

Assembly Bill 2524

Santa Clara Valley Transportation Authority (VTA): Employee Relations Assembly Member Ash Kalra

SUMMARY

AB 2524 would give employee organizations at Santa Clara Valley Transportation Authority (VTA) the opportunity to move under the jurisdiction of the Public Employment Relations Board (PERB) for the resolution of unfair labor practice (ULP) complaints.

By allowing these organizations to elect to PERB's jurisdiction, ULPs can be processed and resolved more timely and at a more affordable cost to the employer and employee organizations.

BACKGROUND

California law currently provides public employees with collective bargaining rights and the ability to resolve employer-employee conflicts regarding wages, hours, and other issues resulting in workplace disputes through the Meyers-Milias Brown Act (MMBA) and/or the Public Employment Relation Board (PERB). However, most transit districts are not covered by the MMBA or included in PERB's jurisdiction, though most transit districts are guaranteed collective bargaining.

Therefore, when transit authorities such as VTA are seeking a resolution between employers and employees, they must file a writ with the Superior Court of jurisdiction requesting a judge to review the ULP complaint. The dispute is then assigned to a judge that may or may not have knowledge of or experience with public employer-employee relations or public labor law. The courts, already overburdened and underfunded, can take years to resolve a conflict, contributing to workplace tensions. Residual tension is one of the factors that led to the 2013 BART strike.

Additionally, California's court system is notoriously expensive to navigate. This is detrimental to smaller bargaining units that do not have the resources to pursue conflict resolution for violations of their contract or other ULPs.

SOLUTION

AB 2524 would provide VTA employee organizations the option to permanently elect to PERB's jurisdiction for the resolution of ULPs. PERB serves as a quasi-judicial entity for the settlement of ULP claims, which can be a resource for both the employer and employee. By giving VTA and their employee organizations access to PERB's jurisdiction, they can more efficiently resolve outstanding public employer-employee conflicts.

SPONSOR

AFSCME AFL-CIO

CONTACT

Erika Salazar, Legislative Aide
Erika.Salazar@asm.ca.gov
(916) 319-2027