

AMENDED IN SENATE JUNE 20, 2002

AMENDED IN ASSEMBLY MAY 8, 2002

AMENDED IN ASSEMBLY APRIL 24, 2002

AMENDED IN ASSEMBLY APRIL 18, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

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 amended, 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 perform an investigation into the background of certain applicants for employment. The bill would also require that a background check be performed on certain persons hired by a telephone corporation under a personal services contract, *as independent contractors, and as vendors, and would require independent contractors and vendors to certify that they have obtained the background checks, and to make those checks available to the telephone corporation upon request.* The bill would

provide that the telephone corporation is not responsible for administering or paying for the background checks of persons hired under a personal services contract, independent contractors, and vendors.

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 7910 is added to the Public Utilities
2 Code, to read:

3 7910. (a) Telephone corporations shall perform background
4 checks of applicants for employment, according to current
5 business practices.

6 (b) A background check equivalent to that ~~described in~~
7 ~~subsection (a)~~ *performed by the contracting telephone*
8 *corporation* shall also be conducted on all of the following:

9 (1) Persons hired by a telephone corporation under a personal
10 services contract.

11 (2) Independent contractors and their employees.

12 (3) Vendors and their employees.

13 (c) *Independent contractors and vendors shall certify that they*
14 *have obtained the background checks required pursuant to*
15 *subdivision (b), and shall make the background checks available*
16 *to the telephone corporation upon request.*

17 (d) Except as otherwise provided by contract, the telephone
18 corporation shall not be responsible for administering the
19 background checks and shall not assume the cost of the
20 background checks of individuals who are not applicants for
21 employment of the telephone corporation.

22 ~~(d)~~

23 (e) (1) Subdivision (a) only applies to applicants for
24 employment for positions that would allow the applicant to have
25 direct contact with or access to the telephone network, the
26 telephone corporation's central office, or customer premises, and
27 would require the applicant to perform activities that involve the
28 installation, service, or repair of the telephone network or
29 telephone equipment.

30 (2) Subdivision (b) only applies to persons that have direct
31 contact with or access to the telephone network, the telephone



1 corporation's central office, or customer premises, and perform
2 activities that involve the installation, service, or repair of the
3 telephone network or telephone equipment.

4 ~~(e)~~

5 (f) This section does not apply to temporary workers
6 performing emergency functions to restore the network of a
7 telephone corporation to its normal state in the event of a natural
8 disaster or an emergency that threatens or results in the loss of
9 service.

10 (g) *The provisions of this section apply only to applicants for*
11 *employment who apply for employment on and after January 1,*
12 *2003, and to contracts entered into on or after January 1, 2003.*

