

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: Original
POSITION: Neutral
SPONSOR: American Federation of State, County, and Municipal Employees (AFSCME)

BILL NUMBER: AB 1606
AUTHOR: Perea, Henry

BILL SUMMARY: Local public employee organizations: impasse procedures.

This bill would clarify that mediation is not required as a precondition for a factfinding panel to address collective bargaining disputes between local public employee organizations and their local government employers.

FISCAL SUMMARY

The Public Employment Relations Board (PERB) states that no additional costs are needed to implement this bill, and Finance concurs.

COMMENTS

Finance is neutral on this bill because it does not generate additional costs for PERB. This bill is a policy matter concerning local government collective bargaining and does not affect or amend statutes or provisions relating to the Ralph C. Dills Act, which governs state employer-employee relations.

This bill makes changes to Chapter 680, Statutes of 2011 (AB 646), which allowed local government employees to request factfinding through PERB before a local government employer could impose a last, best, and final offer. Though the author's office and supporters contend this bill is a technical clean-up, this bill would clarify a substantive dispute between labor and some local governments that arose during the rule-making process in late 2011 for implementing AB 646.

Specifically, the bill makes clear that mediation is not required before parties can pursue resolution through a PERB factfinding panel. AB 646 may have suggested that factfinding can occur only after mediation efforts have been exhausted. Because some local government entities do not utilize mediation services as a matter of practice or policy during negotiations, the drafting of AB 646 left it unclear if public employees in non-mediation cities, counties, and districts could still seek redress from a factfinding panel.

In adopting emergency regulations through the Office of Administrative Law, PERB took the view that mediation should not be required as a precondition of factfinding. PERB is in the process of formalizing those rules. This bill conforms to the regulations and adds certainty to the impasse procedure.

In addition to AFSCME, several other labor organizations are co-sponsoring this legislation.

Analyst/Principal (0933) K.Martone Date Program Budget Manager Diana Ducay Date
Department Deputy Director Date
Governor's Office: By: Date: Position Approved Position Disapproved
BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

**BILL ANALYSIS--(CONTINUED)**

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Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					Fund Code	
	LA	(Dollars in Thousands)						
	CO	PROP						
	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014
8320/Employ Rel	SO	No		-----	No/Minor Fiscal Impact	-----		0001