

Senate Bill No. 609

CHAPTER 242

An act to add Sections 3509.3, 3520.8, 3541.35, 3563.5, 71639.15, and 71825.05 to the Government Code, and to add Section 99561.4 to the Public Utilities Code, relating to public employment.

[Approved by Governor September 6, 2011. Filed with
Secretary of State September 6, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

SB 609, Negrete McLeod. Public Employment Relations Board: final orders.

Existing law creates the Public Employment Relations Board and prescribes its powers, which include administering the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions commonly referred to as the Educational Employment Relations Act, the Higher Education Employer-Employee Relations Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act. Existing law provides in this regard that the board may decide contested matters relating to the recognition, certification, or decertification of public employee organizations. Existing law permits a party to appeal a decision of an administrative law judge's decision regarding a matter within the board's jurisdiction.

This bill would provide that if a decision by an administrative law judge regarding the recognition or certification of an employee organization in connection with the employment relations acts described above is appealed, the decision shall be deemed the final order of the board if the board does not act to supersede the decision on or before 180 days after the appeal is filed.

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

SECTION 1. Section 3509.3 is added to the Government Code, to read:
3509.3. Notwithstanding any other law, if a decision by an administrative law judge regarding the recognition or certification of an employee organization is appealed, the decision shall be deemed the final order of the board if the board does not issue a ruling that supersedes the decision on or before 180 days after the appeal is filed.

SEC. 2. Section 3520.8 is added to the Government Code, to read:
3520.8. Notwithstanding any other law, if a decision by an administrative law judge regarding the recognition or certification of an employee

organization is appealed, the decision shall be deemed the final order of the board if the board does not issue a ruling that supersedes the decision on or before 180 days after the appeal is filed.

SEC. 3. Section 3541.35 is added to the Government Code, to read:

3541.35. Notwithstanding any other law, if a decision by an administrative law judge regarding the recognition or certification of an employee organization as described in subdivision (l) of Section 3541.3 is appealed, the decision shall be deemed the final order of the board if the board does not issue a ruling that supersedes the decision on or before 180 days after the appeal is filed.

SEC. 4. Section 3563.5 is added to the Government Code, to read:

3563.5. Notwithstanding any other law, if a decision by an administrative law judge regarding the recognition or certification of an employee organization as described in subdivision (k) of Section 3563 is appealed, the decision shall be deemed the final order of the board if the board does not issue a ruling that supersedes the decision on or before 180 days after the appeal is filed.

SEC. 5. Section 71639.15 is added to the Government Code, to read:

71639.15. Notwithstanding any other law, if a decision by an administrative law judge regarding the recognition or certification of an employee organization is appealed, the decision shall be deemed the final order of the board if the board does not issue a ruling that supersedes the decision on or before 180 days after the appeal is filed.

SEC. 6. Section 71825.05 is added to the Government Code, to read:

71825.05. Notwithstanding any other law, if a decision by an administrative law judge regarding the recognition or certification of an employee organization is appealed, the decision shall be deemed the final order of the board if the board does not issue a ruling that supersedes the decision on or before 180 days after the appeal is filed.

SEC. 7. Section 99561.4 is added to the Public Utilities Code, to read:

99561.4. Notwithstanding any other law, if a decision by an administrative law judge regarding the recognition or certification of an employee organization as described in subdivision (k) of Section 99561 is appealed, the decision shall be deemed the final order of the board if the board does not issue a ruling that supersedes the decision on or before 180 days after the appeal is filed.