

ASSEMBLY BILL

No. 1550

Introduced by Assembly Member Rendon

January 27, 2014

An act to add Section 3549.5 to the Government Code, relating to school employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1550, as introduced, Rendon. School employees: collective bargaining.

Existing law permits public school 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 permits an employee organization to become the exclusive representative of an appropriate unit for purposes of meeting and negotiating with a public school employer, as specified. Existing law requires the provisions related to collective bargaining for public school employees to not be construed as prohibiting a public school employer from making the final decision with regard to specified matters, including, among other things, matters related to the scope of representation, as defined, and the causes and procedures for disciplinary action other than dismissal.

This bill would prohibit a public school employer from unilaterally adding language to, deleting language from, or otherwise implementing terms and conditions of employment inconsistent with, a negotiated agreement with an exclusive representative, and would, if language in a negotiated agreement is illegal, require the public school employer and the exclusive representative to meet and negotiate any change to the negotiated agreement to remedy the illegal language. By requiring

a public school employer to meet and negotiate with the exclusive representative, 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: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 3549.5 is added to the Government Code,
2 to read:

3 3549.5. (a) Notwithstanding any other law, a public school
4 employer shall not unilaterally add language to, delete language
5 from, or otherwise implement terms and conditions of employment
6 inconsistent with, a negotiated agreement with an exclusive
7 representative.

8 (b) If language in a negotiated agreement with an exclusive
9 representative is illegal, the public school employer and the
10 exclusive representative shall meet and negotiate any change to
11 the negotiated agreement to remedy the illegal language.

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