

## ASSEMBLY BILLS

### **AB 10 Alejo            Minimum Wage: Annual Adjustment**

Provides that the minimum wage shall be increased on and after July 1, 2014, the minimum wage shall be \$9.00 per hour then on and after January 1, 2016, the minimum wage shall be \$10.00 per hour.  
Status: Chapter 351, Statutes of 2013.

### **AB 11 Logue            Employees: Reserve Peace Officers and Emergency Rescue Personnel**

This bill requires an employer employing 50 or more employees to allow an employee who performs duty as a reserve peace officer or emergency rescue personnel to take temporary leaves of absence, for up to 14 days in a calendar year, to engage in fire, law enforcement, or emergency rescue training.  
Status: Chapter 120, Statutes of 2013.

### **AB 26 Bonilla            Construction: Prevailing wage**

This bill revises the definition of “construction,” for purposes of public works projects, to also include work performed during the post construction phases of construction, including, but not limited to, all cleanup work at the jobsite.  
Status: Chapter 864, Statutes of 2014.

### **AB 114 Salas            Prop. 39: Implementation Workforce Development**

Would require the Clean Energy Jobs and Workforce Development Program (CEJWDP) grant recipients to report to the California Workforce Investment Board (CWIB) the number of individuals trained, their demographic and geographic profile, number of training completions, and number of job placements. This bill, after one year, requires the CWIB to review and assess whether the competitive grant program is achieving the job training and workforce development goals, identify problems and barriers to achieve goals, and provide solutions to improve the program performance.  
Status: Senate Floor, dead bill.

### **AB 155 Alejo            Employment: Payroll Records: Right to Inspect**

Would provide that a current or former employee has a right to receive a copy of their payroll records.  
Status: The labor provisions were subsequently amended out of the bill.

### **AB 228 Logue            Labor Commissioner: Employee Claims**

This bill would authorize both the director and the commissioner, or their deputies, to waive any penalties against an employer if the employer resolves the claim within 30 days of receiving a notice, as specified, from the commissioner. The bill would not apply to violations of minimum wage requirements.  
Status: Assembly Committee on Labor and Employment, dead bill.

**AB 241 Ammiano                      Domestic Work Employees: Labor Standards**

Enacts the "Domestic Worker Bill of Rights" to provide overtime to domestic work employees, as specified. Specifies that "domestic work" does not include care of persons in facilities providing board or lodging in addition to medical, nursing, convalescent, aged or child care, including, but not limited to, residential care facilities for the elderly. Exempts from the definition of "domestic work employee" any person who is employed pursuant to a voucher issued through a regional center. Clarifies that the exemption for casual babysitters applies to a person whose employment is irregular or intermittent and is not performed by an individual whose vocation is babysitting.

Status: Chapter 374, Statutes of 2013.

**AB 263 R. Hernández              Employment Retaliation: Immigration-Related Practices**

Provides that it shall be unlawful for an employer or any other person or entity to engage in, or to direct another person or entity to engage in, unfair immigration-related practices against any person for the purpose of, or with the intent of, retaliating against any person for exercising any right protected under the Labor Code or by any local ordinance applicable to employees, as specified.

Status: Chapter 732, Statutes of 2013.

**AB 302 Chau                          Public Works: Public Subsidies**

Would have provided a statutory definition for a "de minimis" public subsidy that does not trigger the requirements of prevailing wage law of \$25,000 (in addition to other requirements).

Status: Vetoed by Governor Brown.

**AB 326 Morrell                      OSHA: Reporting Requirements**

Modifies specified reporting requirements related to occupational safety and health.

Status: Chapter 91, Statutes of 2014.

**AB 332 Hall                          OSHA: Adult Films**

The bill would have required employers engaged in the production of adult films to adopt safety-related practices and procedures regarding sexually transmitted diseases (STDs).

Status: Held in Assembly Appropriations Committee.

**AB 344 I. Calderon                  Employment of Minors: Permits**

Would have allowed the Labor Commissioner (LC) to collect a fee for the issuance of a minors entertainment work permit (EWP) to offset costs.

Status: Assembly Appropriations Committee, dead bill.

**AB 442 Nazarian                      Employee: Wages**

This bill authorizes the Labor Commissioner to collect liquidated damages from an employer who pays an employee less than minimum wage.  
Status: Chapter 735, Statutes of 2013.

**AB 517 Achadjian                      OSHA: Local Public Entities: Penalty Moneys: Grants**

Would have authorized any county, city, special district, public authority, public agency, or joint powers authority to apply for a refund of civil penalties assessed, with interest, for violations of occupational safety and health laws if the conditions have been corrected  
Status: Held in Assembly Appropriations Committee.

**AB 533 I. Calderon                      Artistic Employment Contracts: Minors**

Excludes background performers from the requirement of establishing a Coogan Trust, as defined.  
Status: Chapter 102, Statutes of 2013.

**AB 556 Salas                      Fair Employment and Housing Act: Military Veterans**

Prohibits employment discrimination against all active duty military and veterans of the Armed Services.  
Status: Chapter 691, Statutes of 2013.

**AB 633 Salas                      Emergency Medical Services: Civil Liability**

Prohibits an employer from adopting a policy or practice that prohibits an employee from voluntarily providing emergency medical services in response to a medical emergency.  
Status: Chapter 591, Statutes of 2013.

**AB 641 Rendon                      Child Care: Family Child Care Providers: Bargaining Representatives**

Would have authorized family child care providers to form, join, participate in, and to seek the certification of, a provider organization (PO) to act as their exclusive representative on matters related to child care subsidy programs. This bill would have established a Family Child Care Parent (FCCP) Advisory Committee, as specified. Would require the state Department of Social Services (DSS) and the California Department of Education (CDE), with the assistance of specified state departments and agencies, and their contractors and subcontractors, to make specified information regarding family child care providers available to POs, as specified. Would further require all resource and referral agencies to provide, without charge, specified workshops to family child care providers. This bill would have further established a stakeholder work group, and requires the DSS to consult with the group, as specified.  
Status: Senate Floor, dead bill.

**AB 778 Bocanegra    Employment: Workforce and Demographic Changes: Study**

Would require the Director of Industrial Relations to study workforce and demographic changes in the workforce in California in the previous 20 years and projected workforce needs in the coming 30 years. The bill would require the director to create a report summarizing the findings of the study and submit that report to the Assembly Committee on Labor and Employment and the Senate Committee on Labor and Industrial Relations.

Status: Assembly Appropriations Committee, held under submission.

**AB 874 Williams    Public Utilities: Unionization**

Would prohibit Investor Owned Utilities (IOUs) from recovering certain expenses from ratepayers. Specifically would also prohibit any expense incurred by an IOU in assisting or deterring union organizing cannot be recoverable either directly or indirectly in the utility's rates.

Status: Assembly Floor, dead bill.

**AB 907 Conway    Employment: Flexible Work Schedules**

Would permit an individual nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to ten hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday. The bill would require the Division of Labor Standards Enforcement in the Department of Industrial Relations to enforce this provision and adopt regulations.

Status: Assembly Committee on Labor and Employment, dead bill.

**AB 971 Garcia    Public Agency Employers: Paratransit Providers: Criminal History Info.**

Specifies that certain criminal history information may be provided to paratransit agencies for the purposes of oversight and enforcement of the agency's policies with respect to contracted providers of service.

Status: Chapter 458, Statutes of 2013.

**AB 972 I. Calderon    Employment: Electrician Certification**

Would require that, for projects using electricians, each contractor and subcontractor must also provide the electrician's state certification number on the payroll records below his or her name.

Status: Senate Labor and Industrial Relations Committee, dead bill.

**AB 1082 Williams    Employment Records: Report**

Would have required an employer who employs 50 or more full-time equivalent employees to report specified information to the Employment Development Department (EDD) on or before, July 1 of each year.

Status: Held in Assembly Appropriations Committee.

**AB 1140 Daly                      Public Works: Prevailing Wages**

Would have provided that changes made to prevailing wage rates apply on their effective date to any contract that is awarded or for which notice to bidders is published on or after January 1, 2014, as specified.

Status: Vetoed by Governor Brown.

**AB 1164 Lowenthal                      Liens: Employees and Workers**

Would authorize an employee to record and enforce a wage lien upon an employer's property, as specified.

Status: Assembly Floor, dead bill.

**AB 1165 Skinner                      OSHA: Violations**

Would have enacted various provisions of law related to an employer's obligation to abate an alleged hazard pending appeal of a citation.

Status: Vetoed by Governor Brown.

**AB 1202 Skinner                      OSHA Standards: Hazardous Drugs**

This bill requires the Occupational Safety and Health Standards Board (OSHSB) to adopt a standard related to the handling of antineoplastic drugs, as specified.

Status: Chapter 678, Statutes of 2013.

**AB 1243 Hueso                      Employment: Taxi Drivers**

Would, in any matter where the classification of a driver of a taxicab is to be determined, as specified, establish a presumption, rebuttable by clear and convincing evidence, as specified, that the driver of a taxicab is an independent contractor rather than an employee of the taxi company. The bill would specify, in order of decreasing significance, the factors used in rebutting the presumption, and would specify the factors that may not be considered as evidence of employer-like control by a taxi company.

Status: Assembly Committee on Labor and Employment, dead bill.

**AB 1268 John Pérez      UI: Veterans Unemployment: Veterans Workforce Development Office**

Would have established the Veterans Workforce Development and Employment Office (Office) within the Labor and Workforce Development Agency (LWDA) for the purpose of coordinating veterans' workforce services.

Status: Senate Floor, dead bill.

**AB 1277 Skinner                      OSHA: Procedures**

Would revise the statute governing the issuance and adjudication of citations for alleged violations of occupational safety and health laws

Status: Held in Assembly Appropriations Committee.

**AB 1294 Grove                      Public Works: Civil Wage and Penalty Assessments**

Would amend existing law related to civil wage and penalty assessments related to alleged violations of public works law. Would specifically provide that the Labor Commissioner (LC) shall have the burden of proving that the basis for an assessment is correct.

Status: Assembly Committee on Labor and Employment, dead bill.

**AB 1315 John Pérez                      California Green Collar Jobs Act of 08': Council**

The bill would have added the Speaker of the Assembly and the President Pro Tempore of the Senate to the California Workforce Investment Board and the Green Collar Jobs Council (GCJC) and require the GCJC to develop and update a "common framework" to address specified workforce needs, among other things.

Status: Senate Floor, dead bill.

**AB 1336 Frazier                      Prevailing Wages: Payroll Records**

Enacts various provisions of law related to enforcement of prevailing wage law by specified joint-labor management committees and extends the statutory of limitations for certain assessments and civil actions to 18 months.

Status: Chapter 792, Statutes of 2013.

**AB 1383 R. Hernández                      Enforcement**

Would have explicitly stated that nothing in the Labor Code itself prohibits the local enforcement of labor standards in a manner more stringent than enforcement by the state.

Status: The labor provisions were subsequently amended out of the bill.

**AB 1384 Labor Committee                      Garment Manufacturing: Civil Penalties**

Establishes civil penalties for a garment manufacturer who fails to display specified information at the front entrance of the business, as required under existing law.

Status: Chapter 308, Statutes of 2013.

**AB 1386 Labor Committee                      Employment: Employee Complaints: Final Orders**

Streamlines the collection procedure for employee wage claims that are final.

Status: Chapter 750, Statutes of 2013.

**AB 1387 R. Hernández                      Car Washes**

This bill eliminates the sunset date on existing law regulating the car washing and polishing industry. Also, this bill increases the surety bond from \$15,000 to \$150,000 and provides a specified exemption for employers with a valid collective bargaining agreement.

Status: Chapter 751, Statutes of 2013.

**AB 1443 Skinner                      Harassment: unpaid interns**

This bill expands discrimination and harassment protections under the Fair Employment and Housing Act (FEHA) to include an unpaid internship or another limited duration program that provides unpaid experience for that person.

Status: Chapter 302, Statutes of 2014.

**AB 1522 Gonzalez                      Employment: paid sick days**

Enacts the Healthy Workplaces, Healthy Families Act of 2014, which requires employers to provide paid sick days to employees who work 30 or more days within a year from commencement of employment, as specified.

Status: Chapter 317, Statutes of 2014.

**AB 1543 Holden                      Employment: mass, layoffs, relocations and terminations**

This bill would have required the Employment Development Department (EDD), upon receipt of the written notice of a mass layoff, relocation, or termination, to forward a copy of the notice to the Governor's Office of Business and Economic Development (GO-BIZ); and requires EDD and GO-BIZ to each post the notice on their Internet Web sites.

Status: Senate Floor, dead bill.

**AB 1562 Gomez                      Employment: leave**

Would have expanded eligibility for unpaid family and medical leave under the California Family Rights Act (CFRA) to public or private school employees.

Status: Senate Appropriations, held under submission, dead bill.

**AB 1576 Hall                      OSHA: adult films**

Would have required additional documentation of compliance from adult film employers with respect to the bloodborne pathogen standard.

Status: Senate Appropriations, held under submission, dead bill.

**AB 1634 Skinner                      OSHA: violations**

This bill prohibits the Division of Occupational Safety and Health (DOSH) from granting, for serious violations, a proposed modification to civil penalties for abatement or credit for abatement unless the employer has abated the violation, as specified, or has submitted a statement to DOSH, as specified, and additionally requires supporting evidence with statement where necessary. This bill authorizes the division to grant such a modification only if the violation has been abated, as specified, or the signed statement and supporting evidence is received within 10 working days after the end of the period fixed for abatement, as specified.

Status: Chapter 497, Statutes of 2014.

**AB 1680 Wilk****Child Performer Service Permits**

This bill requires any person with a valid Child Performer Services Permit to include the permit number on advertising in print or electronic media, including, but not limited to, Internet Web sites, or in any other medium of advertising.

Status: Chapter 232, Statutes of 2014.

**AB 1723 Nazarian****Employees: wages**

This bill provides that minimum wage citations issued by the Labor Commissioner will also include any applicable "waiting time" penalties provided for under existing law, as specified.

Status: Chapter 886, Statutes of 2014.

**AB 1741 Frazier****Public works: prevailing wage rates: penalties**

Would have authorized contractors and/or subcontractors who have received a wage and penalty assessment under public works law, as an alternative to becoming automatically liable for liquidated damages in specified circumstances, to deposit the full amount of the assessment in the form of a bond with the Department of Industrial Relations (DIR). Current law only allows for this payment to be in the form of cash.

Status: Assembly Appropriations, held under submission, dead bill.

**AB 1792 Gomez****Public benefits: reports on employers**

This bill requires the Department of Health Care Services (DHCS) to annually inform the Employment Development Department (EDD) of the names and social security numbers of all recipients of the Medi-Cal program; requires DHCS to determine the average per-individual cost of state and federally funded benefits provided by the Medi-Cal program and inform EDD of these costs; defines an employer as an individual or organization that employs 100 or more beneficiaries of the Medi-Cal program; requires the Department of Finance (DOF) to, after obtaining specified information from EDD, annually transmit to the Legislature and post on the DOF Internet Web site a report that, among other things, identifies the 500 employers in the state with the most number of employees enrolled in a public assistance program ranked by the number of those employees, as specified; and establishes a January 1, 2020, sunset date.

Status: Chapter 889, Statutes of 2014.

**AB 1797 Rodriguez****California Workforce Investment Board**

This bill requires the California Workforce Investment Board (CWIB), in consultation with the Division of Apprenticeship Standards (DAS), to conduct specified activities related to expanding job training and employment for allied health professions, as defined.

Status: Chapter 157, Statutes of 2014.

**AB 1803 Skinner                    OSHA: lead-related construction registration programs**

Would have established a lead-related construction registration program under the Division of Occupational Safety and Health (DOSH) and requires any employer or contractor who will be engaging in lead-related construction work to apply for and obtain registration in the program prior to the commencement of any such work.

Status: Assembly Appropriations, held under submission, dead bill.

**AB 1870 Alejo                    Public works: prevailing wage: multiemployer apprenticeship programs**

This bill makes changes to existing law related to the distribution of training contributions by the California Apprenticeship Council (CAC) to approved apprenticeship programs.

Status: Chapter 890, Statutes of 2014.

**AB 1897 R. Hernández            Labor contracting: client liability**

Establishes specified liability for client employers that obtain workers from third-party labor contractors.

Status: Chapter 728, Statutes of 2014.

**AB 1939 Daly                    Public works: prevailing wages: contractor's costs**

This bill authorizes a contractor on a private works project to bring an action to recover from the hiring party that the contractor directly contracts with the difference between the wages actually paid to an employee and the increased wages that were required to be paid to an employee, in addition to any penalties or other sums required to be paid, and costs and attorney's fees, because the project was subsequently deemed to be a public work subject to prevailing wage requirements.

Status: Chapter 161, Statutes of 2014.

**AB 2030 Campos                    Employees: time off**

Would have prohibited an employer from discharging or discriminating against an employee taking time off, within defined limitations, without loss of pay and would have prohibit an employee from being required to use existing vacation, personal leave, or compensatory time off for those purposes, unless otherwise provided by a collective bargaining agreement, as specified.

Status: Assembly Committee on Labor and Employment, dead bill.

**AB 2053 Gonzalez                    Employment harassment education/training: abusive conduct**

This bill expands on existing law related to sexual harassment training for supervisory employees to also include training on the prevention of "abusive conduct."

Status: Chapter 306, Statutes of 2014.

**AB 2063 Chavez                      Employment: car washes: online registration**

This bill would have authorized employers in the car washing and polishing industry to submit their required application for registration, fees and supporting documentation online.  
Status: Assembly Appropriations Committee, held under submission.

**AB 2074 R. Hernández            Recovery of wages: liquidated damages**

This bill clarifies that the statute of limitations for a suit filed to pursue liquidated damages for the failure to pay the minimum wage will run until the expiration of the statute of limitations for the wages in which the penalties are being sought.  
Status: Chapter 211, Statutes of 2014.

**AB 2079 Grove                      Labor Code Private Attorneys General Act of 2004**

Would have amended the Labor Code Private Attorneys General Act of 2004 (PAGA) to allow an employer to cure an alleged violation of law related to itemized wage statements before a civil action may be brought by an aggrieved employee.  
Status: Assembly Committee on Labor and Employment, dead bill.

**AB 2095 Wagner                    Employee compensation: itemized statements**

Would have authorized an employer to recover reasonable attorney's fees and costs from an employee for specified claims of failure to provide an accurate itemized wage statement, where the employer is the prevailing party and the court determines that the action was brought in bad faith.  
Status: Assembly Judiciary Committee, dead bill.

**AB 2120 Ridley-Thomas          Compensation: child care instructor**

This bill would have provided that the overtime compensation requirements do not apply to a tutor, teaching assistant, instructional aide, student teacher, day care provider, vocational instructor, or other similar employee at a private elementary or secondary school.  
Status: Assembly Committee on Labor and Employment, dead bill.

**AB 2146 Skinner                    Occupational safety: firefighters**

Requires the Department of Industrial Relations (DIR) by January 1, 2016, to convene an advisory committee to evaluate whether changes are needed to align industry safety order with the applicable and most recently promulgated standards of the National Fire Protection Association.  
Status: Chapter 811, Statutes of 2014.

**AB 2148 Mullin                      Workforce development: annual workforce dashboard**

This bill requires the California Workforce Investment Board (CWIB) to assist the Governor in the development of an annual workforce metrics dashboard to measure investment in workforce development, as specified.

Status: Chapter 385, Statutes of 2014.

**AB 2271 I. Calderon                Employment discrimination: status as unemployed**

Would have enacted various provisions of law related to discrimination based on an individual's employment status (present unemployment).

Status: Vetoed by Governor Brown.

**AB 2272 Gray                        Public works: prevailing wage**

Specifies that "public work" for purposes of prevailing wage law also means infrastructure project grants from the California Advanced Services Fund (CASF) pursuant to existing law.

Status: Chapter 900, Statutes of 2014.

**AB 2288 R. Hernández            Child Labor Protection Act of 2014**

This bill tolls the statute of limitations for unlawful labor practices until a child worker attains the age of majority. This bill also authorizes an award of treble damages to an individual, who is discharged, threatened with discharge, demoted, suspended, retaliated against, subjected to adverse action, or in any other manner discriminated against in the terms of conditions of his or her employment because he or she filed a claim or civil action alleging a violation of the Labor Code that arose while he or she was a minor, and increases civil penalties.

Status: Chapter 96, Statutes of 2014.

**AB 2416 Stone                        Liens: laborers and employees**

This bill would have enacted the California Wage Theft Recovery Act and authorizes an employee to have a lien on all property of the employer in California for the full amount of any wages and other compensation, penalties, and interest owed to the employee; and also authorizes the court to award to the prevailing plaintiff court costs and reasonable attorney's fees in a civil action.

Status: Senate Floor, dead bill.

**AB 2448 Jones                        Employment: flexible work schedules**

This bill would have authorized individual employees to request flexible work schedules, as specified.

Status: Assembly Committee on Labor and Employment, dead bill.

**AB 2536 Mullin**                      **Employees: emergency rescue personnel**

Expands the definition of emergency rescue personnel to include an officer, employee, or member of a disaster medical response team sponsored or requested by the state. This bill also requires an employee who is a health care provider to notify his/her employer at the time the employee becomes designated as emergency rescue personnel and time of deployment.

Status: Chapter 343, Statutes of 2014.

**AB 2575 Campos**                      **Agricultural Labor Relations Board**

This bill would have required that the Agricultural Labor Relations Board (ALRB) ALRB's annual report to the Legislature and the Governor be submitted no later than 45 days after the close of the fiscal year.

Status: Senate Labor and Industrial Relations, dead bill.

**AB 2615 Muratsuchi**                      **Unemployment: workforce development**

This bill would have transferred \$25,000,000 from the General Fund to the Work-Based Learning Fund, which the bill would create in the State Treasury, for the purpose of funding work-based learning programs for out-of-school youth and young adults. This bill would have also appropriated the moneys in the Work-Based Learning Fund to the California Workforce Investment Board, which would develop a competitive grant program to allocate those moneys to local workforce investment boards and community-based organizations that administer Workforce Investment Act youth programs, among other things.

Status: Assembly Committee on Labor and Employment, dead bill.

**AB 2674 Skinner**                      **OSHA: hazardous disinfectants**

Would have required the OSHA Board to adopt standards to protect health care personnel and patients from the effects of toxic disinfectants, as defined, and would have required the Board, in adopting these standards, to consider current scientific evidence and recommendations adopted by the National Institute for Occupational Safety and Health.

Status: Assembly Committee on Labor and Employment, dead bill.

**AB 2688 Brown**                      **Employment: violations: good faith defense**

This bill would have provided a defense against prosecution for alleged violations of certain labor laws, as specified.

Status: Assembly Committee on Labor and Employment, dead bill.

**AB 2743 Labor Committee**                      **Employment: wages**

Allows unionized, regular short-term theatrical employees or concert venue to pursue liquidated damages due to non-payment of wages after discharge.

Status: Chapter 243, Statutes of 2014.

**AB 2744 Labor Committee                      Public works: apprenticeship program**

This bill makes conforming changes to reflect a recent merger of duties within the Division of Labor Standards Enforcement (DLSE) and more fully integrate enforcement of apprenticeship standards within the enforcement mechanisms already available to address other violations of the requirements for contractors and subcontractors on public works projects under existing law.

Status: Chapter 297, Statutes of 2014.

**AB 2750 R. Hernández                      Car washes**

Would have required a car wash employer to provide written notice to a successor employer regarding the requirements of existing law prior to the sale or other transfer of the business.

Status: The labor provisions were subsequently amended out of the bill.

**AB 2751 R. Hernández                      Retaliation**

This bill clarifies that the civil penalty of up to \$10,000 against an employer who discriminates, retaliates, or takes any adverse action against an employee or applicant for employment, who exercises a right protected under local and state labor and employment laws, is to be awarded to the employee or employees who suffered the violation.

Status: Chapter 79, Statutes of 2014.

**AJR 36 Gonzalez                      Special Minimum Wage Certificate Program**

Would have urged the United States Congress to phase out the use of the Special Minimum Wage Certificate provision, and eventually repeal a section of the 1938 Fair Labor Standards Act.

Status: Senate Floor, dead resolution.

**AJR 38 Salas                      Fair employment and housing: military and veteran status**

This resolution requests Congress to pass and the President to sign into law, Senate Bill 1281 and House Resolution 2654, and encourages the members of the California Congressional Delegation to join as co-authors on those measures.

Status: Chapter 99, Resolutions of 2014.

## SENATE BILLS

### **SB 7 Steinberg                      Public Works: Charter Cities**

Prohibits a charter city from receiving or using state funding for a construction project if the city has a charter provision or ordinance that authorizes a contractor not to comply with prevailing wage requirements on any public works contract, as specified.

Status: Chapter 794, Statutes of 2013.

### **SB 25 Steinberg                      Agricultural Labor Relations: Contract Dispute Resolution**

Would have made various changes to the mandatory mediation procedures of the Agricultural Labor Relations Act (ALRA), as specified. The Assembly amendments specify that a party, in filing its request for mediation, must declare that it has made itself available to meet and bargain with the other party, at reasonable times and places during the applicable period, and delete the language that expands the definition of an agricultural employer to include subsequent purchasers of an agricultural employer's business where the original employer had an obligation to bargain with its workers.

Status: Vetoed by Governor Brown.

### **SB 54 Hancock    Hazardous Materials Management: Stationary Sources: Trained Workforce**

Enacts specified provisions related to construction and related work performed by contract at specified stationary sources to address industrial safety, skilled and workforce training.

Status: Chapter 795, Statutes of 2013.

### **SB 118 Lieu                      UI: Education and Workforce Development Systems**

Requires the California Workforce Investment Board (CWIB) to incorporate specific principles into the state's strategic plan that align the education and workforce investment systems of the state to the needs of the 21st century economy and promotes a well-educated and highly skilled workforce to meet the future workforce needs.

Status: Chapter 562, Statutes of 2013.

### **SB 168 Monning                      Farm Labor Contractors: Successors: Wages and Penalties**

Holds the successor of a farm labor contractor (FLC) liable for the predecessor's owed wages or penalties to former employees whether the predecessor was licensed or not, if the successor FLC meets one or more specified criteria.

Status: Chapter 715, Statutes of 2013.

**SB 232 Monning**                      **Private employment: public transit employees**

This bill would have extended a 10% bid preference to all public transit contracts awarded by the State of California for bidders who agree to retain the employees of the prior contractor or subcontractor for a period of at least 90 days.

Status: The labor provisions were subsequently amended out of the bill.

**SB 256 Lieu**                              **Trampoline Courts: Safety Inspections**

Would have established requirements and procedures for the Division of Occupational Safety and Health (DOSH) to regulate and inspect trampoline courts.

Status: Held in Assembly Appropriations Committee.

**SB 263 Monning**                      **Private employment: public transit employees**

This bill would have extended a 10% bid preference to all public transit contracts awarded by the State of California for bidders who agree to retain the employees of the prior contractor or subcontractor for a period of at least 90 days.

Status: Assembly Appropriations Committee, held under submission.

**SB 266 Lieu**                              **Prevailing wage**

This bill clarifies the procedure for providing notice of completion or acceptance of a public work to the Labor Commissioner.

Status: Chapter 916, Statutes of 2014.

**SB 270 Padilla**                        **Underground Economy: Enforcement Actions**

Would direct agencies participating in the Joint Enforcement Strike Force (JESF) and the Labor Enforcement Task Force (LETF), to the degree feasible, coordinate their law enforcement activities and exchange information to better facilitate their law enforcement activities.

Status: The labor provisions were subsequently amended out of the bill.

**SB 288 Lieu**                              **Employment Protections: Time Off**

Provides that an employer may not discharge or in any manner discriminate or retaliate against an employee who is a victim for taking time off from work, upon the victim's request, to appear in court to be heard at any proceeding for specified offenses. Defines a victim as any person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act.

Status: Chapter 756, Statutes of 2013.

**SB 292 Corbett                      Employment: Sexual Harassment**

Clarifies that, with respect to an employment-related sexual harassment claim made under the Fair Employment and Housing Act, sexually harassing conduct need not be motivated by sexual desire.  
Status: Chapter 88, Statutes of 2013.

**SB 377 Lieu                      Public Works: Project Determinations: Wage and Penalty Assessments**

Requires the Director of the Department of Industrial Relations (DIR) to establish a new process to determine whether a project is a public work, upon the request of any party, as specified.  
Status: Chapter 780, Statutes of 2013.

**SB 390 Wright                      Employee Wage Withholdings: Failure to Remit**

Provides that it is illegal for an employer to willfully or with the intent to defraud fail to remit withholding's from an employee's wages pursuant to local, state or federal law to the proper agency, and also provides that if an employer fails to remit \$500 or more in wage withholdings, the employer's violation is a misdemeanor and shall be punishable by imprisonment in a county jail for a period of not more than one year, by a fine of not more than \$1,000, or both.  
Status: Chapter 718, Statutes of 2013.

**SB 391 DeSaulnier                      California Homes and Jobs Act of 2013**

Would have established the California Homes and Jobs Act of 2013 (the Act) to provide funding for affordable housing.  
Status: Assembly Appropriations Committee, dead bill.

**SB 400 Jackson      Employment Protections: Victims of Domestic Violence, Assault or Stalking**

Expands the protections given to victims of domestic violence and sexual assault who take time off to obtain any relief (such as a temporary restraining order) to victims of stalking; prohibits an employer from discharging, retaliating or discriminating against an employee because of his/her known status as a victim of domestic violence, sexual assault, or stalking, as specified; and requires an employer to provide reasonable accommodation for an employee who is a victim of domestic violence, sexual assault, or stalking, as specified.  
Status: Chapter 759, Statutes of 2013.

**SB 404 Jackson                      Fair Employment: Familial Status**

Would add "familial status" to the protected categories of the employment provisions of the Fair Employment and Housing Act (FEHA). Specifically defines familial status as an individual who provides medical or supervisory care to a family member. For the purposes of this definition, family member means any of the following: child, parent, spouse, domestic partner, and a parent-in-law.  
Status: Held in Assembly Appropriations Committee.

**SB 435 Padilla**                      **Compensation: Meal and Rest or Recovery Periods**

Enacts provisions of law related to rest and recovery periods, as specified.

Status: Chapter 719, Statutes of 2013.

**SB 438 Hancock**                      **Refineries: Turnarounds**

Would require a refinery employer, by September 15 each year, to submit to the Division of Occupational Safety and Health (DOSH) a full schedule of planned turnarounds for the various plants for the following calendar year.

Status: Held in Assembly Appropriations Committee.

**SB 462 Monning**                      **Employment: Compensation**

Makes the award of attorney's fees and costs where the prevailing party is not an employee contingent on a finding by the court that the employee brought the court action in bad faith.

Status: Chapter 142, Statutes of 2013.

**SB 477 Steinberg**                      **Foreign Labor Contractors: Registration**

This bill requires foreign labor contractors to register with the Labor Commissioner (Commissioner), as well as follow additional contractual and bonding requirements, as specified.

Status: Chapter 711, Statutes of 2014.

**SB 516 Steinberg**                      **Foreign Labor Contractors: Registration**

Would require foreign labor contractors to register with the Labor Commissioner as well as follow additional contractual and bonding requirements, as specified.

Status: Vetoed by Governor Brown.

**SB 615 Galgiani**                      **Public Works: Prevailing Wages**

Would have expanded the definition of "public works," for purposes of prevailing wage payment requirements, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a hospital or health care facility project when the project is paid for in whole or in part with the proceeds of conduit revenue bonds, as defined, that were issued on or after January 1, 2015.

Status: Vetoed by Governor Brown.

**SB 666 Steinberg**                      **Employment: Retaliation**

Provides for a suspension or revocation of an employer's business license for retaliation against employees and others on the basis of citizenship and immigration status, and establishes a civil penalty up to \$10,000 per violation.

Status: Chapter 577, Statutes of 2013.

**SB 723 Correa**                      **Veterans**

Would have required the Employment Development Department (EDD), and the Department of Consumer Affairs (DCA), on or before January 1, 2015, to jointly send a report to the Legislature containing best practices by state governments around the nation in facilitating the credentialing/licensing of veterans by using their documented military education and experience.  
Status: Vetoed by Governor Brown.

**SB 776 Corbett**                      **Public Works: Prevailing Wage Rates: Employer Payment Credits**

Establishes additional restrictions on credit granted against the obligation to pay prevailing wages for employer payments made to monitor and enforce public works laws.  
Status: Chapter 169, Statutes of 2013.

**SB 792 Padilla**                      **Corrosion prevention and mitigation projects**

This bill would have required public projects involving corrosion prevention and mitigation work to comply with specified standards.  
Status: Vetoed by Governor Brown.

**SB 935 Leno**                              **Minimum wage: indexing**

Would have increased the minimum wage to \$13 an hour over a three year period then provided for an annual automatic adjustment thereafter calculated by the California Consumer Price Index (CPI).  
Status: Assembly Committee on Labor and Employment, dead bill.

**SB 1087 Monning**                      **Farm labor contractors**

This bill strengthens the farm labor contractor (FLC) standards by, among other things, increasing bonding requirements and raising licensure fees for FLC licensure enforcement, as specified; and prohibits the FLC who engage in sexual harassment from being issued a FLC's license or renewing the license, as specified.  
Status: Chapter 750, Statutes of 2014.

**SB 1299 Padilla**                      **Workplace violence prevention plans: hospitals**

This bill requires the Occupational Safety and Health Administration Standards Board (OSHA), no later than July 1, 2016, to adopt standards that require specified hospitals to adopt a workplace violence prevention plan as part of their injury and illness prevention plan to protect health care workers and other facility personnel from aggressive and violent behavior.  
Status: Chapter 842, Statutes of 2014.

**SB 1300 Hancock                      Refineries: turnarounds**

This bill requires petroleum refineries to annually report their schedule for “turnarounds” to the Division of Occupational Safety and Health (Cal/OSHA) on September 15, and requires them to provide Cal/OSHA with documentation on refinery safety and infrastructure, as specified.  
Status: Chapter 519, Statutes of 2014.

**SB 1360 Padilla                      Compensation: rest or recovery periods**

This bill clarifies that a legally mandated rest or recovery period is counted as hours worked and, therefore, shall not result in any deductions from an employee’s wages, as specified.  
Status: Chapter 72, Statutes of 2014.

**SJR 10 Lieu                              WIA of 1998: Reauthorization by the US Congress**

This resolution urges the Congress of the United States to reauthorize the federal Workforce Investment Act (WIA) and to include specified policies and strategies in support of WIA.  
Status: Resolution Chapter 121 of 2013.

## VETOES

### **AB 302 Chau**

I am returning Assembly Bill 302 without my signature.

This measure seeks to codify a definition of the term 'de minimus' for purposes of what level of public subsidy triggers prevailing wage requirements on an otherwise private project.

Longstanding practice has been to view the subsidy in context of the project and use 2% as a general threshold for determinations. By codifying a standard that establishes 'de minimus' as less than 1% and less than \$25,000 few, if any, projects receiving public subsidies will be found to be exempt from prevailing wage requirements.

While I remain a staunch supporter of prevailing wages and the associated quality work and good paying jobs, I am concerned that this measure is too restrictive. Finally, there has been no showing that the current practice is unreasonable.

Edmund G. Brown Jr.

### **AB 1140 Daly**

I am returning Assembly Bill 1140 without my signature.

This measure requires contractors on public works projects to increase workers' pay any time the state updates its prevailing wage rates. This is intended to address the circumstance where a non-union contractor is not required to adjust wages mid-project but a union contractor is subject to such adjustments pursuant to a collective bargaining agreement.

In most cases, projects are bid, awarded and completed in a relatively short period of time and this measure would have little, if any impact. Larger, long term projects are the more likely setting for the union/non-union wage differential this bill seeks to address. Unfortunately, introducing such wage adjustments as proposed by this measure is likely to lead to uncertainty in the cost of public works projects and increase costs ultimately borne by the taxpayers.

Finally, many collective bargaining agreements already address this limited circumstance by allowing wage rates to remain at the level determined by the state at the time of the bid, award or start of the contract. Given this, I do not find a statutory change warranted to address the issue raised by this measure.

Edmund G. Brown Jr.

### **AB 1165 Skinner**

I am returning Assembly Bill 1165 without my signature.

I share the author's concern that workplace safety risks need to be abated quickly and not delayed during the appeals process.

Unfortunately, this measure would require the creation of a separate hearing process at the Division of Occupational Safety and Health - duplicating an expedited Cal/OSHA Appeals Board process which was recently adopted.

I am directing Cal/OSHA to consult with the author to make sure the Appeals Board process is working as intended and, if necessary, to recommend any additional administrative or regulatory actions that may be needed.

Edmund G. Brown Jr.

### **AB 2272 I. Calderon**

I am returning Assembly Bill 2271 without my signature.

This bill would prohibit an employer from discriminating against job applicants based on the applicant's status as unemployed. While I support the intent of this bill, it could impede the state's efforts to connect unemployed workers to prospective employers as currently drafted. The problems facing our state's long term unemployed are great. There is no doubt that those Californians want to get back to work and I want to help them get there - unfortunately this bill does not provide the proper path to address this problem.

Edmund G. Brown Jr.

### **SB 25 Steinberg**

I am returning Senate Bill 25 without my signature.

This bill is designed to expedite prompt enforcement of contracts derived from mandatory mediation.

Both contract enforcement and election disputes should be dealt with so the process is balanced and fair. This bill only addresses contract enforcement. We should look at the entire process before making further changes.

I look forward to working with the Legislature on these matters.

Edmund G. Brown Jr.

### **SB 516 Steinberg**

I am returning Senate Bill 516 without my signature.

This bill seeks to prevent the exploitation of foreign workers - - a worthy goal which I support. Unfortunately, the registration and filing fees established by the bill are insufficient to support the ongoing costs of the proposed program.

This funding shortfall would be underwritten by the Labor Enforcement and Compliance Fund, funded from an assessment on employers' workers' compensation premiums.

This shift in costs is inequitable as it would result in all California employers paying a share of the enforcement costs for the regulation of these foreign labor contractors. I request that the Legislature send me a bill in January where the fees generated are sufficient to pay for the costs of the program proposed by this measure.

Edmund G Brown Jr.

### **SB 615 Galgiani**

I am returning Senate Bill 615 without my signature.

While I am staunchly supportive of prevailing wages, and the quality work and good paying jobs that are associated with these wages, I am unable to sign this measure.

Applying prevailing wage requirements to healthcare facility projects that receive conduit revenue bond financing would result in unbudgeted state enforcement and investigative costs.

Further, the measure fails to define the term 'health care facilities' which could result in many more projects being subject to this measure than intended.

Edmund G. Brown Jr.

### **SB 723 Correa**

I am returning Senate Bill 723 without my signature.

This measure requires a report on the best practices that other states use to give credentialing credit to veterans for their military education and experience.

I want to commend Senator Correa for his great work championing the causes of veterans. I agree with the Senator's goal to make sure our returning veterans get every advantage as they re-enter the civilian workforce. To that end, I am instructing all professional and occupational licensing boards to review their requirements for licensure to make sure military experience is counted where appropriate.

I don't think a general report as called for in this bill satisfies the author's intent to help veterans as much as the actions I'm setting in motion. If the licensing boards and commissions uncover the need to alter current laws to help veterans obtain licenses, I will work with the Senator to make that happen.

Edmund G. Brown Jr.

### **SB 792 Padilla**

I am returning Senate Bill 792 without my signature.

This bill directs the Department of Industrial Relations, in consultation with the Department of Toxic Substances Control, to adopt regulations, on or before January 1, 2016, to establish performance standards for corrosion prevention work on projects designated as public works. Unfortunately, the development of these standards is outside of the jurisdiction and expertise of these departments.

Using industry accepted standards for corrosion prevention and worker safety on public infrastructure projects is good policy and procurement requirements should ensure that all workers are properly trained and certified to do this critical work.

Therefore I am directing the Department of Industrial Relations to incorporate industry accepted standards for corrosion prevention training into the appropriate apprenticeship programs. I am also directing the department to work with the Standards Board to assess the adequacy of safety standards for workers engaged in corrosion prevention work and make necessary changes.

Edmund G. Brown Jr.