

ASSEMBLY BILL

No. 2126

Introduced by Assembly Member Bonta

February 20, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2126, as introduced, Bonta. Meyers-Milias-Brown Act: mediation.

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 a recognized employee organization. The act requires, if a tentative agreement is reached and the governing body adopts the tentative agreement, that the parties prepare jointly a non binding written memorandum of understanding of the agreement. Under existing law, if representatives of the public employee agency and the recognized employee organization fail to reach agreement, the parties may agree together upon the appointment of a mutually agreeable mediator.

This bill instead would permit either party to request mediation and would require the parties to agree upon a mediator. If the parties cannot agree upon a mediator, the bill would authorize either party to request the board to appoint a mediator. The bill would require the board to appoint a mediator within 5 days after receipt of the party's request, as prescribed.

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 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 agree upon the appointment of a mediator mutually*~~
8 ~~*agreeable to the parties. may request mediation. Within five days*~~
9 ~~*of a request by one of the parties, both of the parties shall agree*~~
10 ~~*upon the appointment of a mediator mutually agreeable to the*~~
11 ~~*parties. If the parties fail to agree upon the selection of a mediator*~~
12 ~~*within five days, either party may request that the board appoint*~~
13 ~~*a mediator. No later than five days after the receipt of either*~~
14 ~~*party's request, the board shall appoint a mediator in accordance*~~
15 ~~*with the rules prescribed by the board. Costs of mediation shall*~~
16 ~~*be divided one-half to the public agency and one-half to the*~~
17 ~~*recognized employee organization or recognized employee*~~
18 ~~*organizations.*~~