

Introduced by Senator Wyland

February 16, 2011

An act to amend Section 45060 of the Education Code, relating to certificated school employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 423, as introduced, Wyland. Certificated school employees: salaries.

Existing law requires the governing board of a school district to reduce a certificated school employee's salary, pursuant to the employee's authorization, to pay the employee's dues in a local or statewide professional organization.

This bill would make technical, nonsubstantive changes to this provision.

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. Section 45060 of the Education Code is amended
2 to read:
3 45060. (a) Except as provided in Section 45061, the governing
4 board of each school district, when drawing an order for the salary
5 payment due to a certificated employee of the district, shall ~~with~~
6 ~~or without charge~~ reduce the order, *with or without charge*, by the
7 amount ~~which it has been~~ *the employee* requested in a revocable
8 written authorization ~~by the employee to deduct~~ for the purpose
9 of paying the dues of the employee for membership in any local
10 ~~or statewide~~ professional organization ~~or in any statewide~~

1 ~~professional organization~~, or in any other professional organization
 2 affiliated or otherwise connected with a statewide professional
 3 organization which authorizes the statewide organization to receive
 4 membership dues on its behalf and for the purpose of paying his
 5 or her pro rata share of the costs incurred by the district in making
 6 the deduction. ~~No~~ A charge shall *not* exceed the actual cost to the
 7 district of the dues deduction. ~~Any~~ A revocation of a written
 8 authorization shall be in writing and shall be effective commencing
 9 with the next pay period.

10 Unless

11 (b) *Unless* otherwise provided in an agreement negotiated
 12 pursuant to Chapter 10.7 (commencing with Section 3540) of
 13 Division 4 of Title 1 of the Government Code, the governing board
 14 ~~shall~~, no later than the 10th day of each pay period for certificated
 15 employees, *shall* draw its order upon the funds of the district in
 16 favor of the organization designated by the employee for an amount
 17 equal to the total of the dues deductions made with respect to that
 18 organization for the previous pay period and shall transmit the
 19 total amount to that organization no later than the 15th day of each
 20 pay period for certificated employees. When timely transmittal of
 21 dues payments by a county is necessary for a school district to
 22 comply with the provisions of this section, the county shall act in
 23 a timely manner. If the employees of a district do not authorize
 24 the board to make a deduction to pay their pro rata share of the
 25 costs of making deductions for the payment of dues, the board
 26 shall deduct from the amount transmitted to the organization on
 27 whose account the dues payments were deducted the actual costs
 28 of making the deduction.

29 The

30 (c) *The* revocable written authorization shall remain in effect
 31 until expressly revoked in writing by the employee. Whenever
 32 there is a change in the amount required for the payment to the
 33 organization, the employee organization shall provide the employee
 34 with adequate and necessary data on the change at a time
 35 sufficiently ~~prior to~~ *before* the effective date of the change to allow
 36 the employee an opportunity to revoke the written authorization,
 37 if desired. The employee organization shall provide the public
 38 school employer with notification of the change at a time
 39 sufficiently ~~prior to~~ *before* the effective date of the change to allow
 40 the employer an opportunity to make the necessary adjustments

1 and with a copy of the notification of the change which has been
2 sent to all concerned employees.

3 ~~The~~

4 (d) *The* governing board shall not require the completion of a
5 new deduction authorization when a dues change has been effected
6 or at any other time without the express approval of the concerned
7 employee organization.

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