

AMENDED IN ASSEMBLY MARCH 15, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2225

Introduced by Assembly Member Low

February 18, 2016

An act to amend Section 6307 of the Labor Code, relating to employment, relating to state employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2225, as amended, Low. ~~Occupational safety.~~ *State employment: State Bargaining Unit 19: memorandum of understanding.*

Existing law provides that a provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees that requires the expenditure of funds does not become effective unless approved by the Legislature in the annual Budget Act.

This bill would approve provisions of a memorandum of understanding entered into between the state employer and State Bargaining Unit 19 that require the expenditure of funds and would provide that these provisions will become effective if these provisions are approved by the Legislature in legislation other than the annual Budget Act. The bill would provide that provisions of the memorandum of understanding approved by the bill that require the expenditure of funds will not take effect unless funds for those provisions are specifically appropriated by the Legislature, and would require the state employer and the employee organization to meet and confer to renegotiate if funds for those provisions are not specifically appropriated by the Legislature.

The California Occupational Safety and Health Act of 1973 provides the Division of Occupational Safety and Health with all the power, jurisdiction, and supervision over all employment and places of employment that is necessary to enforce and administer all occupational health and safety laws and to protect employees.

~~This bill would make technical, nonsubstantive changes to this provision.~~

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

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

1 SECTION 1. *The Legislature finds and declares that the*
2 *purpose of this act is to approve an agreement pursuant to Section*
3 *3517.5 of the Government Code entered into by the state employer*
4 *and State Bargaining Unit 19.*

5 SEC. 2. *The provisions of the memorandum of understanding*
6 *prepared pursuant to Section 3517.5 of the Government Code and*
7 *entered into by the state employer and American Federation of*
8 *State, County and Municipal Employees (AFSCME), State*
9 *Bargaining Unit 19, dated ____, that require the expenditure of*
10 *funds are hereby approved for the purposes of subdivision (b) of*
11 *Section 3517.6 of the Government Code.*

12 SEC. 3. *The provisions of the memorandum of understanding*
13 *approved by Section 2 of this act that require the expenditure of*
14 *funds shall not take effect unless funds for these provisions are*
15 *specifically appropriated by the Legislature. If funds for these*
16 *provisions are not specifically appropriated by the Legislature,*
17 *the state employer and the affected employee organization shall*
18 *meet and confer to renegotiate the affected provisions.*

19 SEC. 4. *Notwithstanding Section 3517.6 of the Government*
20 *Code, the provisions of the memorandum of understanding included*
21 *in Section 2 that require the expenditure of funds shall become*
22 *effective even if the provisions of the memorandum of*
23 *understanding are approved by the Legislature in legislation other*
24 *than the annual Budget Act.*

25 ~~SECTION 1. Section 6307 of the Labor Code is amended to~~
26 ~~read:~~

27 ~~6307. The division has the power, jurisdiction, and supervision~~
28 ~~over every employment and place of employment in this state, that~~

1 ~~is necessary to adequately enforce and administer all laws and~~
2 ~~lawful standards and orders, or special orders requiring every~~
3 ~~employment and place of employment to be safe, and requiring~~
4 ~~the protection of the life, safety, and health of every employee in~~
5 ~~every employment or place of employment.~~

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