

AMENDED IN SENATE MARCH 24, 2011

**SENATE BILL**

**No. 609**

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**Introduced by Senator Negrete McLeod**

February 17, 2011

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An act to add ~~Section 3541.35~~ *Sections 3509.3, 3520.8, 3541.35, 3563.5, 71639.15, and 71825.05* to the Government Code, and to add *Section 99561.4* to the Public Utilities Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 609, as amended, Negrete McLeod. Public Employment Relations Board: final orders.

Existing law creates the Public Employment Relations Board and prescribes its powers, which include ~~deciding~~ *administering the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions commonly referred to as the Educational Employment Relations Act, the Higher Education Employer-Employee Relations Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act*. Existing law provides in this regard that the board may decide contested matters relating to the recognition, certification, or decertification of public employee organizations. Existing law permits a party to appeal a decision of an administrative law judge's decision regarding a matter within the board's jurisdiction.

This bill would provide that if a decision by an administrative law judge regarding the recognition or certification of an employee organization *in connection with the employment relations acts described above* is appealed, the decision shall be deemed the final order of the

board if the board does not act to supersede the decision on or before 180 days after the appeal is filed.

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 3509.3 is added to the Government Code,  
 2 to read:

3     3509.3. Notwithstanding any other law, if a decision by an  
 4 administrative law judge regarding the recognition or certification  
 5 of an employee organization is appealed, the decision shall be  
 6 deemed the final order of the board if the board does not issue a  
 7 ruling that supersedes the decision on or before 180 days after the  
 8 appeal is filed.

9     SEC. 2. Section 3520.8 is added to the Government Code, to  
 10 read:

11     3520.8. Notwithstanding any other law, if a decision by an  
 12 administrative law judge regarding the recognition or certification  
 13 of an employee organization is appealed, the decision shall be  
 14 deemed the final order of the board if the board does not issue a  
 15 ruling that supersedes the decision on or before 180 days after the  
 16 appeal is filed.

17     ~~SECTION 1.~~

18     SEC. 3. Section 3541.35 is added to the Government Code, to  
 19 read:

20     3541.35. Notwithstanding any other law, if a decision by an  
 21 administrative law judge regarding the recognition or certification  
 22 of an employee organization as described in subdivision (l) of  
 23 Section 3541.3 is appealed, the decision shall be deemed the final  
 24 order of the board if the board does not issue a ruling that  
 25 supersedes the decision on or before 180 days after the appeal is  
 26 filed.

27     SEC. 4. Section 3563.5 is added to the Government Code, to  
 28 read:

29     3563.5. Notwithstanding any other law, if a decision by an  
 30 administrative law judge regarding the recognition or certification  
 31 of an employee organization as described in subdivision (k) of  
 32 Section 3563 is appealed, the decision shall be deemed the final  
 33 order of the board if the board does not issue a ruling that

1 *supersedes the decision on or before 180 days after the appeal is*  
2 *filed.*

3 *SEC. 5. Section 71639.15 is added to the Government Code,*  
4 *to read:*

5 *71639.15. Notwithstanding any other law, if a decision by an*  
6 *administrative law judge regarding the recognition or certification*  
7 *of an employee organization is appealed, the decision shall be*  
8 *deemed the final order of the board if the board does not issue a*  
9 *ruling that supersedes the decision on or before 180 days after the*  
10 *appeal is filed.*

11 *SEC. 6. Section 71825.05 is added to the Government Code,*  
12 *to read:*

13 *71825.05. Notwithstanding any other law, if a decision by an*  
14 *administrative law judge regarding the recognition or certification*  
15 *of an employee organization is appealed, the decision shall be*  
16 *deemed the final order of the board if the board does not issue a*  
17 *ruling that supersedes the decision on or before 180 days after the*  
18 *appeal is filed.*

19 *SEC. 7. Section 99561.4 is added to the Public Utilities Code,*  
20 *to read:*

21 *99561.4. Notwithstanding any other law, if a decision by an*  
22 *administrative law judge regarding the recognition or certification*  
23 *of an employee organization as described in subdivision (k) of*  
24 *Section 99561 is appealed, the decision shall be deemed the final*  
25 *order of the board if the board does not issue a ruling that*  
26 *supersedes the decision on or before 180 days after the appeal is*  
27 *filed.*