

MEMORANDUM

DATE: November 3, 2010

TO: All Members of the Governor's Cabinet, State Agencies, and Employee Organizations

/s/ SUZANNE M. AMBROSE

FROM: SUZANNE M. AMBROSE
Executive Officer

SUBJECT: 2010 LEGISLATIVE SUMMARY

The following bills affecting California's state employment statutes were passed by the Legislature and signed into law by Governor Schwarzenegger in 2010. The statutory changes will become effective on January 1, 2011 (Article IV, Section 8(c) of the California Constitution).

Subject: Veterans' Preference Points
Applies to: All State Agencies and Departments
Bill Number: Assembly Bill 1729 (Yamada), Chapter 237, Statutes of 2010
Section Amended: Government Code Section 18974.5

This bill extends the time, from 6 to 12 months, for a member of the Armed Forces to receive veterans' preference points after the establishment of an employment list. Any member of the Armed Forces who successfully passes any state civil service examination and is placed on an employment list, and who within 12 months after the list was established qualifies for veteran's preference (pursuant to Government Code Sections 18973 and 18973.1), shall be allowed the appropriate veterans' points to the same effect as though he or she were entitled to that credit at the time that the list was established.

Subject: California Whistleblower Protection Act
Applies to: Supreme Court, Court of Appeal, Superior Court,
Administrative Office of the Courts
Bill Number: Assembly Bill 1749 (Lowenthal), Chapter 160, Statutes of
2010
Sections Amended: Government Code Sections 8547.2 and 8547.13

This bill adds protection under the California Whistleblower Protection Act (CWPA) for specified employees of the courts. Specifically, the bill;

- Includes a person employed by the Supreme Court, Court of Appeal, Superior Court, or the Administrative Office of the Courts within the definition of “employee” for the purposes of the CWPA, except as specified.
- Authorizes an employee or applicant for employment with those judiciary entities who files a written complaint alleging actual or attempted acts of reprisal, retaliation, or similar prohibited acts for having made a protected disclosure, to also file a copy of the written complaint with the State Personnel Board (SPB), together with a sworn statement that the written complaint is true, under penalty of perjury.
- Requires SPB to investigate any claim filed and make a recommendation regarding the alleged retaliation.

Questions regarding this memorandum may be directed to Steve Caldwell, Director of Legislative and Public Affairs, at (916) 653-3675 or scaldwell@spb.ca.gov.