

AMENDED IN ASSEMBLY MAY 20, 2014

AMENDED IN SENATE APRIL 24, 2014

**SENATE BILL**

**No. 1071**

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**Introduced by Senator Beall**

February 19, 2014

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An act to add Section 3534.5 to the Government Code, relating to public employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 1071, as amended, Beall. Bill of Rights for State Excluded Employees.

The ~~existing~~ Bill of Rights for State Excluded Employees prescribes various rights and terms and conditions of employment for excluded employees, defined as certain supervisory, managerial, and confidential state employees, among other specified employees.

Under this bill, an excluded employee who is a supervisory employee, except as specified, and who is required to work shifts at a workplace that operates with two or more work shifts per day would have the right to use seniority in the employee's classification to obtain a preferred shift, subject to a specified restriction.

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 3534.5 is added to the Government Code,
- 2 to read:
- 3 3534.5. (a) Subject to subdivision (b), an excluded employee
- 4 who is a supervisory employee and who is required to work shifts

1 at a workplace that operates with two or more work shifts per day  
2 shall have the right to use seniority in the employee's classification  
3 to obtain a preferred shift.

4 (b) This section shall apply only to 60 percent of the positions  
5 within the same classification scheduled for a shift as designated  
6 by the employer.

7 (c) This section shall not apply to a peace officer employed by  
8 the Department of the California Highway Patrol *or the Department*  
9 *of Corrections and Rehabilitation.*