

Introduced by Senator Perata

February 22, 2008

An act to add Sections 3505.05, 3519.3, and 3543.9 to the Government Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1718, as introduced, Perata. Public employment: collective bargaining.

Existing law requires public agencies, the state employer, and public school employers, or their representatives, as properly designated by law, to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations, and to consider fully any presentation that is made by an employee organization on behalf of its members prior to arriving at a determination of policy or course of action.

This bill would prohibit those employers from negotiating a memorandum of understanding, as defined, with a recognized employee organization that contains a provision that is connected or linked to any provision of any other employee organization's memorandum of understanding.

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

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

- 1 SECTION 1. Section 3505.05 is added to the Government
- 2 Code, to read:
- 3 3505.05. (a) Notwithstanding Section 3505, the representatives
- 4 of a public agency shall not negotiate a memorandum of

1 understanding with a recognized employee organization that
2 contains a provision that is connected or linked to any provision
3 of any other employee organization’s memorandum of
4 understanding.

5 (b) As used in subdivision (a) only, “memorandum of
6 understanding” also includes a side letter, appendix, or other
7 addendum to a properly ratified memorandum of understanding.

8 SEC. 2. Section 3519.3 is added to the Government Code, to
9 read:

10 3519.3. (a) Notwithstanding Section 3517 or 3519, the state
11 employer shall not negotiate a memorandum of understanding with
12 a recognized employee organization that contains a provision that
13 is connected or linked to any provision of any other employee
14 organization’s memorandum of understanding.

15 (b) As used in subdivision (a) only, “memorandum of
16 understanding” also includes a side letter, appendix, or other
17 addendum to a properly ratified memorandum of understanding.

18 SEC. 3. Section 3543.9 is added to the Government Code, to
19 read:

20 3543.9. (a) Notwithstanding Section 3543.3, a public school
21 employer shall not negotiate a memorandum of understanding with
22 a recognized employee organization that contains a provision that
23 is connected or linked to any provision of any other employee
24 organization’s memorandum of understanding.

25 (b) As used in subdivision (a) only, “memorandum of
26 understanding” also includes a side letter, appendix, or other
27 addendum to a properly ratified memorandum of understanding.