

AMENDED IN ASSEMBLY APRIL 14, 2011

AMENDED IN ASSEMBLY MARCH 21, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 195

**Introduced by Assembly Member Roger Hernández
(Coauthor: Assembly Member Allen)**

January 27, 2011

An act to amend Section 3506 of, and to add Section 3506.5 to, the Government Code, relating to local public employee organizations.

LEGISLATIVE COUNSEL'S DIGEST

AB 195, as amended, Roger Hernández. Local public employee organizations.

The Meyers-Milias-Brown Act provides for the representation of local public employees by employee organizations and for the execution of memoranda of understanding between those organizations and local public agencies. The act prohibits a public agency or an employee organization from, among other things, intimidating, coercing, or discriminating against employees because they have chosen to join, or not join, an employee organization.

This bill would instead prohibit a public agency from, among other things, imposing reprisals on or discriminating against employees because of their exercise of rights guaranteed by the act, refusing or failing to meet and negotiate in good faith with a recognized employee organization, or refusing to participate in good faith in an applicable impasse procedure. *The bill would declare the intent of the Legislature that these provisions are technical and clarify existing law.*

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

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

1 SECTION 1. *The Legislature finds and declares that the*
2 *addition of Section 3506.5 to the Government Code is intended to*
3 *be technical and clarifying of existing law.*

4 ~~SECTION 1.~~

5 SEC. 2. Section 3506 of the Government Code is amended to
6 read:

7 3506. Employee organizations shall not interfere with,
8 intimidate, restrain, coerce, or discriminate against public
9 employees because of their exercise of their rights under Section
10 3502.

11 ~~SEC. 2.~~

12 SEC. 3. Section 3506.5 is added to the Government Code, to
13 read:

14 3506.5. A public agency shall not do any of the following:

15 (a) Impose or threaten to impose reprisals on employees, to
16 discriminate or threaten to discriminate against employees, or
17 otherwise to interfere with, restrain, or coerce employees because
18 of their exercise of rights guaranteed by this chapter. For purposes
19 of this subdivision, “employee” includes an applicant for
20 employment or reemployment.

21 (b) Deny to employee organizations the rights guaranteed to
22 them by this chapter.

23 (c) Refuse or fail to meet and negotiate in good faith with a
24 recognized employee organization. For purposes of this
25 subdivision, knowingly providing a recognized employee
26 organization with inaccurate information, whether or not in
27 response to a request for information, constitutes a refusal or failure
28 to meet and negotiate in good faith.

29 (d) Dominate or interfere with the formation or administration
30 of any employee organization, contribute financial or other support
31 to any employee organization, or in any way encourage employees
32 to join any organization in preference to another.

- 1 (e) Refuse to participate in good faith in an applicable impasse
- 2 procedure.

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