

Assembly Appropriations Committee

Labor & PERS

9/1/17 8:29 AM

BILL	AUTHOR	SUBJECT/FISCAL EFFECT	
SB 63	Jackson	<p>Subject: Expansion of parental leave.</p> <p>Enacts the New Parent Leave Act. Specifically, this bill:</p> <ol style="list-style-type: none">1) Requires an employer with 20 or more employees to allow an eligible employee, as defined, to take up to 12 weeks of job-protected parental leave to bond with a new child within one year of the child's birth, adoption or foster care placement.2) Prohibits an employer from refusing to maintain and pay for the employee's continued group health coverage during the duration of the leave but specifies conditions under which an employer may recover premiums paid during this time if employees do not return.3) Clarifies that to the extent that state regulations interpreting the California Family Rights Act (CFRA) are within the scope of, and do not conflict with, this bill, then those regulations will apply. <p>Fiscal:</p> <p>General Fund (GF) administrative costs to the Department of Fair Employment and Housing (DFEH) of approximately \$190,000 in the first year and \$170,000 on going, to process complaints.</p>	

SB 76	Nielsen	<p>Subject: Excluded employees and arbitration.</p> <p>Creates the Excluded Employee Arbitration Act in order to permit an organization that represents certain excluded employees to request arbitration of an employee grievance.</p> <p>Fiscal:</p> <p>Unknown fiscal impact. While the additional costs per additional arbitration are approximately \$40,000 General Fund (GF), there is considerable uncertainty about the total costs to the state. Specifically, the fiscal effect of this bill is dependent on the following factors:</p> <ol style="list-style-type: none"> 1) Case outcomes. The costs of arbitration would be offset in instances when the state employer wins arbitration proceedings and is therefore compensated for its costs. 2) The impact of arbitration on other parts of the formal grievance procedure. The new arbitration process could create competing incentives within the grievance process. Currently, CalHR processes an average 150 grievances per year for excluded employees. It can be assumed a number of these would have been elevated to arbitration if such an option were available to employees, since arbitration is perceived as producing better outcomes for workers. Even a handful of additional cases that are elevated to arbitration would result in GF costs in excess of \$150,000 GF. However, SB 76 may also result in savings that are difficult to calculate in advance. The threat of arbitration could mean that an agreement between the employee and employer is reached earlier in the formal grievance process, thereby reducing administrative costs. Moreover, to the extent that arbitration is pursued instead of taking a case to court, departments could see significant reduction in litigation costs. 	
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SB 295	Monning	<p>Subject: Farm labor contractors and sexual harassment prevention training.</p> <p>Modifies requirements around farm labor contractors (FLCs) and sexual harassment prevention training. Specifically, this bill:</p> <ol style="list-style-type: none"> 1) Requires sexual harassment prevention training for each employee to be in the language understood by that employee, as specified. 2) Requires FLCs to provide the Labor Commissioner (LC), as part of the license renewal process, a complete list of all materials or resources used to provide sexual harassment prevention training and the number of employees trained. The LC must then post on its website the aggregate number of employees trained. 3) Authorizes the LC to assess a civil penalty of \$100 for each violation, as specified. <p>Fiscal:</p> <ol style="list-style-type: none"> 1) Ongoing annual costs in the range of \$300,000 (Special Fund) for the Department of Industrial Relations (DIR) to review and post submitted materials. 2) Potential increase in revenue as a result of the new civil penalty that may be assessed for each violation. 	
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SB 334	Dodd	<p>Subject: Enhanced industrial disability leave.</p> <p>Extends enhanced industrial disability leave (EIDL) benefits to members of Bargaining Unit 8 who lose the ability to work for more than 22 work days as a result of an injury or illness incurred in the official performance of their duties. Eligible employees can receive an EIDL benefit in an amount of their net salary, as defined, for up to 52 weeks after the injury, and eligible employees with burn-related injuries can receive EIDL benefit for up to 156 weeks after the injury.</p> <p>Fiscal:</p> <ol style="list-style-type: none"> 1) Unknown benefit costs for the California Department of Forestry and Fire Protection (CAL FIRE) as a result of additional EIDL claims, though the specific number of new EIDL claims cannot be predicted. If the \$1.2 million in industrial disability leave (IDL) claims in 2015-16 were EIDL claims, then additional benefit costs for CAL FIRE would have been approximately \$384,000 General Fund (GF). 2) Unknown but significant overtime costs to help backfill fire suppression positions to accommodate additional EIDL claims. Overtime costs for every 100 firefighters on leave costs CAL FIRE an estimated \$3.5 million GF. 3) Ongoing annual staffing costs of approximately \$420,000 GF for CAL FIRE to manage and process claims. 	
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SB 548	Atkins	<p>Subject: Public Employment Relations Board and expedited cases.</p> <p>Codifies regulations adopted and promulgated by the Public Employment Relations Board (PERB) related to the expedited hearing of matters before the PERB and requires expedited review of specified matters pending before PERB related to the Meyers-Milias-Brown Act (MMBA) and the Ralph C. Dills Act (Dills Act).</p> <p>Fiscal:</p> <p>Significant staffing and administrative costs for PERB, possibly in the low millions of dollars. Costs to PERB would depend on the number of expedited cases and unfair practice charges that are filed as a result of this bill. Moreover, PERB would face additional costs if these expedited cases displace other cases for represented employees and employers under public relations statutes not covered by this bill. In order to maintain their same level of access to PERB's regular adjudication process as under current timelines, PERB would need additional staff and resources.</p>	
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