

## **CAC Legislative Committee: October 24, 2018**

### **Chaptered Bills of Interest since the August 2018 meeting**

**AB 235** (O'Donnell D) Apprenticeship and pre-apprenticeship.

Current Text: Chaptered: 9/22/2018

Introduced: 1/30/2017

Last Amend: 8/24/2018

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 704, Statutes of 2018.

Summary: Would establish the Interagency Advisory Committee on Apprenticeship (committee) within the Division of Apprenticeship Standards and would require that committee to provide advice and guidance to the Administrator of Apprenticeship and the chief on apprenticeship programs, standards, and agreements, as well as pre-apprenticeship, certification, and on-the-job training and retraining programs, in nonbuilding trades industries. The bill would require the membership of the committee to be composed of specified ex officio members of various departments and 6 persons appointed by the Secretary of Labor and Workforce Development who are familiar with specified apprenticeable occupations that meet specified requirements.

**AB 2358** (Carrillo D) Apprenticeships: discrimination: prohibition.

Current Text: Chaptered: 9/22/2018

Introduced: 2/13/2018

Last Amend: 8/24/2018

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 675, Statutes of 2018.

Summary: Would expressly prohibit discrimination in any building and construction trades apprenticeship program on the basis of certain enumerated categories, including, race, sex, religious creed, or national origin, with regard to acceptance into, or participation in, the program, as specified. The bill, among other things, would require an apprenticeship program to designate one or more individuals to oversee the commitment to equal opportunity in the program and to maintain records regarding compliance with certain requirements, as specified.

**AB 3231** (Gray D) Employment: public works: apprenticeship.

Current Text: Chaptered: 9/22/2018

Introduced: 2/16/2018

Last Amend: 7/2/2018

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 682, Statutes of 2018.

Summary: Current law provides that a joint labor-management committee, established pursuant to a specified provision of federal law, is authorized to bring an action against any employer who fails to pay prevailing wages as required by state law. Current law requires that copies of payroll records on public works

projects be made available for inspection as specified, including a limit on redactions if made available for inspection by, or furnished to, a joint labor management committee. This bill would authorize a joint labor-management committee to also bring an action against an employer who fails to provide payroll records under the same provisions for bringing an action against an employer for failure to pay prevailing wage.

**SB 846 (Committee on Budget and Fiscal Review) Employment.**

Current Text: Chaptered: 9/15/2018

Introduced: 1/10/2018

Last Amend: 8/24/2018

Status: 9/14/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 405, Statutes of 2018.

Summary: The Ralph C. Dills Act defines “fair share fee” as the fee deducted by the state employer from the salary or wages of a state employee in an appropriate unit who does not become a member of, and financially support, the recognized employee organization, and prescribes conditions for its use. The Meyers-Milias-Brown Act, if an agency shop agreement is in place, provides for the payment of an agency fee, which requires an employee either to join the recognized employee organization or pay a fee, as specified. A recent Supreme Court opinion held that fair share and agency fees violate the free speech rights of employees who are not employee organization members. This bill would prohibit the Controller, a public employer, an employee organization, or any of their employees or agents, from being liable under state law for, and would grant to them a complete defense to, any claims or actions under California law for requiring, deducting, receiving, or retaining agency or fair share fees from public employees, and would deny standing to current or former public employees to pursue these claims or actions, if the fees were permitted at the time and paid prior to June 27, 2018. Makes an appropriation of \$1,371 000 from funds received from the federal Department of Labor in 2018-19 fiscal year to DIR for purposes of expanding or supporting existing, apprenticeship programs and activities. (Underlined for emphasis).