



Employee Relations Legislative Bulletin

2011-2012 LEGISLATIVE SESSION

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Current as of May 16, 2012

Subject Area Key:

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|---|-------------------------------------|
| C - Compensation | O - Other |
| CB – Collective Bargaining | PubW – Public Works Projects |
| DA – Disabled Access | PS – Public Safety |
| ER – Employee Rights | PW – Prevailing Wage |
| H – Hospitals | RB – Retirement Benefits |
| HB – Health Benefits | WC – Workers’ Compensation |
| IHSS – In Home Supportive Services | WH – Work Hours |
| Imm – Immigration | Vets – Veterans |

Bill No.	Area	Author	Description	CSAC Position	Status
AB 10	C	Alejo	As introduced 12/6/10: increases the minimum wage, as of 1/1/12, to no less than \$8.50 per hour; provides annual inflation adjustments thereafter; prohibits the Industrial Welfare Commission from adjusting the minimum wage downward and from adjusting the minimum wage upward if the average percentage of inflation for the previous year was negative.	Watch	DEAD
AB 15	O	Portantino	As introduced 12/6/10: requires the Green Collar Jobs Council to provide guidance to local workforce investment boards on how to establish comprehensive green collar job training, and placement programs that reflect the local and regional economies	Watch	DEAD

AB 22	ER	Mendoza	As amended 9/1/11: prohibits potential employer from requiring a consumer credit report for employment purposes; exempts those applying for position with DOJ, law enforcement, in managerial positions as specified and those with access to \$10,000 or more.	Oppose Unless Amended	Chaptered (Ch 724)
AB 26	Imm	Donnelly	As introduced 12/6/10: prohibits public officials and agencies from adopting a policy that limits or restricts the enforcement of federal immigration laws or that restricts the sharing of a person's immigration status.	Watch	DEAD
AB 36	HB	Perea	As amended 2/22/11: conforms state income tax law to federal law, allowing employees to not be taxed on health care premiums they pay for nondependent adults up to age 26.	Watch	Chaptered (Ch 17)
AB 59	ER	Swanson	As introduced 12/7/10: amends Family Rights Act to permit an employee to take leave to care for an independent adult child with a health condition or a seriously ill grandparent, sibling, grandchild or domestic partner and expands the definition of "parent" to include a parent-in-law.	Watch	DEAD
AB 89	RB	Hill	As amended 9/2/11: Allows the County of San Mateo to implement lower retirement tiers for safety employees represented by the Deputy Sheriffs Association.	Watch	Chaptered (Ch 390)

AB 148	W	Smyth	As amended 4/14/11: adds compensation setting guidelines established by a local agency to required ethics training for officers and employees of local government. Requires local agency to submit copy of training certificate to Controller within 90 days of training completion.	Watch	DEAD
AB 195	ER	Hernandez	As amended 7/11/11: codifies PERB regulations to prohibit a public agency from, imposing reprisals on or discriminating against employees because of their exercise of rights guaranteed by the MMBA, refusing or failing to meet and negotiate in good faith with a recognized employee organization, or refusing to participate in good faith in an impasse procedure.	Neutral	Chapter No. 271
AB 211	WC	Cedillo	As introduced 1/31/11: Retroactively provides supplemental job displacement retraining benefits vouchers for permanent partial disability to injuries occurring on or after 1/1/04 and before 1/1/12.	Watch	Vetoed
AB 226	O	Solorio	As amended 4/6/11: Requires EDD, as part of a regular report, to estimate the impact on employers and the General Fund if the Unemployment Insurance Fund is not returned to solvency	Watch	Inactive
AB 274	O	Garrick	As amended 6/14/11: requires EDD when notifying an employing unit that an unemployment claim has been filed, to provide a direct link to its Internet Web site to the page that describes what circumstances establish good cause.	Watch	Vetoed

AB 309	O	Cook	As amended 3/21/11: specifies that a public office becomes vacant if the appointed or ex officio public officer has been debarred, suspended, disqualified or excluded from participating in federal covered transactions.	Watch	Chaptered (Ch 543)
AB 311	O	Cook	As amended 3/9/11: prohibits Division of Labor Standards Enforcement from citing an employer for a violation of any labor standard, order, or regulation discovered as a result of an employer requesting or accepting services from the unit pursuant to the bill if the employer remedies the violation within 30 days and the employer is not the subject of an ongoing investigation by the division; bill would authorize the unit to charge a requester a fee for the consulting services provided, not to exceed the actual cost to the unit.	Watch	DEAD
AB 325	ER	Lowenthal	As amended 9/2/11: prohibits employers from denying employee request for (up to 3 days) bereavement leave without discharge or discrimination; does not apply to employees covered by valid collective bargaining agreements which provide for bereavement leave and other criteria.	Oppose Unless Amended	Vetoed
AB 329	RB	Dickinson	As amended 3/16/11: allows Sacramento County Board of Supervisors to adopt a negotiated MOU for new safety employees on a unit by unit basis rather than await implementation for all safety employees.	Watch	Chaptered (Ch. 26)

AB 335	WC	Solorio	As amended 8/31/11: clarifies workers' compensation process for injured workers by improving mandatory benefit notices sent to them by employers.	Support	Chaptered (Ch 544)
AB 340	O	Furutani	As amended 9/2/11: expresses intent of Legislature to establish conference committee to study state and local pension reform.	Watch	In Conference Committee
AB 344	WH	Furutani	As amended 4/25/11: Deletes authorization of CalPERS' Board to adopt regulations permitting exceptions to average compensation earnable increase limits for employees not in a group or class; deletes option for a retiree to serve without reinstatement or loss of benefits interruption under an appointment that exceeds 960 hours in a fiscal year if governing body of the contracting agency requests approval from PERB.	Oppose Unless Amended	Inactive
AB 369	WC	Huffman	As introduced 2/15/11: authorizes duration of any step therapy or fail first protocol to be determined by prescribing physician, and prohibits health care service plan or insurer from requiring a patient try and fail on more than 2 pain meds before allowing the patient access to other pain meds prescribed by physician.	Watch	Senate
AB 375	WC	Skinner	As amended 8/18/11: establishes a presumption for workers' compensation purposes when any hospital employee who provides direct patient care contracts a blood-borne infectious disease, methicillin-resistant Staphylococcus aureus (MRSA) infection.	Oppose	Senate Floor

AB 378	WC	Solorio	As amended 9/8/11: compound drug bill; adds “pharmacy goods” to list of medical goods or services a physician is prohibited from referring or providing except in prescribed circumstances.	Support	Chaptered (Ch 545)
AB 400	ER	Ma	As amended 4/4/11: : Would provide that an employee who works in CA for 7 or more days in a calendar year is entitled to paid sick days which shall be accrued at a rate of no less than one hour for ever 30 hours worked. Employee would be entitled to use accrued sick days beginning on the 90 th calendar day of employment.	Oppose	DEAD
AB 411	WC	Pan	As introduced 2/15/11: spot bill related to studying the effects of the 2003 and 2004 legislative reforms on workers’ comp insurance rates.	Watch	DEAD
AB 436	PW	Solorio	As amended 8/30/11: implements provisions of SB 2X 9 (2009), authorizing DIR to monitor and enforce prevailing wage requirements for any public works project paid for out of public funds derived from state-issued bonds; allows DIR to charge reasonable fees for costs related to such enforcement and compliance; creates the State Public Works Enforcement Fund in which to deposit collected fees and provides for a \$4.3 million loan from the Uninsured Employers Benefit Trust Fund to SPEWEF for startup costs related to the Labor Compliance Monitoring Unit within DIR.	Watch	Chaptered (Ch 378)

AB 455	ER	Campos	As amended 3/31/11: would provide that, under MMBA, when a local public agency creates a personnel or merit commission, the public agency employer and the majority bargaining agent would each be required to designate ½ of the commission's members.	Oppose	Vetoed
AB 469	C	Swanson	As amended 8/15/11: would make it a misdemeanor if an employer is convicted of a willful violation of specified wage statutes.	Watch	Chaptered (Ch 655)
AB 524	O	Garrick	As introduced 2/15/11: spot bill pertaining to employer contributions to Unemployment Insurance.	Watch	DEAD
AB 551	PW	Campos	As amended 8/29/11: increases max penalty for prevailing wage violations to \$2100 for each calendar day and increases minimum penalty to \$40 per calendar day. Additionally increases penalty for contractors and subcontractors with prior violations.	Watch	Chaptered (Ch 677)
AB 554	O	Atkins	As introduced 2/16/11: requires local California Workforce Investment Boards to develop a collaboration policy between community colleges and ensure that programs funded by the WIA are directed to apprenticeable occupations.	Watch	Chaptered (Ch 499)
AB 582	C	Pan	As introduced 2/16/11: amends Brown act to require that proposed compensation increases of more than 5% for unrepresented employees be publicly noticed.	Watch	DEAD
AB 584	WC	Fong	As amended 4/6/11: requires psychologists and physicians conducting utilization review to be licensed in California.	Oppose	Vetoed

AB 585	WC	Fong	As amended 8/24/11: extends cancer presumptions to active firefighting members of a fire department serving a National Aeronautics and Space Administration installation.	Watch	Chaptered (Ch 550)
AB 587	PW	Gordon	As introduced 2/16/11: extends, until January 1, 2017, the exemption from the definition of "public works" for any work performed by a volunteer, a volunteer coordinator, or by members of the California Conservation Corps or of certified Community Conservation Corps.	Watch	Chapter No. 219
AB 592	ER	Lara	As amended 8/31/11: amends Family Rights Act to make it unlawful employment practice for an employer to interfere, restrain or deny any right provided to an employee to take up to 12 workweeks of unpaid leave during any 12-month period to bond with a child, care for a parent, spouse or child with a serious health condition or because the employee is suffering from a serious health condition.	Watch	Chaptered (Ch 678)
AB 646	CB	Atkins	As amended 6/22/11: would allow an employee organization, upon impasse and if mediation has not led to settlement, to submit the matter to a factfinding panel; would prohibit a public agency from implementing its last, best, and final offer until at least 30 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties and the agency has held a public hearing regarding the impasse.	Oppose	Chaptered (Ch 680)

AB 738	RB	Hagman	As introduced 2/17/11: prohibits a person publicly elected to an office of any kind, on and after 1/1/12, from becoming a member of a retirement system or acquiring any retirement right or benefit for serving in that office. Also applies to person appointed to fill term of a person so elected. <i>(sister bill to SB 523)</i>	Oppose	DEAD
AB 766	O	Monning	As amended 8/24/10: would require any copies of records or certified payroll made available for inspection and furnished upon request to the public by these agencies to be marked or redacted to prevent disclosure of an individual's name, address, and social security number.	Watch	Chaptered (Ch 481)
AB 782	RB	Brownley	As amended 6/7/11: Requires PERS Board of Administration to notify subject of an audit of the estimated time to complete it; authorizes Board to assess charge upon the employer to recover add'l costs for excess time to complete audit.	Watch	Chapter No. 107
AB 801	O	Swanson	As amended 1/5/11: Substitutes the designation "code enforcement officer" in place of the designation "illegal dumping enforcement officer" in the code section that gives specified persons limited peace officer authority.	Watch	Senate Rules
AB 804	ER	Yamada	As amended 4/6/11: expands family temporary disability insurance program to include time off to care for seriously ill grandparent, grandchild, sibling or parent-in-law.	Watch	DEAD

AB 829	WC	Solorio	As amended 9/1/11: Eliminates the appointed position of Court Administrator within the Division of Workers' Compensation, and reassigns the CA's duties to the Workers' Compensation Appeals Board or Administrative Director of the DWC.	Watch	DEAD
AB 830	WH	Olsen	As amended 4/27/11: provides that an alternative workweek schedule adopted by 2/3 of the affected employees can include a schedule authorizing more than 10-hour work days without obligation to pay overtime for add'l hours in the workday.	Watch	DEAD
AB 875	RB	Donnelly	As introduced 2/17/11: for persons first hired on and after 1/1/12, for the purpose of determining pension benefits, would prohibit the inclusion of credit for accrued leave of any form or credit for overtime work in the calculation of final compensation, as specified	Watch	DEAD
AB 926	H	Hayashi	As amended 4/27/11: enacts pilot project to allow all qualified district hospitals to employ no more than 60 physicians and surgeons if they provide more than 50 percent of patient days to the care of Medicare, Medi-Cal and uninsured patients.	Watch	DEAD
AB 933	RB	Allen	As amended 4/7/11: extends increased industrial disability or death benefits to a state hospital miscellaneous employee.	Watch	DEAD

AB 947	WC	Solorio	As amended 9/2/11: Limits the circumstances where the extended TD benefits are available to cases where medical treatment beyond 240 weeks is needed to achieve maximum medical improvement (MMI), and where the injured worker has not caused a delay in medical treatment due to a willful failure to undergo recommended treatment that is necessary to achieve MMI.	Oppose	Vetoed
AB 987	PW	Grove	As amended 1/4/11: Provides that specified public works and prevailing wage requirements shall not apply to contracts for which the state or any political subdivision pays a cumulative amount of less than 50 percent of the total payment under the contract.	Watch	DEAD
AB 988	PW	Grove	As introduced 2/18/11: revises way Director of Industrial Relations determines rate of general prevailing wages by deleting requirement they consider applicable wage rates established by collective bargaining agreements and deleting requirement that director consider data from labor organizations and employers or employer associations. Revises methodology that director is required to use in determining prevailing rate of per diem wages in locality in which public work is to be performed.	Watch	DEAD
AB 1018	Imm	Donnelly	As amended 3/24/11: requires all public employers to verify each person who requests state-funded benefits with US Systematic Alien Verification for Entitlements (SAVE) program.	Watch	DEAD

AB 1028	RB	PERS Committee	As amended 9/2/11: committee's omnibus bill which includes clarification that 960-hour limit exemptions are a one-time request rather than annual.	Watch	Chaptered (Ch 440)
AB 1115	O	Lara	As amended 7/5/11: requires CA Workforce Investment Board to establish a procedure for use by local workforce investment boards in determining eligibility of a provider of training services.	Watch	DEAD
AB 1136	H	Swanson	As amended 7/5/11: requires employer to maintain a safe patient handling policy for patient care and adopt a patient protection and health care worker back and musculoskeletal injury prevention plan in a general acute care hospital.	Watch	Chaptered (Ch 554)
AB 1155	WC	Alejo	As amended 8/15/11: states intent of Legislature that a claim cannot be denied because employee's injury or death was related to race, religious creed, color, national origin, age, gender, marital status, sex, sexual orientation or genetic characteristics.	Watch	Vetoed
AB 1159	O	Fletcher	As introduced 2/18/11: declares the intention of the Legislature to enact legislation to require all state income and expenditure data be made available to the public.	Watch	DEAD

AB 1168	WC	Pan	As amended 8/16/11: requires, on or before January 1, 2013, the Administrative Director of the Division of Workers' Compensation to adopt, after public hearings, a fee schedule that establishes reasonable hourly fees paid for services provided by vocational experts.	Support	Chaptered (Ch 555)
AB 1179	ER	Mansoor	As amended 4/29/11: enacts the California Voluntary Contributions Act and allows a labor organization to make expenditures for political activities only if the labor organization establishes a separate fund from which to make those expenditures.	Watch	DEAD
AB 1184	RB	Gatto	As amended 8/22/11: requires PERS to develop guidelines regarding reciprocity and requires PERS actuary to assess an increase in liability to the employer who provided compensation increase; applies this to any significant increase in actuarial liability due to increased comp paid.	Neutral	Inactive
AB 1203	ER	Mendoza	As amended 8/22/11: requires public employers to provide paid leaves of absence to representatives of employee organizations to participate in proceedings before the Public Employment Relations Board, as specified, or in other matters relating to the organization's rights to represent members at various hearings or specified meetings.	Oppose	Senate Desk - Held

AB 1209	V	Cook	As amended 5/3/11: appropriates \$11m from the General Fund to the Department of Veterans Affairs for disbursement to the counties to fund the activities of the county veterans' service officers.	Watch	DEAD
AB 1236	Imm	Fong	As amended 3/31/11: prohibits local public agencies from requiring employers to use E-Verify except when required by federal law or to qualify for federal funds.	Watch	Chaptered (Ch 691)
AB 1247	RB	Fletcher	As amended 8/16/11: requires the PERS Board of Administration to submit its annual report to Legislature annually, would limit the scope of the report to state employee retirement plans, and would revise the adjustments of the investment return assumptions and discount rates utilized by the board any time it calculates the contribution rates.	Watch	Chaptered (Ch 733)
AB 1248	RB	Hueso	As amended 5/10/12: requires a local public employer to provide coverage under the federal social security system to all employees who are not covered under a defined benefit plan.	Oppose Unless Amended	Senate Floor
AB 1295	O	Lara	As introduced 2/18/11: spot bill pertaining to local workforce investment boards.	Watch	DEAD
AB 1318	CB	Davis	As introduced 2/18/11: disallows a public agency from collecting damages for revenue losses caused by an unlawful strike or expenses incurred by the employer in anticipation of, or in preparation for, the strike.	Watch	DEAD

AB 1320	RB	Allen	As amended 5/27/11: Establishes, for each employer within CalPERS and the twenty retirement systems established under '37 Act a Rate Stabilization Account in the Employer Rate Stabilization Fund (also established by this bill) to stable employer retirement contributions.	Oppose	Inactive
AB 1344	C	Feuer	As amended 8/30/11: provides that automatic contract renewal that provides for an automatic comp increase that exceeds a COLA adjustment or a cash settlement that exceeds the salary for the time left on the contract or 18 months cannot be included in any contract between a local agency and unrepresented employee who is the CEO or the head of a department.	Watch	Chapter No. 692
AB 1360	H	Swanson	As introduced 2/18/11: authorizes a health care district, as defined, and a clinic owned or operated by a health care district, as specified, to employ physicians and surgeons if the health care district's service area includes a Medically Underserved Area or a Medically Underserved Population, or has been federally designated as a Health Professional Shortage Area.	Watch	DEAD
AB 1383	O	Fong	As introduced 2/18/11: spot bill pertaining to unemployment.	Watch	DEAD

AB 1399	ER	Comm on Labor and Emplmt	As amended 4/26/11: requires employer to maintain personnel records for specified period of time and provide current or former employee an opportunity to inspect and make copies of records. Provides for a \$750 fine for employer for violation of the provisions.	Watch	DEAD
AB 1433	RB	Fuentes	As amended on 8/15/11: requires a public officer who is convicted of any felony arising directly out of his or her official duties, or conspiracy to commit any of those crimes arising directly out of his or her official duties, to forfeit all rights and benefits under any public retirement system in which he or she is a member, effective on the date of conviction.	Watch	DEAD
AB 1519	RB	Wieckowski	As amended 3/6/12: requires '37 Act retirement boards and investment boards to adopt policy for providing education for its members; requires all board members to receive minimum 24 hours of member education within first 2 years of taking office and every subsequent 2-year period; requires board to maintain record of members' compliance, post to system's website.	Pending	Senate Floor
AB 1542	RB	Mansoor	As amended 3/29/12: provides that Orange County retirees can't receive annual COLA until 12 months from their date of retirement and are only eligible to receive the adjustment based on the previous 12 months.	Watch	DEAD

AB 1550	V	Bonilla	As amended 5/14/12: permits CA DMV to increase fee collected for vets' special interest license plate and deposit add'l revenues in fund to support CVSOs.	Support	Senate Trans and Housing 6/12/12
AB 1551	PS	Torres	As introduced 1/26/12: exempts certain public safety officers from a requirement to report accidents that occur in a personal vehicle to a personal insurance provider and instead report those accidents to the employer.	Oppose	Asm Floor
AB 1606	CB	Perea	As introduced on 2/12/12: clarifies that mediation is not required as a prerequisite to the employee organization requesting factfinding under MMBA.	Pending	Senate Approps
AB 1633	RB	Wagner	As introduced 2/9/12: prohibits retirement benefits paid to public retirement system members in Social Security from exceeding \$100,000. And \$80,000 for those in Social Security.	Watch	Assembly Rules
AB 1639	RB	Hill	As introduced 2/13/12: provides that, for public employees hired after 1/1/13, the max salary, compensation or payrate used to determine retirement benefits cannot exceed the IRS 401(a) 17 limit; also, the employer cannot make contributions to the public retirement plan on behalf of the employee that exceeds that amount.	Pending	Senate Rules
AB 1649	RB	Smyth	As amended 3/29/12: requires forfeiture of retirement benefits for public employees who commit serious, sexual or violent felonies arising out of performance of duties or in pursuit of public office.	Pending	Asm Rules

AB 1653	O	Cook	As introduced 2/13/12: requires any at-will employee providing services to elected public officer on or after 1/1/13 to forfeit all rights, membership in and benefits of a public retirement system if convicted of a felony involving embezzlement, bribery, extortion or theft arising directly out of performing their official duties.	Watch	Asm. Rules
AB 1654	O	Cook	As amended 4/9/12: disqualifies an employee who provides services to an elected public officer from public employment for 5 years if convicted of a felony involving embezzlement, bribery, extortion or theft of public money, perjury or conspiracy to commit these crimes.	Watch	Senate Rules
AB 1655	ER	Dickinson	As amended 3/20/12: enacts the Public Employees Bill of Rights Act for state employees except excluded employees; provides that state employees must get priority over contractors to fill overtime, permanent and on-call positions.	Watch	Asm. Approps SUSPENSE
AB 1659	CB	Butler	As introduced 2/14/12: provides that L.A. city and county employee commissions can't take certain actions unless they and staff are independent of the city and county staff and the commissions aren't funded in the same budget item that funds other public offices, departments or agencies.	Pending	Asm. Floor

AB 1687	WC	Fong	As amended 3/12/12: requires employer to include an explanation of the available options for objecting to the modification, delay or denial of medical services requested by physicians in workers' comp cases; authorizes WCAB to award attorney's fees reasonably incurred by an applicant in connection with the enforcement of a medical award following a dispute that arises in the course of the utilization review process.	Pending	Asm. Floor
AB 1740	ER	Perez, V.	As amended 4/25/12: expands protections under FEHA to include status as a victim of stalking. Expands "reasonable accommodations."	Concerns	Asm. Approps. SUSPENSE
AB 1787	C	Portantino	As amended 3/21/12: for unrepresented state employers hired after 1/1/15, prohibits them from receiving a salary increase while employed in the same position or classification if their salary is over \$100K/year.	Watch	DEAD
AB 1789	WH	Morrell	As introduced 3/29/12: requires IWC to review every wage order in effect as of 1/1/13; prohibits actions under PAGA from being brought for a wage order violation until the wage order has been reviewed, and, if necessary, revised.	Pending	DEAD
AB 1804	PW	Valadao	As introduced 2/21/12: repeals SB 922 which disallows local governments from passing charters to prohibit project labor agreements; specifies what must be included in PLAs.	Watch	DEAD

AB 1808	CB	Williams	As introduced 2/21/12: expands definition of public employee under MMBA to include anyone employed by an employer that isn't a public agency but with which a public agency shares decisions governing essential employment conditions of that employee.	Oppose	DEAD
AB 1815	RB	Harkey	As introduced 2/21/12: for anyone elected/appointed to Orange County BOS after 1/1/12, prohibits him or her from becoming member of OC retirement system.	Watch	DEAD
AB 1831	ER	Dickinson	As amended 4/26/12: prohibits a local agency from considering or inquiring into the criminal history of an applicant until after the applicant's qualifications have been screened and the applicant has been determined to meet minimum employment requirements.	Pending	Assembly Floor
AB 1841	IHSS	Silva	As introduced 2/22/12: deletes the authority of an IHSS recipient to submit a waiver for the purpose of employing a person who has been convicted of certain crimes as the recipient's IHSS provider.	Watch	DEAD
AB 1844	ER	Campos	As amended 4/26/12: prohibits an employer from requiring a prospective employee to disclose a user name or account password to access a personal social media account that is exclusively used by the prospective employee.	Pending	Asm. Labor and Employmt
AB 1845	WC	Solorio	As amended 3/29/12: prohibits EDD Director from crediting an employer's reserve account if employer fails to respond timely to EDD claim notifications.	Pending	Asm Approps

AB 1874	RB	Mansoor	As amended 4/30/12: prohibits elected, Insurance Commissioner, statutory officer or those appointed by the Governor, Atty. General, Lt. Govr., Controller, Secy. Of State, Treasurer or Supt. Public Instruction elected or appointed after 1/1/13 from becoming members of LRS or PERS.	Watch	Asm. P.E.R.S.,S.
AB 1885	RB	Bonilla	As introduced 2/22/11: applies existing one-year reemployment provision with regard to reciprocity within the '37 Act retirement systems to all '37 Act counties.	Watch	Asm. Floor
AB 1901	PW	Jones	As introduced 2/22/11: extends to 7/1/16 the requirement that counties pay a fee to DIR for prevailing wage enforcement and removes \$2.5 million monetary limit so that fee would apply to all design-build projects.	Watch	Assembly Local Govt 4/11/12
AB 1964	ER	Yamada	As introduced 2/23/12: would, under FEHA, include the practice of wearing religious clothing or a religious hairstyle as a belief or observance covered by the protections against religious discrimination; provides that no accommodation is required if an accommodation would result in the violation of specified laws protecting civil rights.	Pending	Asm Approps
AB 1999	ER	Brownley	As amended 4/30/12: expands California's FEHA by including "family caregiver status" as a basis upon which an employer cannot discriminate with regard to the individual's right to seek, obtain and hold employment.	Watch	Assembly Approps 5/16/12

AB 2039	ER	Swanson	As introduced 2/23/12: eliminates age and dependence elements from definition of "child" under the Family Rights Act to permit employee to take protected leave to care for independent adult child; expands definition of "parent" to include parent-in-law; permits employee to take leave to care for seriously ill grandparent, sibling, grandchild or domestic partner.	Pending	Assembly Approps SUSPENSE
AB 2072	W	Eng	As amended 4/24/12: requires CHSWC to submit to the by December 31, 2013, an assessment of whether acupuncturists, and acupuncturists who have obtained qualified medical evaluator status, possess the knowledge, skills, and abilities to conduct disability evaluations.	Watch	Assembly Approps SUSPENSE
AB 2224	RB	Smyth	As introduced 2/24/12: Governor's proposal to prohibit purchase of service credit.	Pending	Assembly Rules
AB 2244	WC	Conway	As introduced 2/24/12: spot bill pertaining to supplemental job displacement benefits.	Watch	DEAD
AB 2302	WC	Insurance Committee	As introduced 2/24/12: repeals various CHSWC study requirements.	Pending	Senate L & I.R.
AB 2310	O	Morrell	As introduced 2/24/12: provides that the amount of UI benefits, extended duration benefits, and federal-state extended benefits payable to an after 1/1/13, while that individual is receiving a pension, be reduced by an amount equal to the amount of the pension which is reasonably attributable to that week.	Pending	DEAD

AB 2343	ER	Torres	As amended 3/28/12: provides that local public agency employers shall expeditiously furnish a copy of the information from a state or federal criminal summary to the person to whom the information relates if the information is the basis for an adverse employment, licensing, or certification decision.	Pending	Senate Public Safety 6/12/12
AB 2373	O	Norby	As introduced 2/24/12: amends definition of "independent contractor," adding specific factors that must be considered to determine whether a person is one.	Watch	DEAD
AB 2386	ER	Allen	As amended 4/25/12: provides that, under FEHA's prohibition of discrimination on the basis of sex, the term "sex" also includes breastfeeding or medical conditions related to breastfeeding.	Watch	Assembly Approps
AB 2387	ER	Smyth	As introduced 2/24/12: requires civil or administrative penalties against a county, city, special district, public authority, public agency, JPA, and several education agencies to be deposited with the Workers' Comp Admin Revolving Fund; requires moneys in that fund to be expended to assist entities in establishing effective occupational injury prevention programs;	Support	Asm. Approps SUSPENSE

AB 2416	RB	Mansoor	As introduced 2/24/12: requires public retirement systems that don't maintain a reserve fund to create one; requires any excess funds, after payment of unfunded liabilities each fiscal year, to be placed in the reserve fund to be used against deficiencies in other fiscal years; prohibits funds in the reserve fund from being used for the payment of benefits.	Watch	DEAD
AB 2428	RB	Hagman	As introduced 2/24/12: prohibits locally elected officials elected after 1/1/13, from becoming a member of PERS.	Oppose	DEAD
AB 2429	RB	Hagman	As introduced 2/24/12: prohibits local officials elected or appointed after 1/1/13 from receiving PERS, PEMHCA or other retirement benefits, health insurance, allowances for a car or home office, and professional or other membership dues.	Oppose	Asm. Rules
AB 2437	RB	Jeffries	As introduced 2/24/12: prohibits those appointed or elected to an office that is less than full time and members of a county board of supervisors from becoming a member of PERS.	Pending	DEAD
AB 2449	WC	Norby	As amended 1/11/12: Requires workers' comp law to be strictly construed by the courts with respect to what constitutes an independent contractor.	Watch	DEAD

AB 2451	PS	Perez, J.	As amended 4/19/12: requires that a proceeding to collect death benefits for the death of a firefighter or peace officer from specified medical conditions or diseases, including cancer and tuberculosis, be commenced within one year from the date of death.	Oppose	Senate Rules
AB 2543	PS	Alejo	As amended 3/29/12: would prohibit a public agency from taking punitive action against a public safety officer, or denying promotion on grounds other than merit, because that officer's name is placed on a Brady list but would allow a public agency to take punitive or personnel action against a public safety officer based on the underlying acts or omissions for which that officer's name was placed on the Brady list.	Oppose	Assembly Floor
AB 2674	ER	Swanson	As amended 4/9/12: requires an employer to maintain personnel records for three years after the termination of an employee and to provide a copy of an employee's records within 30 days of a request.	Pending	Senate Rules

SB 46	O	Correa	As amended 6/2/11: requires every person , except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill would, until January 1, 2019, require each designated employee who is required to file statements under a conflict of interest code to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year	Oppose	Senate Floor
SB 272	ER	DeSaulnier	As amended 4/27/11: provides that the days of leave for organ donation are business days rather than calendar days, and that the one-year period is measured from the date the employee's leave begins and consists of 12 consecutive months; also provides that the leave of absence is not a break in the employee's continuous service for the purpose of his or her right to paid time off.	Watch	Chapter No. 147
SB 299	ER	Evans	As amended 8/31/11: prohibits employer from refusing to maintain and pay for coverage under a group health plan for an employee who takes pregnancy or childbirth leave.	Watch	Chapter No. 510
SB 322	RB	Negrete McLeod	As introduced 2/15/11: prohibits a public retirement system member who receives benefits from multiple employers from exceeding federal limits on the amount a DB plan may pay a participant annually.	Watch	Chapter No. 47

SB 350	RB	Negrete McLeod	As introduced 2/15/11: merges the 1 st and 2 nd levels of the 1959 Survivor Benefit Program into the 3 rd level and eliminate the \$2 monthly employee premium in the 3 rd level as long as that level has surplus assets.	Watch	Vetoed
SB 351	WC	La Malfa	As introduced 2/15/11: prohibits DWC from seeking payment of an amount owed pursuant to this provision by obtaining a lien on writ of execution relating to a judgment obtained by a member of the immediate family of the deceased employee, unless the member of the immediate family is the employer for whom the deceased employee was working at the time of the fatal injury.	Watch	Chaptered (Ch 510)
SB 362	W	Berryhill	As amended 4/4/11: provides for additional civil penalties, calculated based on hours and wage rates, as specified, for a contractor or subcontractor who fails to employ enough apprentice labor on a public works project.	Watch	DEAD
SB 373	RB	DeSaulnier	As amended 6/1/11: extends indefinitely Contra Costa county's BOS authority to provide different retirements to different safety employee bargaining units.	Watch	Chapter No. 68
SB 378	WH	Dutton	As introduced 2/15/11: provides that an alternative workweek schedule adopted by 2/3 of the affected employees can include a schedule authorizing more than 10-hour work days as long as employees are paid overtime rate.	Watch	DEAD

SB 398	O	Hernandez	As amended 3/24/11: makes conforming changes in definitions of external manager and placement agent for purposes of PRA.	Watch	Chaptered (Ch 704)
SB 407	WC	Cannella	As amended 3/25/11: limits city and county jail inmates' ability to collect workers' comp benefits for injuries arising out of, and in the course of, assigned employment, and for the death of the inmate if the injury proximately causes the death.	Watch	DEAD
SB 457	WC	Calderon	As amended 8/26/11: requires WCAB to allow a lien to the extent of benefits paid for reimbursement for self-procured medical costs.	Neutral	Chaptered (Ch 564)
SB 520	RB	Walters	As amended 3/21/11: requires CalPERS' Board to create a hybrid DC/DB plan for those hired after 1/1/12.	Watch	DEAD
SB 521	RB	Walters	As amended 3/22/11: requires CalPERS' Board to determine actuarial required contributions to fully fund post-employment health benefits under PEMHCA; would require employer and employee to each pay 50% of contributions.	Watch	DEAD
SB 522	RB	Walters	As amended 3/22/11: repeals PERL provision allowing PERS members to elect to make additional contributions and receive up to 5 years of add'l retirement service credit.	Watch	DEAD

SB 523	RB	Walters	As amended 3/22/11: prohibits a person publicly elected to an office of any kind, on and after 1/1/12, from becoming a member of a retirement system or acquiring any retirement right or benefit for serving in that office. Also applies to person appointed to fill term of a person so elected. <i>(sister bill to AB 738)</i>	Oppose	DEAD
SB 524	RB	Walters	As amended 3/22/11: prohibits retroactive pension benefit increases for represented employees.	Watch	DEAD
SB 525	RB	Walters	As amended 3/21/11: prohibits a state employee who becomes a member of the Public Employees' Retirement System on and after 1/1/12, and who is not a state patrol member, a state safety member, or state peace officer/firefighter member, from retiring for service prior to reaching 55 years of age.	Watch	DEAD
SB 526	RB	Walters	As amended 3/21/11: for members of a public retirement system hired after 1/1/12, defines "final compensation" as the highest average annual compensation earnable by the person during a consecutive 36-month period; disallows inclusion of any compensation for accrued leave of any form or compensation for overtime work in final compensation calculation.	Watch	DEAD
SB 527	RB	Walters	As amended 3/21/11: prohibits public employee organizations from negotiating pension benefits with public employers, except for the amount of employee contributions to the pension plans.	Watch	DEAD

SB 528	RB	Walters	As introduced 2/17/11: provides that the six elected CalPERS Board members must instead be appointed by the Governor.	Watch	DEAD
SB 573	PS	Hernandez	As amended 5/3/11: disallows provisions providing for peace officer personnel record privacy in court proceedings from being applied in criminal court proceedings or those in which the officer's conduct is being investigated.	Watch	DEAD
SB 606	RB	Vargas	As introduced 2/17/11: spot bill pertaining to service credit.	Watch	DEAD
SB 609	CB	Negrete McLeod	As amended 3/24/11: provides that if a PERB decision in connection with the employment relations acts is appealed, the decision shall be deemed the final order of the Board if the Board does not act to supersede the decision on or before 180 days after the appeal is filed.	Watch	Chapter No. 249
SB 638	PS	De Leon	As amended 4/25/11: prohibits a public agency from taking punitive action against a public safety officer, or denying promotion on grounds other than merit, because that officer is placed on a Brady list.	Watch	DEAD
SB 681	RB	Runner	As introduced 2/18/11: declares the intent of the Legislature to authorize San Bernardino County to establish alternate retirement plans or benefit levels for county employees, selectively applicable by groupings of employees.	Watch	DEAD

SB 684	WC	Corbett	As amended 8/24/11: states that any agreement besides a settlement agreement resolving a particular dispute between an employer and WC insurer, including an arbitration clause arising out of a WC policy, be part of the form filed with the rating organization and be provided to the employer along with any written quote offering to provide insurance coverage and must contain provisions to resolve disputes in CA courts and under CA law; provides that employers and WC insurance companies may agree to a forum other than CA.	Watch	Chaptered (Ch 566)
SB 689	RB	Harman	As amended 4/26/11: would require, on or before July 1, 2012, PERS, STRS and UCRS each to establish and maintain an Internet Web site that allows the public to access specified information about any retired member who receives a pension of \$100,000 or more annually , and specified information regarding the costs of postretirement health care benefits.	Watch	DEAD
SB 698	O	Lieu	As amended 4/4/11: requires Governor to establish, through CWIB, a process to delineate high-performance local boards; these boards would be eligible to receive state discretionary funds and grants, as specified; would require high-performance boards to meet specified federal performance criteria, meet state statutory requirements, and develop and implement local planning processes and workforce initiatives.	Watch	Chaptered (Ch 497)

SB 727	PW	Berryhill	As amended 4/4/11: excludes from the prevailing wage requirements contracts for which the state or any political subdivision pays a cumulative amount of less than 50% of the total payment under the contract directly to or on behalf of the contractor, subcontractor, or developer executing the contract, and would revise certain existing exclusions; would also remove the prevailing wage requirements for contracts let for maintenance work.	Watch	DEAD
SB 734	O	DeSaulnier	As amended 9/2/11: requires local workforce investment boards to spend a certain percentage of available federal funds for adults and dislocated workers on workforce training programs in a manner consistent with federal law, as prescribed, and would allow the boards to leverage specified funds to meet the funding requirements.	Oppose	Chaptered (Ch 498)
SB 776	O	DeSaulnier	As amended 8/15/11: requires local workforce investment boards through a phase-in process to spend a certain percent of available federal funds for adults and dislocated workers on direct client services, workforce training programs, and supportive services in a manner consistent with federal law.	Oppose	Assembly Approps 2-year bill
SB 827	RB	Simitian	As amended 9/7/11: expresses intent of Legislature to establish conference committee to study state and local pension reform.	Watch	In Conference Committee

SB 829	O	DeSaulnier	As amended 7/1/11: Revises various provisions of law related to the issuance and adjudication of citations for alleged violation of occupational safety and health laws.	Watch	Chapter No. 11
SB 857	CB	Lieu	As amended 7/7/11: specifies that PERB has no authority, in an action to recover damages due to an unlawful strike, to award strike-preparation expenses as damages, or to award damages for costs, expenses, or revenue losses incurred during, or as a consequence of, an unlawful strike.	Oppose	Ch. 539
SB 863	WC	Lieu	As amended 6/6/11: takes several CHSWC recos pertaining to workers' comp lien reform.	Support	Inactive
SB 872	RB	Walters	As introduced 2/18/11: spot bill pertaining to PERS.	Watch	DEAD
SB 883	O	Correa	As introduced 2/18/11: permits an employer to raise as an affirmative defense that, at the time of an alleged violation, the employer was acting in good faith and in compliance with or reliance upon an applicable employment statute or regulation.	Watch	DEAD
SB 922	PW	Steinberg	As amended 9/2/11: disallows local governments from passing charters to prohibit project labor agreements; specifies what must be included in PLAs.	Oppose	Chapter No. 431
SB 923	WC	De Leon	As amended 5/31/11: requires DWC Administrative Director to adopt and revise an official medical fee schedule for physician services no less frequently than biennially based on resource-based relative value scale.	Watch	Assembly Floor, Unfinished Business

SB 931	CB	Vargas	As amended 8/31/11: authorizes an employer to pay an employee's wages by means of a payroll card, as defined, provided that specified requirements are satisfied.	Watch	Vetoed
SB 987	WC	Negrete McLeod	As amended 3/29/12: for PERS, amends definitions of "spouse, surviving spouse and marriage" to include domestic partnership; clarifies "leave of absence" within PERL to include absence from state service due to illness or injury arising from employment and authorizes service-credit purchase following an employer-approved, uncompensated leave of absence.	Pending	Assembly P.E.R., S.S.
SB 992	RB	Negrete McLeod	As introduced 2/1/12: spot bill pertaining to PERS contribution rates.	Pending	DEAD
SB 996	WC	Negrete McLeod	As amended 3/26/12: clarifies existing law that states the heart trouble presumption for peace officers and firefighters is rebuttable.	Watch	Assembly P.E.R. & S.S.
SB 1105	WC	Lieu	As amended 5/2/2012: requires the lien of a self-insured employee welfare benefit plan, upon any compensation benefits awarded to the applicant, to be allowed as a living expense lien. The lien must being the full amount of benefits paid to the applicant after the date of injury.	Watch	Senate Approps 5/21/12
SB 1114	WH	Dutton	As introduced 2/17/12: establishes 40 hours as a week's work and requires payment of prescribed overtime compensation for hours worked in excess of 10 hours in one workday.	Pending	DEAD

SB 1115	WH	Dutton	As introduced 2/17/12: permits a nonexempt employee employed by an employer with 10 or less employees to request a flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek; allows the employer to implement this schedule without any obligation to pay overtime compensation.	Pending	Dead
SB 1132	RB	Walters	As introduced 2/21/12: spot bill pertaining to PERS membership.	Watch	DEAD
SB 1141	HB	Walters	As introduced 2/21/12: prohibits a public employer from entering into a MOU or collective bargaining agreement that provides postemployment health care benefits to those hired after 1/1/13 unless each employee pays at least 50 percent of the actuarially required contributions to fund them.	Watch	DEAD
SB 1142	HB	Walters	As introduced 2/21/12: prohibits a public employer, for employees hired after 1/1/13, from providing postemployment health care benefits unless it fully funds those benefits, as determined by an actuary.	Watch	DEAD
SB 1143	HB	Walters	As introduced 2/21/12: requires a public employer to fund actuarially postemployment health care benefits to be provided to its public employees, in accordance with generally accepted accounting principles for governments.	Watch	DEA

SB 1152	WC	Wyland	As introduced 2/21/12: spot bill pertaining to the workers' comp official medical fee schedule.	Watch	DEAD
SB 1176	RB	Huff	As introduced 2/21/12: Governor's proposal to prohibit purchase of service credit.	Pending	DEAD
SB 1177	ER	Leno	As amended 4/19/12: prohibits, in cases where an employer is convicted of a crime against an employee, a payment to the employee or the employee's kin that is made by the employer's workers' compensation insurance carrier from being used to offset the restitution owed unless the court finds substantial evidence that all premiums for that insurance coverage have been made in full accordance with the law as of the date of the crime.	Watch	Assembly Public Safety
SB 1211	O	Alquist	As introduced 2/22/12: spot bill pertaining to labor.	Pending	DEAD
SB 1333	W	Blakeslee	As amended 5/2/12: would establish within DIR the Labor Standards Consultation Unit to provide consulting services to employees and employers with 100 or fewer employees regarding compliance with wage and hour laws .	Watch	Senate Approps
SB 1336	O	Yee	As amended 5/8/12: requires a city or county to release any findings resulting from an investigative audit after receipt of a call on a whistleblower hotline that has been substantiated, to release info regarding any action taken by an agency to which the audit results have been reported and to issue a report of any audit that has not been substantiated.	Pending	Senate Approps 5/21/12

SB 1347	WC	Padilla	As introduced 2/24/12: directs DIR to designate a reporting group for the purposes of providing information regarding the administration, costs, and policy impacts of legislative and market changes in the administration of workers' compensation programs and benefits to injured employees of public self-insurers. Appropriates \$2m UEBTF for this purpose.	Pending	DEAD
SB 1351	PS	Rubio	As amended 5/7/12: provides that a peace officer also includes a correctional officer who is employed by a city, county, or city and county that operates a facility that provides housing for inmates sentenced to county correctional facility that performs tasks related to the operation of that facility.	Watch	Senate Approps SUSPENSE
SB 1382	RB	Hernandez	As amended 3/27/12: would authorize '37 Act retirement board to appoint a retired member, nominations for which would come from a recognized retiree organization; requires retirement boards to cooperate with and assist retiree organizations in distributing communication about membership in the organization.	Watch	Assembly Public Employmt and Retirement
SB 1494	RB	DeSaulnier	As amended 3/29/12: authorizes Contra Costa county to negotiate to implement new retirement formula tiers.	Watch	Assembly Desk

SB 1563	Vets	Cannella	As introduced 2/24/12: specifies that veterans who have completed acceptable training in the United States Armed Forces as peace officers shall be allowed 15 additional points for any entrance examination for a peace officer position.	Watch	Assembly Desk
SCA 18	RB	Huff	As introduced 2/22/12: Governor's hybrid pension plan proposal.	Pending	Senate PER
SJR 21	RB	Kehoe	As introduced 3/6/12: urges Congress and the President to amend IRS Code to allow all retirees who have contributed to a qualified retirement plan the option to treat funds from those plans used to pay medical and long-term care premiums as tax-free rollovers	Support	Senate Govt and Finance