

AMENDED IN SENATE JULY 11, 2011

AMENDED IN SENATE JUNE 6, 2011

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 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. Existing law requires a public agency to meet and confer in good faith, as defined.

This bill would specify that a public agency is prohibited from, among other things, imposing reprisals on or discriminating against employees because of their exercise of rights guaranteed by the act, and would specify that knowingly providing a recognized employee organization

with inaccurate information *regarding the financial resources of the public employer* constitutes a refusal or failure to meet and negotiate in good faith. The bill would declare that these provisions are intended to be 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 SEC. 2. Section 3506.5 is added to the Government Code, to
5 read:

6 3506.5. A public agency shall not do any of the following:

7 (a) Impose or threaten to impose reprisals on employees, to
8 discriminate or threaten to discriminate against employees, or
9 otherwise to interfere with, restrain, or coerce employees because
10 of their exercise of rights guaranteed by this chapter. ~~For purposes~~
11 ~~of this subdivision, “employee” includes an applicant for~~
12 ~~employment or reemployment.~~

13 (b) Deny to employee organizations the rights guaranteed to
14 them by this chapter.

15 (c) Refuse or fail to meet and negotiate in good faith with a
16 recognized employee organization. For purposes of this
17 subdivision, knowingly providing a recognized employee
18 organization with inaccurate information *regarding the financial*
19 *resources of the public employer*, whether or not in response to a
20 request for information, constitutes a refusal or failure to meet and
21 negotiate in good faith.

22 (d) Dominate or interfere with the formation or administration
23 of any employee organization, contribute financial or other support
24 to any employee organization, or in any way encourage employees
25 to join any organization in preference to another.

26 (e) Refuse to participate in good faith in an applicable impasse
27 procedure.

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