ASSEMBLY BILL

No. 249

Introduced by Assembly Member Choi

January 22, 2019

An act to amend Section 3550 of the Government Code, relating to public employment.

LEGISLATIVE COUNSEL’S DIGEST

AB 249, as introduced, Choi. Public employers: employee organizations.

Existing law prohibits the state and specified local public employers from deterring or discouraging public employees and applicants to be public employees from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. Existing law grants the Public Employment Relations Board jurisdiction over violations of these provisions, except as specified.

This bill would prohibit a public employer from deterring or discouraging a public employee or an applicant to be a public employee from opting out of becoming or remaining a member of an employee organization. The bill would prohibit a public employer from taking adverse action against a public employee or applicant to be a public employee who opts out of becoming or remaining a member of an employee organization and would specify that adverse action includes reducing a public employee’s current level of pay or benefits.

The people of the State of California do enact as follows:

 SECTION 1. Section 3550 of the Government Code is amended to read:

 3550. (a) A public employer shall not deter or discourage public employees or applicants to be public employees from becoming or remaining members of an employee organization, or from authorizing representation by an employee organization, or from authorizing dues or fee deductions to an employee organization. This is declaratory of existing law.

 (b) A public employer shall not deter or discourage a public employee or an applicant to be a public employee from opting out of becoming or remaining a member of an employee organization. A public employer shall not take adverse action against a public employee or applicant to be a public employee who opts out of becoming or remaining a member of an employee organization. Adverse action prohibited by this subdivision shall include, but is not limited to, reducing a public employee’s current level of pay or benefits.