

## Assembly Bill No. 1934

### CHAPTER 183

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

[Approved by Governor July 13, 2002. Filed with  
Secretary of State July 15, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1934, 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.

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

SECTION 1. Section 7910 is added to the Public Utilities Code, to read:

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

(b) A background check equivalent to that performed by the contracting telephone corporation shall also be conducted on all of the following:

- (1) Persons hired by a telephone corporation under a personal services contract.
- (2) Independent contractors and their employees.
- (3) Vendors and their employees.

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

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

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

(2) Subdivision (b) only applies to persons that have direct contact with or access to the telephone network, the telephone corporation's central office, or customer premises, and perform activities that involve the installation, service, or repair of the telephone network or telephone equipment.

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

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

