



August 15, 2017

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327.7500

Facsimile
916.441.5507

The Honorable Ricardo Lara
Chair, Senate Appropriations Committee
State Capitol, Room 5050
Sacramento, CA 95814

**Re: AB 1603 (Ridley-Thomas) – Meyers-Milias-Brown Act: Local Public Agencies
As Introduced on February 17, 2017 – OPPOSE
Set for Hearing on August 21, 2017 – Senate Appropriations Committee**

Dear Senator Lara:

The California State Association of Counties (CSAC) respectfully must oppose Assembly Member Sebastian Ridley-Thomas' Assembly Bill 1603, which would expand the definition of "public employee" in the Meyers-Milias-Brown Act (MMBA) to include persons jointly employed by a public agency and private employer, allow jointly employed individuals to join a union bargaining unit without the approval of their employers or union members, and place private employers under the regulatory jurisdiction of the Public Employee Relations Board (PERB) without their consent.

California's 58 counties have serious concerns with AB 1603 as written, including the drastic alteration of local collective bargaining practices, the attempt to codify a single National Labor Relations Board ruling, increased state Public Employment Retirement Board (PERB) costs, and the imposition of an additional unfunded mandate for counties. We understand that the bill may be narrowed to apply only to county health-related employees, but this potential change increases our concerns rather than reduces them. The reason for these concerns is the broad reach of the measure, which would apply to all contracted physicians AND psychiatrists at the county level.

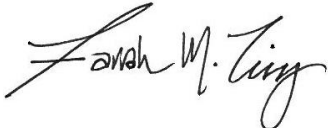
Our understanding is that the goal of AB 1603 is to alter current collective bargaining practices by allowing temporary employees, who are either contracted with on an individual basis or who are employed by a private entity, to choose to join public employee unions. Under this scenario, public agencies would be forced to invite the temporary employees' employer (temporary agency) or the individual contracted employee to participate in collective bargaining discussions with employee representatives. This would grant private employers and individuals decision-making authority over wages and salaries of public employees, a right belonging solely to public employers under Article XI of the California Constitution.

Should this change be applied to county public health and behavioral health systems, it would cause chaos for the provision of critical medical and behavioral health services in our counties. For instance, who would be the "employer of record" for contracted employees? How would doctors who work for several counties or entities, or who maintain a private practice, be treated? How should counties approach a short-term contract or a contract for a single specialist under AB 1603?

And under these uncertain circumstances, AB 1603 would increase state costs because private doctors and psychiatrists would now be eligible for mediation under PERB. Further, counties are concerned by the measure's attempt to codify a single controversial NLRB ruling.

In short, CSAC must regretfully oppose AB 1603 because of the uncertainty it would cause between counties and medical providers, including specialists and psychiatrists, and the possible impacts of that uncertainty to critical local services. The measure would also increase state PERB and local costs. It is for these reasons that CSAC is opposed to AB 1603. Should you or your staff have additional questions about our position, please do not hesitate to contact me at (916) 327-7500 ext. 559 or fmcting@counties.org.

Sincerely,

A handwritten signature in black ink that reads "Farrah M. Ting". The signature is written in a cursive, flowing style.

Farrah McDaid Ting
Legislative Representative

cc: The Honorable Sebastian Ridley-Thomas Member, California State Assembly
Honorable Members, Senate Appropriations Committee
Robert Ingenito, Consultant, Senate Appropriations Committee
Marjorie Swartz, Policy Consultant, Office of Senate pro Tem De León
Tom Dyer, Chief Deputy Legislative Secretary, Office of the Governor
Michelle Baass, Deputy Secretary, California Health and Human Services Agency
Cory Botts, Consultant, Senate Republican Caucus