

**ASSEMBLY BILL**

**No. 1983**

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**Introduced by Assembly Member Lackey**

February 16, 2016

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1983, as introduced, Lackey. Excluded employees: shift seniority.

Existing law, the 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.

This bill would, with certain exceptions, require each state entity that employs specified excluded supervisory employees to develop, by January 1, 2018, policies that provide preference for supervisors based upon classification seniority as it pertains to shift assignments, vacations, and overtime.

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 3534.5 is added to the Government Code,
- 2 to read:
- 3 3534.5. (a) By January 1, 2018, each state entity that employs
- 4 excluded supervisory employees who are required to work shifts
- 5 at a workplace that operates with two or more shifts per day shall
- 6 develop policies that provide preference for supervisors based

1 upon classification seniority as it pertains to shift assignments,  
2 vacations, and overtime. Management of the state entity shall  
3 develop and maintain these policies by meeting with supervisory  
4 employee organizations.

5 (b) For purposes of this section, excluded supervisory employees  
6 does not include peace officers employed by the Department of  
7 the California Highway Patrol, the Department of Corrections and  
8 Rehabilitation, or the State Department of Developmental Services.