

## Assembly Bill No. 674

### CHAPTER 895

An act to amend Section 19134 of the Government Code, relating to personal services contracts.

[Approved by Governor September 28, 2000. Filed with Secretary of State September 29, 2000.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 674, Wiggins. Personal services contracts: janitorial and housekeeping services.

Existing law permits state agencies to enter into personal services contracts when certain conditions are met.

Existing law requires a state agency that enters into a personal services contract for certain types of workers to include provisions for employee benefits that are valued at least 85% of the state employer cost of providing comparable benefits to state employees performing similar duties. The types of workers covered by this requirement include persons that provide janitorial and housekeeping services, custodians, food service workers, laundry workers, window cleaners, and security guards.

This bill would recast these provisions and would permit contractors to comply with these provisions by a cash payment to employees, as specified.

The bill would permit the Department of General Services and the Department of Personnel Administration to adopt guidelines and regulations to implement these requirements.

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

SECTION 1. Section 19134 of the Government Code is amended to read:

19134. (a) Personal services contracts entered into by a state agency in accordance with Section 19130 for persons providing janitorial and housekeeping services, custodians, food service workers, laundry workers, window cleaners, and security guard services shall include provisions for employee benefits that are valued at least 85 percent of the state employer cost of benefits provided to state employees for performing similar duties.

(b) For purposes of this section, "benefits" includes "health, dental, and vision benefits."

(c) (1) The Department of Personnel Administration shall establish annually the state employer benefit costs for workers covered pursuant to this section.



(2) Benefit costs shall be established using rates based on single employee, employee plus one dependent, and employee plus two or more dependents, or the costs may be based on a blended rate, subject to the determination of the Department of Personnel Administration.

(d) In lieu of providing actual benefits, contractors may comply with this section by a cash payment to employees equal to the applicable determination under subdivision (c).

(e) Failure to provide benefits or cash-in-lieu to employees as required under this section shall be deemed to be a material breach for any contract for personal services covered by this section.

(f) The Department of General Services and the Department of Personnel Administration may adopt guidelines and regulations to implement the requirements of this section.

(g) This section applies to all contracts exceeding 90 days.

