

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass
Vote:	9 - 0 - 1
Yeas:	Barton, Fagan, Holvey, Kennemer, Matthews, Thompson, Weidner, Witt, Doherty
Nays:	0
Exc.:	Thatcher
Prepared By:	Jan Nordlund, Administrator
Meeting Dates:	2/22, 3/18

WHAT THE MEASURE DOES: Makes strike or recognition of picket line by assistant attorneys general unlawful.

ISSUES DISCUSSED:

- Ethical considerations for attorney to leave client
- Ability to find replacements
- Need for attorneys to be able to meet court dates
- Legislation in 2009 making it unlawful for deputy district attorneys to strike
- Contingency plan to respond to striking attorneys

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Public Employee Collective Bargaining Act (PECBA), enacted in 1973, codifies the laws governing employment relations and public employers and employees in the state, counties, cities, school districts, transportation districts, and other local governments, as well as private employers not subject to the jurisdiction of the National Labor Relations Board. Employees that are not covered under the PECBA and who are prohibited from organizing include elected officials, persons appointed to serve on boards or commissions, certain incarcerated persons, or persons who are confidential employees, supervisory employees or managerial employees.

Though they may be represented by a labor organization, it is unlawful for deputy district attorneys and certain public safety and emergency personnel to strike or recognize a picket line while in the performance of official duties. House Bill 2449 adds assistant attorneys general to the list of those who may not lawfully strike or recognize a picket line.