

ASSEMBLY BILL

No. 1934

Introduced by Assembly Member Corbett

February 12, 2002

An act to add Section 7910 to the Public Utilities Code, relating to telephone corporations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1934, as introduced, Corbett. Telephone corporations: background security checks.

Existing law permits telephone corporations to construct, own, control, operate and manage telephone lines and to provide telephone service for compensation in the state, subject to regulation by the Public Utilities Commission.

This bill would require telephone corporations to conduct an investigation into the background of applicants for employment and persons hired under a personal services contract sufficient to determine whether the person is a threat to the security of the telecommunications services provided by the telephone corporation. The background investigation of persons hired under a personal services contract would be required to be equivalent to that conducted for regular employees of the telephone corporation.

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. The Legislature finds and declares all of the
2 following:

1 (a) Telephone corporations generally subject their employees
2 to background checks to determine their suitability for the job.

3 (b) These security checks generally ascertain the criminal
4 background history of employees and other information that may
5 bear on whether the employee may present a risk to the security of
6 the telecommunications system.

7 (c) Telephone corporations often hire persons under personal
8 services contracts to do or perform specific functions where they
9 come in contact with the telecommunications system.

10 (d) These persons hired under personal services contracts are
11 not subject to the same background checks as regular employees
12 of the telephone corporation.

13 (e) It is the Legislature's intent that telephone corporations
14 retain flexibility and discretion in their hiring and retention
15 practices aimed at eliminating risks to the security of the
16 telecommunications system, subject to regulation by the Public
17 Utilities Commission, but that all persons that are in a position to
18 present a security risk be subjected to the same standards without
19 regard to their status as a regular employee, contract worker,
20 independent contractor or vendor.

21 SEC. 2. Section 7910 is added to the Public Utilities Code, to
22 read:

23 7910. (a) Telephone corporations shall conduct an
24 investigation into the background of applicants for employment
25 sufficient to determine whether they are a threat to the security of
26 the telecommunications system of the telephone corporation.

27 (b) Telephone corporations shall ensure that an investigation is
28 conducted into the background of any person hired under a
29 personal services contract, including independent contractors and
30 vendors and employees of independent contractors and vendors,
31 that is sufficient to determine whether the person is a threat to the
32 security of the telecommunications system of the telephone
33 corporation. The background investigation shall be equivalent to
34 that conducted for regular employees of the telephone corporation.

35 (c) This section is inapplicable to persons that do not have
36 contact or access to telephone system equipment, the telephone
37 corporation's central office, or customer premises.