

# County of Placer Board of Supervisors

175 FULWEILER AVENUE  
AUBURN, CALIFORNIA 95603  
530/889-4010 • FAX: 530/889-4009  
PLACER CO. TOLL FREE # 800-488-4308

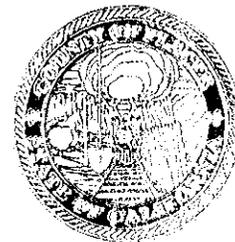
JACK DURAN  
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District 2

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District 3

KIRK UHLER  
District 4

JENNIFER MONTGOMERY  
District 5



June 19, 2013

Honorable Senator Jim Beall, Chair  
Senate Public Employment and Retirement Policy Committee  
State Capitol, Room 2040  
Sacramento, CA 95814

**RE: AB 537 (Bonta) – Meyers-Millas-Brown Act: impasse procedures**

Dear Senator Beall:

The Placer County Board of Supervisors wishes to express opposition to AB 537, as amended June 17, 2013, which unfairly places additional constraints on the collective bargaining process for local governments by changing terms of the Meyers-Millias-Brown Act (MMBA).

The Meyers-Millias-Brown Act requires the public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of employee organizations. If the public agency representatives and the employee organization fail to reach an agreement, they may mutually agree on the appointment of a mediator and equally share the cost. Assembly Bill 537 would instead make mediation mandatory if requested by either the public agency or employee organization representatives. Mandatory mediation will further delay the conclusion of labor negotiations, a process that often takes 6 months or more. This bill follows AB 646 which established the right of employees to request fact-finding, which instituted significant delays in the negotiating process. The addition of mandatory mediation needlessly extends the bargaining timeline further and cost both negotiating parties unnecessary expense.

Assembly Bill 537 would prohibit labor negotiation ground rules from restricting the communication between the employee representatives and local agency governing boards. These terms are one-sided as they don't prohibit the union from seeking a ground rule whereby the employer cannot communicate directly with employees. Under the MMBA, the current collective bargaining law for local agencies, members of a represented bargaining team communicate directly at the negotiating table with the employer designated team.

Further, AB 537 would bind a governing board to a tentative agreement reached by their bargaining representatives, however it does not bind employee groups until the agreement is ratified by the membership. The MMBA currently provides that a governing body can review tentative agreements prior to being bound by them.

Lastly, this bill applies the provisions of the California Arbitration Act to the enforcement of arbitration agreements under the MMBA; prohibits a rejection of a request for arbitration due to procedural challenges; and makes an agreement to arbitrate a dispute enforceable, even if the conduct in question may also constitute an unfair labor practice. The bill requires the parties to "meet and confer" over local rules rather than "consult" and subjects an impasse over local rules to the fact-finding procedures.

Honorable Senator Jim Beall, Chair  
Senate Public Employment and Retirement Policy Committee  
RE: AB 537 (Bonta) – Meyers-Millas-Brown Act: impasse procedures - OPPOSE  
June 19, 2013

We respectfully request rejection of AB 537 as it would increase the cost and time of conducting labor negotiations while at the same time decreasing the fairness of such negotiations.

Sincerely,

COUNTY OF PLACER

A handwritten signature in black ink that reads "Jim Holmes". The signature is written in a cursive style with a large, stylized "J" and "H".

Jim Holmes, Chairman (District 3)  
Placer County Board of Supervisors

cc: Senator Ted Gaines  
Senator Jim Nielsen  
Assembly Member Brian Dahle  
Assembly Member Dan Logue  
Assembly Member Frank Bigelow  
Assembly Member Beth B. Gaines  
Peterson Consulting Inc.  
California State Association of Counties (CSAC)  
Regional Council of Rural Counties (RCRC)  
Senate Appropriations Committee