

AMENDED IN ASSEMBLY APRIL 12, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2381

Introduced by Assembly Member Roger Hernández

February 24, 2012

An act to add Article 1.5 (commencing with Section 68530) to Chapter 2 of Title 8 of the Government Code, relating to the Judicial Council.

LEGISLATIVE COUNSEL'S DIGEST

AB 2381, as amended, Roger Hernández. Judicial Council: employer-employee relations.

The Ralph C. Dills Act, administered by the Public Employment Relations Board, authorizes state employees to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations, as specified. Existing law authorizes an employee organization to become the exclusive representative of an appropriate unit for purposes of meeting and negotiating, as specified. Existing law requires the Governor, or his or her representative, as properly designated by law, to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations, and to consider fully any presentation that is made by an employee organization on behalf of its members prior to arriving at a determination of policy or course of action.

This bill would provide that the Ralph C. Dills Act applies to employees of the Judicial Council, *including employees of the*

Administrative Office of the Courts. The bill would require the Administrative Director of the Courts to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment and would identify matters excluded from the scope of representation. The bill would require the Public Employment Relations Board, in determining appropriate bargaining units, to not include Judicial Council employees in a bargaining unit that includes other employees.

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. Article 1.5 (commencing with Section 68530) is
2 added to Chapter 2 of Title 8 of the Government Code, to read:

3
4 Article 1.5. Judicial Council Employer-Employee Relations
5

6 68530. Chapter 10.3 (commencing with Section 3512) of
7 Division 4 of Title 1 shall apply to employees of the Judicial
8 Council. The application of this article shall be limited to that
9 purpose.

10 68531. ~~(a) The term “state employee” shall include~~ *For the*
11 *purposes of this article, all of the following shall apply:*

12 (a) “Employee of the Judicial Council” includes an employee
13 of the Judicial Council or the Administrative Office of the Courts.

14 (b) “State employee” includes any employee of the Judicial
15 Council, except managerial employees, confidential employees,
16 and supervisory employees. “State employee” shall not include
17 any judicial officer or any employee of the Supreme Court, the
18 courts of appeal, or the Habeas Corpus Resource Center.

19 ~~(b)~~
20 (c) “State employer” or “employer,” for the purposes of
21 bargaining or meeting and conferring in good faith, shall mean the
22 Administrative Director of the Courts, or his or her designated
23 representative, acting with the authorization of the Chairperson of
24 the Judicial Council.

25 ~~(e)~~
26 (d) References to actions or decisions by the Governor, or his
27 or her designated representative, shall mean actions or decisions
28 by the Administrative Director of the Courts, or his or her

1 designated representative, acting with the authorization of the
2 Chairperson of the Judicial Council.

3 68532. (a) In view of the unique and special responsibilities
4 of the courts and judicial branch agencies in the administration of
5 justice, decisions regarding any of the following matters shall not
6 be included within the scope of representation:

7 (1) The merits and administration of the court system and
8 judicial branch agencies.

9 (2) Coordination, consolidation, and merger of courts, judicial
10 branch agencies, and the support staff of those courts and agencies.

11 (3) Automation, including, but not limited to, fax filing,
12 electronic recording, and implementation of information systems.

13 (4) Design, construction, and location of court or judicial branch
14 facilities.

15 (5) Delivery of court or judicial branch services.

16 (6) Hours of operation of the courts, court system, and judicial
17 branch agencies.

18 (b) The impact of the matters described in subdivision (a) shall
19 be included within the scope of representation as those matters
20 affect wages, hours, and terms and conditions of employment of
21 Judicial Council employees. The Administrative Director of the
22 Courts, or his or her designated representative, shall meet and
23 confer in good faith with respect to that impact.

24 68533. The Public Employment Relations Board, in
25 determining appropriate bargaining units, shall not include Judicial
26 Council employees in a bargaining unit that includes other
27 employees.