

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 537

Introduced by Assembly Member Bonta

February 20, 2013

An act to amend Section ~~3505.1~~ 3505.2 of the Government Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 537, as amended, Bonta. Meyers-Milias-Brown Act. *Act: impasse procedures.*

The Meyers-Milias-Brown Act requires the governing body of a local public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. ~~The act provides that if agreement is reached, the parties shall prepare jointly a nonbinding written memorandum of understanding of the agreement that would then be presented to the governing body or its statutory representative for determination.~~ *Under the act, if the representatives of the public agency and the employee organization fail to reach an agreement, they may mutually agree on the appointment of a mediator and equally share the cost.*

~~This bill would make a technical, nonsubstantive change to those provisions~~ *instead authorize the representatives of the public agency or the employee organization, if they fail to reach an agreement, to request mediation. The bill would require that the parties agree upon the appointment of a mediator mutually agreeable to the parties within 5 days of a request by one of the parties. By requiring a higher level of*

service by a local public agency, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 3505.2 of the Government Code is
2 amended to read:

3 3505.2. If after a reasonable period of time, representatives of
4 the public agency and the recognized employee organization fail
5 to reach agreement, *either* the public agency ~~and~~ *or* the recognized
6 employee organization or recognized employee organizations
7 ~~together~~ may request mediation. Within five days of a request by
8 one of the parties, the parties shall agree upon the appointment of
9 a mediator mutually agreeable to the parties. Costs of mediation
10 shall be divided one-half to the public agency and one-half to the
11 recognized employee organization or recognized employee
12 organizations.

13 SEC. 2. If the Commission on State Mandates determines that
14 this act contains costs mandated by the state, reimbursement to
15 local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.

18 ~~SECTION 1. Section 3505.1 of the Government Code is~~
19 ~~amended to read:~~

20 ~~3505.1. If agreement is reached by the representatives of the~~
21 ~~public agency and a recognized employee organization or~~
22 ~~recognized employee organizations, they shall jointly prepare a~~
23 ~~written memorandum of the understanding, which shall not be~~
24 ~~binding, and present it to the governing body or its statutory~~
25 ~~representative for determination.~~

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