts, among other provisions.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 2328 (Cristina Garcia) Civil service: Limited Examination and Appointment Program.

Requires the California Department of Human Resources to provide an appointing power a Limited Examination and Appointment Program list without combining that list with a parallel list, among other provisions.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 2365 (Rodriguez) Public Employees' Retirement System: employment without reinstatement.

Provides permissive authority to the California Public Employees' Retirement System regarding reinstatement relating to retired members, among other provisions.

Status: Held in the Senate Committee on Labor, Public Employment and Retirement at the request of the author.

AB 2378 (Cooper) Public Employees' Retirement System: postretirement death benefit.

Authorizes the Board of Administration of the California Public Employees' Retirement System, beginning on or after January 1, 2021, to adjust the death benefit amounts following each actuarial valuation to reflect changes in the All Urban California Consumer Price Index, as specified.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 2394 (Cooper) Public Employees' Retirement System: allowances: cost of living adjustment.

Changes the definition of "consumer price index," effective January 1, 2021, to instead refer to the California Consumer Price Index for All Urban Consumers for all items, as determined by the Department of Industrial Relations.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 2433 (Cooper) Local public employee organizations.

Revises a timeframe relating to impasse procedures in collective bargaining for local public employer-employee relations and the implementation of a last, best, and final offer.

Status: Held in the Assembly Committee on Appropriations.

AB-2473 (Cooper) Public investment funds.

Makes changes to the Public Records Act relating to investments by a public investment fund, among other provisions

Status: Not heard in the Senate Committee on Labor, Public Employment and Retirement at the request of the author.

AB 2510 (Cooley) State teachers' retirement: investment managers and investment advisers: contracts.

Authorizes the California State Teachers Retirement System to contract with investment advisers, as defined, upon the same finding by the board and approval by the State Personnel Board, and to establish a competitive bidding process for such contracts, among other provisions.

Status: Not heard in the Assembly Committee Public Employment and Retirement at the request of the author.

AB 2593 (Boerner Horvath) Emergency services: first responders.

Defines, for purposes of the California Emergency Services Act, "first responder" as an employee of the state or a local public agency who provides emergency response services, including a peace officer, a firefighter, a paramedic, an emergency medical technician, rescue service personnel, including an open water lifeguard or harbor patrol officer, or an emergency manager.

Status: This bill was dual referred to the Assembly Committee on Governmental Organization, and held in that committee.

AB 2780 (Holden) Public employee retirement systems: prohibited investments: Turkey and Azerbaijan.

Prohibits the boards of specified public pension or retirement systems from making additional or new investments or renew existing investments of public employee retirement

funds in any investment vehicle that is issued or owned by the government of Azerbaijan or Turkey upon the passage of a federal law imposing sanctions on the government of Turkey for imposing an economic blockade of Armenia, among other provisions.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 2850 (Low) Public transit employer-employee relations: San Francisco Bay Area Rapid Transit District.

Grants the Public Employment Relations Board jurisdiction over disputes relating to employer-employee relations between the San Francisco Bay Area Rapid Transit District and its employees, among other provisions.

Status: Chapter 293, Statutes of 2020.

AB 2937 (Fong) CERL: non-service-connected disability retirement.

Creates an optional provision, to be elected by a county board of supervisors by resolution adopted by majority vote, that would remove a 1937 Act board of retirement assessment regarding the intemperate use of alcoholic liquor or drugs as a condition on the purchase of a disability retirement pension by county or district contributions.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 2967 (O'Donnell) Public Employees' Retirement System: contracting agencies: exclusion from membership.

Prohibits public agencies from amending their contract for retirement benefits with the California Public Employees' Retirement System to exclude groups of employees.

Status: Chapter 223, Statutes of 2020.

AB 2998 (Kiley) Teachers: defined contribution plans: salaries.

Authorizes a school district to offer a defined contribution plan to certificated employees and would exclude a certificated employee who opts into a defined contribution plan from membership in the Defined Benefit Program, among other provisions.

Status: Held in the Assembly Committee on Public Employment and Retirement.

AB 3069 (Lackey) State employment: homeless and foster youth: pilot program.

Establishes a Limited Exam and Appointment Program (LEAP) internship pilot project, administered by the California Department of Human Resources, relating to state employment for homeless youth and former foster youth, among other provisions.

Status: Held on the Assembly Committee on Appropriations suspense file.

AB 3096 (Chiu) Deterring union membership: University of California: violations.

Authorizes a claim to be brought before the Public Employment Relations Board by an employee organization against the University of California for certain violations, and attaches financial liability to the UC for the violation, among other provisions.

Status: Held in the Senate Committee on Labor, Public Employment and Retirement.

AB 3104 (Kiley) Civil service: veterans' preference.

Require that a department or designated appointing authority use the document, as prescribed, to facilitate a request for certain preferences for veterans.

Status: Held in the Assembly Committee on Veteran Affairs.

AB 3179 (McCarty) Education finance: school district finances: Educational Employment Relations Act.

Would, among other provisions, continue the authority of the county superintendent of schools to stay or rescind any action of the school district governing board that is determined to be inconsistent with the ability of the school district to meet its obligations for the current or subsequent fiscal year, without interruption, until the next subsequent year's budget is approved by the county superintendent of schools, if a county superintendent of schools disapproves a school district's budget for a subsequent year.

Status: Held in the Assembly Committee on Education.

AB 3237 (Maienschein) Classified school employees: part-time assignments.

Requires a classified employee who works a minimum of 30 minutes per day in excess of the employee's part-time assignment for a period of 20 working days or more in a school year, to have their basic assignment changed to reflect the longer hours.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 3249 (Fong) Public retirement: Controller: annual report.

Requires the Controller to post a report on the financial condition of all state and local public retirement systems on the Controller's internet website.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

AB 3302 (Salas) State public employment: memorandum of understanding: State Bargaining Unit 6.

Ratifies provisions of a Memorandum of Understanding (MOU) between the state and state bargaining unit (BU) 6 (Corrections), represented exclusively by the California Correctional Peace Officer Association.

Status: Held in the Senate Committee on Labor, Public Employment and Retirement.

ACA 5 (Weber) Government preferences.

Amends the California Constitution by repealing Section 31 of Article I relating to the prohibition against discrimination or preferential treatment, among other provisions.

Status: Resolution Chapter 23, Statutes of 2020.

SENATE MEASURES

SB 179 (Nielsen) Excluded employees: arbitration.

Provides state excluded employees, such as managers and supervisors, the option of requesting binding arbitration as a method for resolving disputes with their employers after first exhausting the current grievance resolution procedures, among other provisions.

Status: Vetoed by the Governor.

Governor's Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 179 without my signature.

SB 179 would allow state employee supervisors to request binding arbitration as part of the grievance process. Current law allows managers and supervisors to pursue resolution of disagreements through a four-step grievance process and pursue a claim with the State Personnel Board. SB 179 would add a costly step to this process.

Expanding the right to arbitrate to state managers and supervisors will result in increased costs not contemplated in the 2020 Budget at a time when the State is facing massive cost pressures due to the COVID-19 pandemic.

Therefore, I am returning SB 179 without my signature.

*Sincerely,
Gavin Newsom*

SB 184 (Moorlach) Judges' Retirement System II: deferred retirement.

Establishes the Judicial Fairness Act of 2019 which authorizes a deferred retirement option under the Judges' Retirement System II (JRS II) administered by the California Public Employees' Retirement System, to permit a judge to leave judicial office and receive a retirement allowance at a later date upon reaching the requisite JRS II retirement age, among other provisions.

Status: Vetoed by the Governor.

Governor's Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 184 without my signature.

This bill would lower the minimum age at which a judge who is a member of the Judges' Retirement System (JRS) II can retire from judicial service and still maintain eligibility for full pension benefits. Specifically, SB 184 would allow a judge to leave the bench at age 60, retire, and defer receiving a monthly defined benefit allowance until the judge reaches age 65 (with at least 20 years of service) or age 70 (with at least five years of service) - as long as all other current requirements for receiving retirement benefits are met.

The costs of modifying the current rules on judicial retirement as proposed in SB 184 are steep and would in some cases result in a judge receiving more generous benefits than what the same judge can currently receive. These concerns are not new and have been raised in previous iterations of this bill. It is also difficult to overlook the possibility that current rules may in some cases incentivize judges who are in poor health to prolong their service rather than retire and care for themselves or others.

I encourage the Legislature to work collaboratively with my Administration as well as the California Public Employees' Retirement System on a more narrow solution to these issues.

*Sincerely,
Gavin Newsom*

SB 266 (Leyva) Public Employees' Retirement System: disallowed compensation: benefit adjustments.

Establishes requirements relating to the reporting of disallowed compensation by state, school or contracting agency employers to, and retirement benefits paid by, California Public Employees' Retirement System retirees and their survivors or beneficiaries.

Status: Died on the Senate inactive file.

SB 430 (Wieckowski) Public employees' retirement benefits: judges.

Grants a judge who was elected to office in 2012, but did not take office until on or after January 1, 2013, the option of making a one-time, irrevocable election to have a pre-January 1, 2013, membership status in the Judges' Retirement System II (JRS II) for service accrued after on and after July 1, 2020, among other provisions.

Status: Not heard in the Assembly Committee on Public Employment and Retirement at the request of the author.

SB 782 (Senate Committee on Labor, Public Employment and Retirement) Public employees' and judges' retirement: administration.

Makes technical and noncontroversial changes to various sections of the Government Code governing the California Public Employees' Retirement System to maintain and ensure effective administration of the system.

Status: Chapter 330, Statutes of 2019.

SB 783 (Senate Committee on Labor, Public Employment and Retirement) County Employees Retirement Law of 1937

Correct several erroneous and obsolete cross-references within County Employees Retirement Law of 1937.

Status: Held in the Assembly Committee on Public Employment and Retirement at the request of the author.

SB 1173 (Durazo) Public employment: labor relations: employee information.

Authorizes the Public Employment Relations Board to levy a penalty on a public employer for violating certain rights of an exclusive representative of employees relating to the Public Employee Communication Chapter, among other provisions.

Status: Died on the Senate inactive file.

SJR-3 (Wilk) Social Security

Requests the United States Congress to enact, and the President to sign, legislation that would repeal the Government Pension Offset and Windfall Elimination Provision from the federal Social Security Act, and transmittal of this resolution, as specified.

Status: Resolution Chapter 129, Statutes of 2019.