

SB 272 STAFF MEASURE SUMMARY

Carrier: Rep. Doherty

House Committee On Business and Labor

Action Date: 05/08/19

Action: Do Pass.

Vote: 9-0-2-0

Yeas: 9 - Barker, Barreto, Boles, Bonham, Boshart Davis, Bynum, Doherty, Evans, Fahey

Exc: 2 - Clem, Holvey

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 4/24, 5/8

WHAT THE MEASURE DOES:

Adds assistant attorneys general to the list of public employees prohibited from striking or recognizing a picket line.

ISSUES DISCUSSED:

- Parties will be subject to binding arbitration
- Critical work performed by assistant attorneys general and obligation they have to clients
- Conforming statute to existing practice

EFFECT OF 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 all together 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 certain public safety and emergency personnel and deputy district attorneys to strike or recognize a picket line while in the performance of official duties. Instead, those employees engage in binding arbitration as provided by PECBA to resolve disagreements that have come to an impasse. Senate Bill 272 adds assistant attorneys general to the list of those who may not lawfully strike or recognize a picket line resulting in certain collective bargaining disputes between labor and management being resolved through binding arbitration.