

AMENDED IN ASSEMBLY MAY 28, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2008

**Introduced by Assembly Member Arambula
(Coauthor: Assembly Member Solorio)**

February 17, 2010

An act to add Section 19852.4 to the Government Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2008, as amended, Arambula. Public employment: furloughs.

Existing law sets forth the general policy that the workweek of a state employee shall be 40 hours and authorizes workweeks of different hours to be established in order to meet varying needs of different state agencies. Existing law also authorizes the Governor to require that the 40-hour workweek be worked in 4 days in any state agency or part thereof when the Governor determines that the best interests of the state would be served thereby. Existing law vests the Department of Personnel Administration with the duties and responsibilities exercised by the State Personnel Board with respect to the administration of salaries, hours, and other personnel-related matters.

This bill would, except as otherwise specifically authorized by the Legislature, provide that employees of ~~the Department of Corrections and Rehabilitation, the Employment Development Department, the Franchise Tax Board, and the State Board of Equalization~~ would not be subject to furloughs implemented by any Executive order or by any other action of a state agency, board, or commission. The bill would also prohibit a state agency, board, or commission from directly or indirectly implementing, or assisting in implementing, a furlough of

those employees. The bill would define “employee” for the purpose of those provisions and would also specify that nothing in the bill shall be construed as legal authorization for the imposition of furloughs on employees through an Executive order.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19852.4 is added to the Government
2 Code, to read:

3 19852.4. (a) Except as otherwise specifically authorized by
4 the Legislature, employees of ~~the Department of Corrections and~~
5 ~~Rehabilitation, the Employment Development Department, the~~
6 Franchise Tax Board; and the State Board of Equalization shall
7 not be subject to furloughs implemented by any Executive order,
8 or by any other action implemented by a state agency, board, or
9 commission.

10 (b) A state agency, board, or commission shall not directly or
11 indirectly implement or assist in implementing a furlough of an
12 employee of ~~the Department of Corrections and Rehabilitation,~~
13 ~~the Employment Development Department, the Franchise Tax~~
14 Board; or the State Board of Equalization.

15 (c) Nothing in this section shall be construed as legal
16 authorization for the imposition of furloughs on employees through
17 an Executive order.

18 (d) For the purposes of this section, “employee” means a civil
19 service employee of the State of California.