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**SB-285 Public employers: union organizing.** (2017-2018)

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**Senate Bill No. 285**

**CHAPTER 567**

An act to add Chapter 11 (commencing with Section 3550) to Division 4 of Title 1 of the Government Code, relating to public employment.

[ Approved by Governor October 07, 2017. Filed with Secretary of State October 07, 2017. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 285, Atkins. Public employers: union organizing.

Existing law prohibits using state funds to reimburse a state contractor for any costs incurred to assist, promote, or deter union organizing. Existing law prohibits a public employer receiving state funds from using those funds to assist, promote, or deter union organizing. Existing law defines public employers and public agencies with reference to provisions authorizing public employees to join organizations for purposes of negotiating the terms and conditions of their employment.

This bill would prohibit a public employer from deterring or discouraging public employees from becoming or remaining members of an employee organization. The bill would define a public employer for this purpose to include counties, cities, districts, the state, schools, transit districts, the University of California, and the California State University, among others. The bill would grant the Public Employment Relations Board jurisdiction over violations of its provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Chapter 11 (commencing with Section 3550) is added to Division 4 of Title 1 of the Government Code, to read:

**CHAPTER 11. Prohibition on Public Employers Deterring or Discouraging Union Membership.**

**3550.** A public employer shall not deter or discourage public employees from becoming or remaining members of an employee organization.

**3551.** The Public Employment Relations Board shall have jurisdiction over violations of this chapter. The powers and duties of the board described in Section 3541.3 shall apply, as appropriate, to this chapter.

**3552.** For the purpose of this chapter:

(a) "Employee organization" means an employee organization within the meaning of the provisions listed in subdivision (c).

(b) "Public employee" means an employee granted rights by the provisions listed in subdivision (c).

(c) "Public employer" means any employer subject to Chapter 10 (commencing with Section 3500), Chapter 10.3 (commencing with Section 3512), Chapter 10.7 (commencing with Section 3540), or Chapter 12 (commencing with Section 3560) of Division 4 of Title 1, Chapter 7 (commencing with Section 71600) or Chapter 7.5 (commencing with Section 71800) of Title 8 of this code, or Chapter 7 (commencing with Section 99560) of Part 11 of Division 10 of the Public Utilities Code, or Section 12302.25 of the Welfare and Institutions Code.