

2019

2017-2018 Legislative Summary

Assembly Committee on Public Employees, Retirement and Social Security

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ASSEMBLY COMMITTEE ON PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY

Assemblymember Freddie Rodriguez
Chair

2017-2018 LEGISLATIVE SUMMARY

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October 19, 2018

To all interested parties:

The following summary of legislation reviewed by the Assembly Committee on Public Employees, Retirement and Social Security during the 2017-18 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,

Freddie Rodriguez
Chairman

ASSEMBLY MEASURES

AB-20 (Kalra) - Public employee retirement systems: divestment: Dakota Access Pipeline.

Requires the Boards of California Public Employees' Retirement System and the California State Teachers' Retirement System to submit a report to the Legislature and Governor regarding investments in, and engagement activities with, companies constructing or funding the construction of the Dakota Access Pipeline.

Status: Chapter 575, Statutes of 2017

AB-22 (Bonta) - State employment.

Makes changes to existing law regarding any public employee who advocates, or is knowingly a member of a subversive organization that advocates the overthrow of the federal or any state government by force or violence, among other provisions.

Status: Chapter 834, Statutes of 2017

AB-52 (Cooper) - Public employees: orientation and informational programs: exclusive representatives.

Requires a public employer to provide all public employees an orientation, and permit the employee's exclusive representative to participate, among other provisions.

Status: Not heard in the Assembly Public Employees, Retirement and Social Security Committee at the request of the author

AB-83 (Santiago) - Collective bargaining: Judicial Council.

Establishes the Judicial Council Employer-Employee Relations Act that would grant collective bargaining rights to certain employees of the Judicial Council thereby governing the employer-employee relationship, and confers certain rights to these employees regarding joining an employee organization and rights to the employee organization representing these employees, among other provisions.

Status: Chapter 835, Statutes of 2017

AB-161 (Levine) - Department of Finance: infrastructure investment.

Authorizes the Department of Finance (DOF) to identify infrastructure projects in California where DOF can guarantee a rate of return on investments made by the Public Employees' Retirement System.

Status: Held in the Senate Rules Committee

AB-183 (Lackey) - Bill of Rights for State-Excluded Employees.

Requires each state agency that employs excluded supervisory employees, to develop policies regarding shift assignments, vacations and overtime, among other provisions.

Status: Vetoed by the Governor

AB-283 (Cooper) - County employees' retirement: permanent incapacity.

Requires '37 Act County Retirement systems to use existing procedures established by the system when evaluating peace officers for determining whether that member can perform his or her duties, among other provisions.

Status: Held in the Senate Public Employment and Retirement Committee at the request of the author

AB-349 (McCarty) - Civil service: preference: special immigrant visa holder.

Authorizes nationals of Iraq and Afghanistan who assisted the United States Armed Forces as translators, to be ranked in the top of the resulting eligibility list if he or she achieves a passing score on the state civil service entrance examination.

Status: Chapter 643, Statutes of 2018 (after substantial amendments that removed these provisions)

AB-512 (Rodriguez) - Public employees' retirement: safety members: industrial disability retirement.

Removes the sunset provision from existing law related to retirement calculations for a safety member of the California Public Employees Retirement System who retires on or after January 1, 2013, for an industrial retirement disability benefit.

Status: Chapter 841, Statutes of 2017

AB-526 (Cooper) - County employees' retirement: districts: retirement system governance.

Authorizes the Sacramento County retirement system (System) to elect operating authority, as specified, and prescribes options for employees to elect to become employees of the System, not the county, among other provisions.

Status: Held in the Senate Public Employment and Retirement Committee at the request of the author

AB-530 (Cooper) - Public employment: collective bargaining: peace officers.

Expands the jurisdiction of the Public Employment Relations Board to include resolving disputes and statutory duties and rights of peace officers, as specified.

Status: Vetoed by the Governor

AB-561 (Voepel) - Sales and use taxes: exclusion: public safety first responder vehicle and equipment: local public employee retirement: employer contributions.

Increases the amount of employer contributions credited to a local public agency's retirement fund and specifies that the contributions must not supplement, nor supplant other employer contributions made by the local public agency to its retirement fund, among other provisions related to taxation.

Status: Held in the Assembly Appropriations Committee

AB-590 (Medina) - Public employees' retirement: membership election.

Provides specified members of the California Public Employees' Retirement System (CalPERS) a break in service between their CalPERS-covered employment and covered employment under the California State Teachers' Retirement System (CalSTRS).

Status: Chapter 108, Statutes of 2017

AB-592 (Dahle) - Public employees' retirement: contracting agencies.

This bill would authorize a contracting agency to request a calculation of the total costs necessary to terminate its contract with the California Public Employees' Retirement System.

Status: Held in the Assembly Public Employees, Retirement and Social Security Committee

AB-621 (Bocanegra) - Classified employees: Classified School Employees Summer Furlough Fund.

Establishes a partially self-funded account that would allow classified school employees, as specified, to voluntarily contribute earnings that are matched by the state on a 2-to-1 ratio for the purposes of covering their payroll during periods of school recess.

Status: Vetoed by the Governor

AB-670 (Thurmond) - Classified employees: part-time playground positions.

Removes the provision exempting playground positions at school districts from classified service, as specified, and among other provisions.

Status: Chapter 582, Statutes of 2017

AB-679 (Cooley) - Public employees' retirement: investments: security loans.

Expands the types of collateral that the California Public Employees' Retirement System can accept in security loan agreements and international government bonds, among other provisions.

Status: Chapter 198, Statutes of 2017

AB-946 (Ting) - State public retirement systems: divestiture: border wall construction companies.

Requires the Boards of California Public Employees' Retirement System and the California State Teachers' Retirement System to submit a report to the Legislature and Governor regarding investments in, and engagement activities with, companies constructing the border wall.

Status: Held in the Assembly Public Employees, Retirement and Social Security Committee at the request of the author

AB-995 (Limón) - County employee retirement: retirement board appointees: leave balances.

Requires that any leave balance accrued by a county employee prior to his or her appointment as an employee of the Ventura County retirement system, to be transferred to the retirement system, and that the county pay to the system an equal amount of the value of the accrued leave, among technical, nonsubstantive changes.

Status: Chapter 48, Statutes of 2017

AB-1017 (Santiago) - Collective bargaining agreements: arbitration: litigation.

Makes applicable, in legal causes of action between parties to a collective bargaining agreement, provisions related to arbitration and awarding of attorney's fees, subsequent appeals thereof, and the compelling of compliance by nonprevailing party, to private and public employment.

Status: Held at the Senate Desk

AB-1023 (Brough) - Ronald Reagan Day: state holiday.

Designates February 6 as Ronald Reagan Day, a state holiday that would permit any state employee, as defined, to elect to receive this day as a holiday in lieu of other holidays, among other provisions.

Status: Failed passage in the Assembly Public Employees, Retirement and Social Security Committee

AB-1243 (Arambula) - Public Employees' Retirement System: replacement benefits plan.

Authorizes a county superintendent of schools to draw requisitions on an annual basis against the funds of the county school service, respective school districts, or other local educational agencies to pay contributions to the replacement benefit plan, as specified. **Status: Chapter 277,**

Statutes of 2017

AB-1250 (Jones-Sawyer) - Counties and cities: contracts for personal services.

Establishes specific standards for the use of personal service contracts by counties and cities, among other provisions.

Status: Held in the Senate Rules Committee

AB-1309 (Cooley) - Employment without reinstatement: failure to enroll or report: fee.

Authorizes the California Public Employees' Retirement System to assess employers a \$200 fee each month, and per retired member, for failure to report the hiring and payroll information of members working in retirement.

Status: Chapter 261, Statutes of 2017

AB-1310 (Travis Allen) - Public retirement systems: member statements: unfunded liability disclosure.

Requires the retirement board of a public retirement system to disclose the unfunded liability and healthcare debt of the system, among other provisions.

Status: Failed passage in the Assembly Public Employees, Retirement and Social Security Committee

AB-1311 (Travis Allen) - Public Employees' Retirement System: board.

Revises the composition of the California Public Employees' Retirement System's Board of Administration, among other provisions.

Status: Held in the Assembly Public Employees, Retirement and Social Security Committee at the request of the author

AB-1325 (Committee on Public Employees, Retirement, and Social Security) - State teachers' retirement.

Makes various technical and conforming changes to the Teachers' Retirement Law necessary for continued effective administration of the California State Teachers' Retirement System. .

Status: Chapter 298, Statutes of 2017

AB-1428 (Low) - Peace officers: transparency.

States legislative intent to foster relations between the public and law enforcement through transparency, and creates an option for law enforcement departments and employee organizations representing uniformed employees to mutually adopt a mediation program to resolve civilian complaints, as specified, and among other provisions related to the Penal Code.

Status: Held in the Senate Appropriations Committee

AB-1451 (McCarty) - State teachers' retirement: retirees.

Exempts from the post-retirement compensation limit, the compensation of a retired classroom teacher, as specified, who returns to work to fill a critical need position due to a teacher shortage, among other provisions.

Status: Not heard in the Assembly Public Employees, Retirement and Social Security Committee

AB-1487 (Rodriguez) - Public Employees' Retirement System: limited term appointments.

Establishes a limit of 960 hours of work by employees when employers, as specified, place employees in vacant and upgraded positions on a temporary basis, among other provisions.

Status: Chapter 229, Statutes of 2017

AB-1597 (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 any investment vehicle issued by, owned, controlled, or managed by the government of Turkey, among other provisions.

Status: Vetoed by the Governor

AB-1603 (Ridley-Thomas) - Meyers-Milias-Brown Act: local public agencies.

Codifies a ruling by the National Labor Relations Board related to joint employment relationships.

Status: Died on the Senate Inactive File

AB-1912 (Rodriguez) - Public employees' retirement: joint powers agreements: liability.

Prohibits member agencies of Joint Powers Authority (JPA) from disclaiming the retirement liability of a JPA and requires the apportionment of retirement liability among JPA member agencies if the JPA's agreement with the Board of Administration of the California Public Employees' Retirement System is terminated, or the JPA dissolves or ceases operations as applied to other California public retirement systems or associations, among other provisions.

Status: Chapter 909, Statutes of 2018

AB-1916 (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, as specified, for all civil service classifications where there is an underrepresentation of women and minorities, among other provisions.

Status: Vetoed by the Governor

AB-1937 (Santiago) - Public employment: payroll deductions.

Revises and recasts provisions related to payroll deduction for the payment of dues by an employee to an organization, as specified, among other provisions.

Status: Not heard in the Senate Appropriations Committee

AB-2004 (Oberholte) - Big Bear Fire Agencies Pension Consolidation Act of 2018.

Enacts the Big Bear Fire Agencies Pension Consolidation Act of 2018 which provides that all safety employees currently employed by the Big Bear Lake Fire Protection District would be deemed employees of the Big Bear Fire Authority upon a resolution adopted by the San Bernardino County Employees' Retirement Association, among other provisions.

Status: Chapter 72, Statutes of 2018

AB-2017 (Chiu) - Public employers: employee organizations.

Amends existing law by also prohibiting public employers from deterring or discouraging prospective public employees from becoming or remaining members of an employee organization.

Status: Not heard in the Senate Appropriations Committee

AB-2048 (Gonzalez Fletcher) - Collective bargaining: Legislature.

Establishes the Legislative Employer-Employee Relations Act that would grant collective bargaining rights to certain employees of the Legislature; thereby, governing the employer-employee relationship, and confers certain rights to these employees regarding joining an employee organization, and rights to the employee organization representing these employees, among other provisions.

Status: Failed passage in the Assembly Public Employees, Retirement and Social Security Committee

AB-2049 (Gonzalez Fletcher) - Classified school and community college employees: payroll deductions for employee organization dues.

Amends existing law regarding the payment of dues, as specified, by a classified employee of a school district or community college district for service provided by a bona fide employee organization.

Status: Not heard in the Senate Appropriations Committee

AB-2052 (Bonta) - State Teachers' Retirement System: contributions due to system: form.

Requires contributions due to the California State Teachers' Retirement System (CalSTRS) by employers under the Defined Benefit and Cash Balance Benefit Programs to be paid by electronic funds transfer method, as specified, upon authorization by CalSTRS, among other provisions.

Status: Chapter 125, Statutes of 2018

AB-2076 (Rodriguez) - County employees' retirement: disability: date of retirement.

Provides statutory authority to the Board of Retirement of the Los Angeles County Employees Retirement Association to correct decisions made in the determination of the effective date of disability retirement.

Status: Chapter 97, Statutes of 2018

AB-2085 (Cooley) - Retirement systems: surviving spouse.

Defines, for purposes of the County Employees' Retirement Law of 1937, "surviving spouse" to mean a person who is legally married to the member, who is neither divorced nor legally separated from the member at the time of the member's death, and who meets all other requirements pertaining to the length of the marriage and the person's age at the time of the member's death.

Status: Not heard in the Assembly Public Employees, Retirement and Social Security Committee at the request of the author

AB-2154 (Bonta) - Public employment: labor relations: release time.

Modifies existing law by establishing uniform and minimum requirements related to release time rights that apply to public employers, as defined, and their employees subject to specified collective bargaining statutes.

Status: Not heard in the Assembly Public Employees, Retirement and Social Security Committee at the request of the author

AB-2160 (Thurmond) - Classified employees: school and community college districts: part-time playground positions.

Repeals provisions exempting part-time playground positions from the classified service in school districts (K-12) and community college districts, among technical and clarifying changes.

Status: Chapter 488, Statutes of 2018

AB-2196 (Cooper) - Public employees' retirement: service credit: payments.

Makes changes in the Public Employees' Retirement Law administered by the California Public Employees Retirement System regarding payments to purchase or convert service credit.

Status: Chapter 168, Statutes of 2018

AB-2261 (Friedman) - School employees: merit system: classified service: community representatives.

Amends existing law by requiring positions established for the employment of community representatives in advisory or consulting capacities in elementary and secondary school districts to be considered part of the classified services, among other provisions.

Status: Chapter 297, Statutes of 2018

AB-2305 (Rodriguez) - Public employment: collective bargaining: peace officers.

Expands the jurisdiction of the Public Employment Relations Board, as specified, related to peace officer employee organizations, and excludes employers and employees under the jurisdiction of employee relations commissions for the County and City of Los Angeles.

Status: Vetoed by the Governor

AB-2310 (Aguilar-Curry) - Public Employees' Retirement System: contracting members.

Amends existing law relating to changes in cost sharing percentages memorialized in a Memorandum of Understanding between a contracting agency of the California Public Employees Retirement System and its employees, and the approval process for those changes, among other provisions.

Status: Chapter 213, Statutes of 2018

AB-2415 (Calderon) - Public Employees' Retirement System: officers and directors: appointment and compensation.

Adds the positions of Chief Operating Officer and Chief Health Director to the list of existing positions for which the California Public Employees' Retirement System Board of Administration has compensation setting authority.

Status: Chapter 916, Statutes of 2018

AB-2481 (Voepel) - State employees: Infant at Work programs.

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

Status: Held in the Senate Appropriations Committee

AB-2571 (Gonzalez Fletcher) - Public employee retirement systems: investments: race and gender pay equity.

Requires a public investment fund to require an alternative investment vehicle to, at least annually, report specified information relating to hospitality employers pertaining to race and gender pay equity and sexual harassment, among other provisions.

Status: Not heard in the Assembly Public Employees, Retirement and Social Security Committee at the request of the author

AB-2628 (Rodriguez) - State employees: memorandum of understanding: approval.

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

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

AB-2696 (Rodriguez) - Public Employees' Retirement System: limited term appointments.

Clarifies the intent and calculation of employer penalties for violating the 960-hour limit per fiscal year on out-of-class appointments.

Status: Chapter 767, Statutes of 2018

AB-2713 (Rodriguez) - Public employment: sexual harassment tracking.

Creates a centralized method to track sexual harassment complaints received and filed by state employees in each state agency and department; the amount paid or received to settle these complaints; and, requires the findings to be compiled in a report and made available to the Legislature and public, among other provisions.

Status: Vetoed by the Governor

AB-2830 (Reyes) - County agencies: interns and student assistants: hiring preference.

Extends hiring preference requirements to county agencies when hiring for internship and student assistant positions, among other provisions.

Status: Chapter 878, Statutes of 2018

AB-2868 (Santiago) - County of Los Angeles: limited-term law clerk.

Prohibits the Los Angeles County Superior Court from employing a limited-term law clerk in that capacity for a period exceeding 180 calendar days, and establishes that the limited-term law clerk is a trial court employee if employed more than 180 calendar days.

Status: Not heard in the Senate Judiciary Committee at the request of the author

AB-2886 (Daly) - Public Employee Relations Board: Orange County

Transportation Authority: San Joaquin Regional Transit District.

Transfers jurisdiction over the adjudication of unfair labor practices for the Orange County Transportation Authority and San Joaquin Regional Transit District from the judicial system to the Public Employment Relations Board as of January 1, 2020, among other provisions.

Status: Vetoed by the Governor

AB-2970 (Cooper) - Public employees: new employee orientations.

Amends existing law related to the orientation of new public employees towards balancing the right of public access to the meetings of public bodies or the writings of public officials and agencies while protecting the privacy of public employees.

Status: Not heard in the Senate Judiciary Committee at the request of the author

AB-3034 (Low) - Public transit employer-employee relations: San Francisco

Bay Area Rapid Transit District.

Amends the Public Utilities Code by placing supervisory, professional and technical employee units of the San Francisco Bay Area Rapid Transit District under the Meyers-Milias-Brown Act; thereby granting them certain statutory rights related to the employer-employee relationship, and bringing them under the jurisdiction of the Public Employment Relations Board.

Status: Vetoed by the Governor

***AB-3084 (Levine) - Public employees: other postemployment benefits:
annual report.***

Requires the governing body of a public agency to show that it has met, or if it has not met, detail why and what the public agency is doing to meet specified parameters related to the provision of other postemployment benefit, in its annual finance statements submitted to the State Controller, as specified.

Status: Held in the Assembly Appropriations Committee

AB-3145 (Salas) - Disability insurance: state employees.

Authorizes a state excluded employee to elect to participate in the State Disability Insurance Program in lieu of receiving nonindustrial disability benefits, and provides that the employee may make the election at the time of hire and during an annual enrollment period, as determined by the department.

Status: Vetoed by the Governor

AB-3150 (Brough) - Public employees' retirement: annual audits.

Would require each state and local pension or retirement system to post on its internet website, a concise annual audit on investments and earnings of the system no later than the 90th day following the audit's completion, and provides that if the Commission on State Mandates determines that the bill contains mandated state costs, reimbursement shall be made, as specified.

Status: Not heard in the Assembly Public Employees, Retirement and Social Security Committee

AB-3245 (Committee on Public Employees, Retirement, and Social Security) - Public employees' retirement.

Makes conforming, minor, and technical changes to the Public Employees' Retirement Law administered by the California Public Employees Retirement System by updating references to sections of the Education Code and Government Code that have been renumbered, among other conforming, minor and technical changes.

Status: Held in the Senate Rules Committee

ACA-31 (Cervantes) - Public employee salaries: limit.

Proposes to enact the Public Executive Pay Reform Act of 2018. Prohibits an employee of a public employer from receiving an annual base salary or payrate that exceeds the salary of the Governor established by the California Citizens Compensation Commission that is effective at the time the employment contract is entered, among other provisions.

Status: Not heard in the Assembly Public Employees, Retirement and Social Security Committee

AJR-8 (Kalra) - Public social services: Social Security, Medicare and Medicaid.

Makes findings and declarations regarding federal Social Security, Medicaid, and Medicare programs; calls on the state's congressional representatives to vote against cuts to, and proposals that privatize these programs, and to support legislation that improves and expands them; calls on the President of the United States to honor his campaign promise not to cut these programs, veto any legislation to do so, and work with Congress to expand and improve them.

Status: Chapter 96, Statutes of 2017

AJR-41 (Thurmond) - 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.

Status: Chapter 197, Statutes of 2018

AJR-51 (Cooper) - Federal employee rights.

Calls on the President of the United States to rescind three Executive Orders that provide guidance to federal agencies regarding the representation, collective bargaining and due process rights of federal employees

Status: Died on Senate Third Reading

SENATE MEASURES

SB-76 (Nielsen) - Excluded employees: arbitration.

Establishes the Excluded Employee Arbitration Act which authorizes binding arbitration on behalf of an excluded employee for alleged violations of working conditions, as specified, whose grievance has not been resolved after the fourth level of review.

Status: This bill was substantially amended to cover an entirely different subject. Not heard in the Assembly Transportation Committee

SB-285 (Atkins) - Public employers: union organizing.

Prohibits public employers from deterring or discouraging membership by public employees in an employee organization; delegates to the Public Employment Relations Board (PERB), jurisdiction over acts in violation of these provisions; provides that the PERB's powers and duties shall apply, and defines "employee organization", "public employee", and "public employer" by reference to existing statutory definitions governing public employer-employee labor relations.

Status: Chapter 567, Statutes of 2017

SB-334 (Dodd) - Enhanced industrial disability leave.

Extends enhanced industrial disability leave to state employees who are members of Bargaining Unit 8 (i.e., CAL FIRE firefighters) and who lose the ability to work for more than 22 work days as the result of an injury or illness incurred in the official performance of their duties.

Status: Chapter 857, Statutes of 2017

SB-410 (Nguyen) - Civil service: veterans' hiring preference: active duty members.

Modifies the State Civil Service Act for the purpose of assisting active-duty members of the United States Armed Forces in applying for veterans' preference in state hiring.

Status: Chapter 237, Statutes of 2017

SB-459 (Portantino) - Public employee retirement systems: prohibited investments: retailers and wholesalers of banned weapons.

Requires the California Public Employees' Retirement System to adopt an investment policy for retailers or wholesalers of banned weapons; engage those sellers; exercise proxy votes if engagement is unsuccessful; and, divest from those companies if engagement and the exercise of proxy votes are unsuccessful, among other provisions.

Status: Not heard in the Assembly Public Employees, Retirement and Social Security Committee at the request of the author

SB-525 (Pan) - Public employees' retirement.

Makes various technical and conforming changes to the Public Employees' Retirement Law necessary for continued effective administration of the California Public Employees' Retirement System.

Status: Chapter 241, Statutes of 2017

SB-548 (Atkins) - Public Employment Relations Board: petitions: expedited resolution.

Codifies regulations adopted and promulgated by the Public Employment Relations Board (PERB) related to the expedited hearing of matters before the PERB, and requires expedited review of specified matters pending before the board related to the Meyers-Milias-Brown Act and Ralph C. Dills Act.

Status: Ordered to Assembly Inactive File

SB-550 (Pan) - Public school employment: meeting and negotiating: legal actions: settlement offer: attorney's fees.

Requires an employer to pay an employee organization's attorney's fees and expenses incurred if an employer rejects an employee organization's settlement offer, and the employer fails to obtain a judgment or reward more favorable than that provided in the settlement offer.

Status: Chapter 812, Statutes of 2017

SB-599 (Portantino) - Public Employees' Medical and Hospital Care Act: Peace Officers Research Association of California Insurance and Benefits Trust.

Authorizes the Insurance and Benefits Trust (IBT) of the Peace Officers Research Association of California (PORAC) to offer different health plan designs with varying premiums for its basic health plan offered through the Public Employees' Medical and Hospital Care Act, and authorizes the California Correctional Peace Officer Association Health Benefits Trust and PORAC's IBT to each offer one or more regional health benefit plan options with varying premiums to their respective members in different areas of the state.

Status: Vetoed by the Governor

SB-646 (Galgiani) - State Civil Service Act: adverse action: notice.

Prohibits an adverse action based on a cause for discipline discovered on or after January 1, 2018, from being valid against any state employee for any cause for discipline based on any civil service law of California, unless the employer served notice of the adverse action within one year after the cause for discipline, and specifies that this subdivision shall not apply to an adverse action based on fraud, embezzlement or falsification of records.

Status: Ordered to the Assembly Inactive File

SB-656 (Moorlach) - Judges' Retirement System II: deferred retirement.

Establishes the Judicial Fairness Act of 2018 which allows a judge who is not eligible to retire, but who is 60 years of age with at least five years of service, or who has accrued 20 or more years of service, to make an election relating to retirement from service, among other provisions.

Status: Vetoed by the Governor

SB-671 (Moorlach) - County employees' retirement: retirement funds: transfers.

Clarifies that '37 Act County retirement system employers that make their contribution payments to the county retirement system one year in advance may make an additional year or partial year prepayment of contributions in advance.

Status: Chapter 76, Statutes of 2017

SB-728 (Newman) - State public employees: sick leave: veterans with service-related disabilities.

Grants state employees and officers who are members of the National Guard or federal military reserve force called to active military service and who return to state service with a military service-connected disability rated at 30% or more by the United States Department of Veterans Affairs, 96 hours of additional sick leave dedicated to medical treatment of those disabilities for the first 12 months upon their return to state employment, among other provisions.

Status: Chapter 596, Statutes of 2017

SB-783 (Pan) - Public employee pension funds: divestment proposals: review.

Requests the University of California to establish the Pension Divestment Review Program to provide expert, independent, and dispassionate review of legislative proposals affecting the investment earnings of public employee pension funds towards balancing the constitutional authority granted to the legislature and public employee pension funds.

Status: Held in the Assembly Appropriations Committee

SB-964 (Allen) - Public Employees' Retirement Fund and Teachers' Retirement Fund: investments: climate-related financial risk.

Requires the California Public Employees' Retirement System and California State Teachers' Retirement System to analyze climate-related financial risk to the extent that the respective pension boards identify climate-related financial risk as a material risk to their respective funds.

Status: Chapter 731, Statutes of 2018

SB-1022 (Pan) - Public Employees' Retirement System: administration.

Permits California Public Employees' Retirement System (CalPERS) contracting agencies to more rapidly terminate a contract with CalPERS and pay associated termination fees to limit ongoing pension liability, and requires terminating agencies to notify past and present employees and retirees in writing of the intent to terminate the contract; among other provisions.

Status: Chapter 732, Statutes of 2018

SB-1085 (Skinner) - Public employees: leaves of absence: exclusive bargaining representative service.

Requires public employers to provide "lost time" to employee representatives, as specified, to allow employees to serve as stewards or officers of the employee representative or its state or national affiliates, among other provisions.

Status: Chapter 893, Statutes of 2018

SB-1124 (Leyva) - Public Employees' Retirement System: collective bargaining agreements: disallowed compensation.

Establishes new procedures for all California Public Employees' Retirement System (CalPERS)-covered employees in cases where pensionable benefits are erroneously calculated and reported to CalPERS by their employer.

Status: Vetoed by the Governor

SB-1144 (Dodd) - Enhanced industrial disability leave: State Bargaining Unit 8.

Provide a Bargaining Unit 8 state firefighter who is on enhanced industrial disability leave with any pay raises active state firefighters receive, as specified.

Status: Chapter 897, Statutes of 2018

SB-1165 (Pan) - State teachers' retirement.

Makes various minor, technical or conforming changes to the Teachers' Retirement Law in the Education Code administered by the California State Teachers' Retirement System for the continued effective administration of the system.

Status: Chapter 416, Statutes of 2018

SB-1166 (Pan) - Public Employees' Retirement System: contracting agency: contributions.

Requires a California Public Employees' Retirement System contracting agency that fails to make the required employer's contribution within the applicable time limitations to notify members and retired members of the agency, or their beneficiaries, of the agency's delinquency, as specified, and among other provisions.

Status: Ordered to the Assembly Inactive File

SB-1177 (Portantino) - Classified employees: Classified School Employees Summer Furlough Fund.

Establishes the Classified School Employees Summer Furlough Fund to allow classified school employees to voluntarily contribute earnings, matched by the state on a one-to-one basis, to provide income during months in which these employees do not receive a salary.

Status: Vetoed by the Governor

SB-1195 (Portantino) - Public Employees' Medical and Hospital Care Act: health benefit plans.

Permits the Peace Office Research Association of California Insurance and Benefits Trust to offer regional health benefit plans with varying premiums in different areas of the state, among other provisions.

Status: Chapter 1009, Statutes of 2018

SB-1261 (Nielsen) - Fire prevention: firefighting aircraft: pilot death benefits.

As an urgency statute, this measure revises requirements in existing law related to the payment of a one-time death benefit to survivors of a pilot who dies while performing specified contractual duties pursuant to an agreement entered into by the Department of Forestry and Fire Protection.

Status: Chapter 625, Statutes of 2018

SB-1270 (Vidak) - County employees' retirement: system personnel.

Authorizes a county board of retirement or both the board of investment and board of investment that have appointed administrative, technical, and clerical personnel, to appoint "at-will" assistant administrators and chief investment officers, provided that the county board of supervisors elects to do so by adopting a resolution by majority vote.

Status: Chapter 114, Statutes of 2018

SB-1312 (Newman) - State public employees: sick leave: veterans with service-related disabilities.

Extends eligibility for an existing benefit – "disabled veteran sick leave" – to all eligible disabled veterans serving in state employment regardless of date of hire.

Status: Chapter 516, Statutes of 2018

SB-1413 (Nielsen) - Public employees' retirement: pension prefunding.

Establishes the California Employers' Pension Prefunding Trust Fund prefunding for the purpose of allowing state and local public agency employers that provide a defined benefit pension plan to prefund their required pension contributions.

Status: Chapter 665, Statutes of 2018

SB-1504 (Committee on Public Employment and Retirement) - Public employment: retirement savings plans, employment conditions, and training.

Makes technical and noncontroversial changes in existing law relating to the Department of Human Resources (CalHR), including training requirements, and the deferred compensation plan offered by CalHR, among other provisions.

Status: Chapter 903, Statutes of 2018

SCR-32 (Pan) - State employee merit awards.

Authorizes the payment of state merit awards approved by the California Department of Human Resources to three state employees whose proposals resulted in eliminating or reducing state expenditures or improving state operations.

Status: Chapter 121, Statutes of 2017

SJR-24 (Jackson) - Firearms.

Calls upon the California Public Employees' Retirement System (CalPERS) to (1) engage with companies in which it is invested that produce or sell firearms to determine a reasonable method for those companies to withdraw from the production and sale of firearms, and (2) if a company refuses to participate in engagement, CalPERS to produce a plan to divest from that company. Also makes numerous declarations regarding incidents involving the use of assault weapons, and commends CalPERS for divesting from its holdings in companies making guns that are illegal in California, and the need for a comprehensive federal approach to reducing and preventing gun violence

Status: Refused adoption in the Assembly Public Employees, Retirement and Social Security Committee

CHAPTERED MEASURES

AB-20 (Kalra) - Public employee retirement systems: divestment: Dakota Access Pipeline.

Status: Chapter 575, Statutes of 2017

AB-22 (Bonta) - State employment.

Status: Chapter 834, Statutes of 2017

AB-83 (Santiago) - Collective bargaining: Judicial Council.

Status: Chapter 835, Statutes of 2017

AB-349 (McCarty) - Civil service: preference: special immigrant visa holder.

Status: Chapter 643, Statutes of 2018

AB-512 (Rodriguez) - Public employees' retirement: safety members: industrial disability retirement.

Status: Chapter 841, Statutes of 2017

AB-590 (Medina) - Public employees' retirement: membership election.

Status: Chapter 108, Statutes of 2017

AB-670 (Thurmond) - Classified employees: part-time playground positions.

Status: Chapter 582, Statutes of 2017

AB-679 (Cooley) - Public employees' retirement: investments: security loans.

Status: Chapter 198, Statutes of 2017

AB-995 (Limón) - County employee retirement: retirement board appointees: leave balances.

Status: Chapter 48, Statutes of 2017

AB-1243 (Arambula) - Public Employees' Retirement System: replacement benefits plan.

Status: Chapter 277, Statutes of 2017

AB-1309 (Cooley) - Employment without reinstatement: failure to enroll or report: fee.

Status: Chapter 261, Statutes of 2017

AB-1325 (Committee on Public Employees, Retirement, and Social Security) - State teachers' retirement.

Status: Chapter 298, Statutes of 2017

AB-1487 (Rodriguez) - Public Employees' Retirement System: limited term appointments.

Status: Chapter 229, Statutes of 2017

AB-1912 (Rodriguez) - Public employees' retirement: joint powers agreements: liability.

Status: Chapter 909, Statutes of 2018

AB-2004 (Oberholte) - Big Bear Fire Agencies Pension Consolidation Act of 2018.

Status: Chapter 72, Statutes of 2018

AB-2052 (Bonta) - State Teachers' Retirement System: contributions due to system: form.

Status: Chapter 125, Statutes of 2018

AB-2076 (Rodriguez) - County employees' retirement: disability: date of retirement.

Status: Chapter 97, Statutes of 2018

AB-2160 (Thurmond) - Classified employees: school and community college districts: part-time playground positions.

Status: Chapter 488, Statutes of 2018

AB-2196 (Cooper) - Public employees' retirement: service credit: payments.
Status: Chapter 168, Statutes of 2018

AB-2261 (Friedman) - School employees: merit system: classified service: community representatives.
Status: Chapter 297, Statutes of 2018

AB-2310 (Aguiar-Curry) - Public Employees' Retirement System: contracting members.
Status: Chapter 213, Statutes of 2018

AB-2415 (Calderon) - Public Employees' Retirement System: officers and directors: appointment and compensation.
Status: Chapter 916, Statutes of 2018

AB-2696 (Rodriguez) - Public Employees' Retirement System: limited term appointments.
Status: Chapter 767, Statutes of 2018

AB-2830 (Reyes) - County agencies: interns and student assistants: hiring preference.
Status: Chapter 878, Statutes of 2018

AJR-8 (Kalra) - Public social services: Social Security, Medicare, and Medicaid.
Status: Chapter 96, Statutes of 2017

AJR-41 (Thurmond) - Social Security.
Status: Chapter 197, Statutes of 2018

SB-285 (Atkins) - Public employers: union organizing.
Status: Chapter 567, Statutes of 2017

SB-334 (Dodd) - Enhanced industrial disability leave.
Status: Chapter 857, Statutes of 2017

SB-410 (Nguyen) - Civil service: veterans' hiring preference: active duty members.

Status: Chapter 237, Statutes of 2017

SB-525 (Pan) - Public employees' retirement.

Status: Chapter 241, Statutes of 2017

SB-550 (Pan) - Public school employment: meeting and negotiating: legal actions: settlement offer: attorney's fees.

Status: Chapter 812, Statutes of 2017

SB-671 (Moorlach) - County employees' retirement: retirement funds: transfers.

Status: Chapter 76, Statutes of 2017

SB-728 (Newman) - State public employees: sick leave: veterans with service-related disabilities.

Status: Chapter 596, Statutes of 2017

SB-964 (Allen) - Public Employees' Retirement Fund and Teachers' Retirement Fund: investments: climate-related financial risk.

Status: Chapter 731, Statutes of 2018

SB-1022 (Pan) - Public Employees' Retirement System: administration.

Status: Chapter 732, Statutes of 2018

SB-1085 (Skinner) - Public employees: leaves of absence: exclusive bargaining representative service.

Status: Chapter 893, Statutes of 2018

SB-1144 (Dodd) - Enhanced industrial disability leave: State Bargaining Unit 8.

Status: Chapter 897, Statutes of 2018

SB-1165 (Pan) - State teachers' retirement.

Status: Chapter 416, Statutes of 2018

SB-1195 (Portantino) - Public Employees' Medical and Hospital Care Act: health benefit plans.

Status: Chapter 1009, Statutes of 2018

SB-1261 (Nielsen) - Fire prevention: firefighting aircraft: pilot death benefits.

Status: Chapter 625, Statutes of 2018

SB-1270 (Vidak) - County employees' retirement: system personnel.

Status: Chapter 114, Statutes of 2018

SB-1312 (Newman) - State public employees: sick leave: veterans with service-related disabilities.

Status: Chapter 516, Statutes of 2018

SB-1413 (Nielsen) - Public employees' retirement: pension prefunding.

Status: Chapter 665, Statutes of 2018

SB-1504 (Committee on Public Employment and Retirement) - Public employment: retirement savings plans, employment conditions and training.

Status: Chapter 903, Statutes of 2018

SCR-32 (Pan) - State employee merit awards.

Status: Chapter 121, Statutes of 2017

GOVERNOR'S VETOES

AB-183 (Lackey) - Bill of Rights for State Excluded Employees.

I am returning Assembly Bill 183 without my signature.

This bill requires state agencies that operate two or more shifts per day to develop, by January 1, 2019, policies for supervisory employees around shift assignments, vacations, and overtime.

This bill, however well-intentioned, would require a policy that is unduly rigid and not reflective of the different circumstances in various state offices and departments. In essence, it would limit the sound discretion of management to make necessary personnel assignments.

Sincerely,

Edmund G. Brown Jr.

AB-530 (Cooper) - Public employment: collective bargaining: peace officers.

I am returning Assembly Bill 530 without my signature.

This bill authorizes peace officers to bring unfair practice charges to the Public Employment Relations Board while preserving their existing right to directly petition a superior court for injunctive relief.

No other group has both of these rights and I'm unconvinced that providing such a unique procedure is warranted.

Sincerely,

Edmund G. Brown Jr.

***AB-621 (Bocanegra) - Classified employees: Classified School Employees
Summer Furlough Fund.***

I am returning Assembly Bill 621 without my signature.

This bill creates a fund to allow specific classified school employees to contribute earnings voluntarily that are matched by the state on a two-to-one basis, for the purposes of providing income during times when these employees are not receiving a salary.

Employee compensation is a matter subject to local collective bargaining. This bill reduces the flexibility of local educational agencies and bargaining units to agree on employee compensation in a manner that reflects local needs, resources and priorities.

For these reasons, I cannot sign this bill.

Sincerely,

Edmund G. Brown Jr.

***AB-1597 (Nazarian) - Public employee retirement systems: prohibited
investments: Turkey.***

I am returning Assembly Bill 1597 without my signature.

This bill, which only goes into effect if the Federal Government imposes sanctions on Turkey, would require our pension funds to sell all bonds or investment vehicles issued by the Turkish government.

The horror of the Armenian Genocide is something no Californian should ever forget. To that end, our school curriculum requires the study of the Armenian Genocide and this year I proclaimed April 24, 2018, as "Day of Remembrance of the Armenian Genocide". In addition, the state extended the statutory deadline for genocide victims or their heirs to seek legal redress.

While this subject is profoundly important, the bill as written is mostly symbolic. Moreover, I am reluctant to force yet another disinvestment measure on our already stressed pension systems.

Sincerely,

Edmund G. Brown Jr.

AB-1916 (Cooper) - Civil service: Personnel Classification Plan: salary equalization.

I am returning Assembly Bill 1916 without my signature.

This bill requires an evaluation and biennial report by the California Department of Human Resources on gender and ethnic pay disparities for all civil service classifications where there is an underrepresentation of women and minorities.

The information called for by this bill is currently provided by the Department of Human Resources and the State Controller's office. I think it is reasonably complete and provides a basis for sound legislative review.

Sincerely,

Edmund G. Brown Jr.

AB-2305 (Rodriguez) - Public employment: collective bargaining: peace officers.

I am returning the following bills without my signature.

AB 2305

AB 2886

AB 3034

These bills expand the Public Employment Relations Board's jurisdiction to cover labor disputes involving several local public agencies.

Over the years, the Legislature has expanded the Board's jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board - both labor and employers have complained about this problem. This Administration has recently increased the Board's funding to help correct this problem. The Board's jurisdiction should not be expanded again until the Board's ability to handle its previously expanded caseload is established.

Sincerely,

Edmund G. Brown Jr.

AB-2713 (Rodriguez) - Public employment: sexual harassment tracking.

I am returning Assembly Bill 2713 without my signature.

This bill requires, by January 1, 2020, the California Department of Human Resources and the Department of Fair Employment and Housing to create and make public an annual report on sexual harassment complaints in state departments.

This bill definitely covers an important topic but current management practices are taking the necessary steps to assure a suitable work environment.

Sincerely,

Edmund G. Brown Jr.

***AB-2886 (Daly) - Public Employee Relations Board: Orange County
Transportation Authority: San Joaquin Regional Transit District.***

I am returning the following bills without my signature.

AB 2305

AB 2886

AB 3034

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Over the years, the Legislature has expanded the Board's jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board - both labor and employers have complained about this problem. This Administration has recently increased the Board's funding to help correct this problem. The Board's jurisdiction should not be expanded again until the Board's ability to handle its previously expanded caseload is established.

Sincerely,

Edmund G. Brown Jr.

AB-3034 (Low) - Public transit employer-employee relations: San Francisco Bay Area Rapid Transit District.

I am returning the following bills without my signature.

AB 2305

AB 2886

AB 3034

These bills expand the Public Employment Relations Board's jurisdiction to cover labor disputes involving several local public agencies.

Over the years, the Legislature has expanded the Board's jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board - both labor and employers have complained about this problem. This Administration has recently increased the Board's funding to help correct this problem. The Board's jurisdiction should not be expanded again until the Board's ability to handle its previously expanded caseload is established.

Sincerely,

Edmund G. Brown Jr.

AB-3145 (Salas) - Disability insurance: state employees.

I am returning Assembly Bill 3145 without my signature.

This bill allows state supervisors and managers to receive paid family leave benefits by enrolling into the state Disability Insurance program.

The Department of Human Resources is developing a plan to offer paid family leave benefits to state managers and supervisors by July 1, 2019. This effort will not have the significant administrative costs of this bill and is therefore a better way to provide this benefit.

Sincerely,

Edmund G. Brown Jr.

***SB-599 (Portantino) - Public Employees' Medical and Hospital Care Act:
Peace Officers Research Association of California Insurance and Benefits
Trust.***

I am returning Senate Bill 599 without my signature.

This bill allows specified public safety employee associations to offer multiple statewide and regional health benefit plans to their members.

Existing association health benefit plans are currently afforded very little oversight by the California Public Employees' Retirement System. By allowing these employee associations to offer additional health plans to their members, CalPERS would be left with major unanticipated costs should any of the plans fail.

The state now faces over \$240 billion in unfunded pension and health liabilities. Since 2011, the annual costs for all this have increased significantly as the state takes steps to pay down the long-term obligation faster.

In light of these enormous fiscal commitments, I am unable to sign this bill.

Sincerely,

Edmund G. Brown Jr.

SB-656 (Moorlach) - Judges' Retirement System II: deferred retirement.

I am returning Senate Bill 656 without my signature.

This bill would amend and significantly expand--retroactively--the pension benefits of the Judges' Retirement System II, a program that has been in effect since 1994.

The costs associated with this bill are large and unbudgeted. In addition, the proposed retroactive benefits are contrary to the explicit provisions of the Public Employees Pensions Reform Act of 2013.

Sincerely,

Edmund G. Brown Jr.

SB-1124 (Leyva) - Public Employees' Retirement System: collective bargaining agreements: disallowed compensation.

I am returning Senate Bill 1124 without my signature.

This bill would establish a retiree's permanent right to incorrectly calculated pension benefits in cases where an error resulted in paying the retiree higher pension benefits than allowed by law.

I share the author's view that a pension must be correctly calculated according to the law in the first instance so that retirees never find themselves on the hook for overpayments. Clearly, remedies are needed to correct such situations.

But I'm concerned that this bill's broad provisions could be easily abused to circumvent limitations in law intended to protect the government-and ultimately taxpayers-from pension spiking. Indeed, in the case of an error, this bill would effectively perpetuate that error for the rest of a member's life, at substantial taxpayer expense.

Before changing the law in the way that this bill does, I encourage the Legislature to develop policies to prevent such errors in the first place. Such policies might include requiring CalPERS to review and approve any proposals for pensionable compensation in a memorandum of understanding before the memorandum is finalized. Then, if errors still occurred after CalPERS's review, the penalties and ongoing costs in this bill might be warranted.

Sincerely,

Edmund G. Brown Jr.

SB-1177 (Portantino) - Classified employees: Classified School Employees Summer Furlough Fund.

I am returning Senate Bill 1177 without my signature.

This bill prohibits any person from purchasing more than one long-gun per month.

I vetoed a substantially similar bill in 2016, and my views have not changed.

Sincerely,

Edmund G. Brown Jr.