

MEMORANDUM

DATE: October 31, 2011

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

/s/ SUZANNE M. AMBROSE

FROM: SUZANNE M. AMBROSE
Executive Officer

SUBJECT: 2011 LEGISLATIVE SUMMARY

The following bills affecting California's state employment statutes were passed by the Legislature and signed into law by Governor Brown in 2011. The statutory changes will become effective on January 1, 2012 (Article IV, Section 8(c) of the California Constitution).

Subject: Civil Service: Employee Hearings
Applies to: All State Agencies and Departments
Bill Number: Assembly Bill 692 (Hall), Chapter 682, Statutes of 2011
Section Amended: Government Code section 18671.1

This bill allows an appellant to request, in writing, an expedited hearing by the State Personnel Board (SPB) if an evidentiary hearing has not commenced within six months of the filing of the appeal and authorizes SPB to expedite termination cases. It also allows SPB to conduct hearings using electronic media.

Subject: Interns and Student Assistants
Applies to: All State Agencies and Departments
Bill Number: Assembly Bill 735 (Mitchell), Chapter 464, Statutes of 2011
Sections Amended: Government Code section 18220

This bill requires state agencies, when hiring for internships and student assistant positions, to give preference to persons up to age 26 who are, or have been, dependent children in foster care. It also requires county welfare departments to provide

dependent children with information notifying them that they may be eligible for this preference.

Subject: Personal Services Contracts
Applies to: All State Agencies and Departments
Bill Number: Assembly Bill 740 (Blumenfield), Ch 684, Statutes of 2011
Sections Amended: Government Code section 19135

This bill requires state agencies to immediately discontinue a contract disapproved by SPB, unless otherwise ordered by SPB. It also prohibits state agencies from circumventing or disregarding the Board's action by entering into another contract for the same or similar service or to continue the service that was the subject of the disapproved contract. A state agency would be required to serve notice of the discontinuation of the contract to the vendor and the union within 15 days of the Board's final action.

Subject: State Agencies – Collection of Demographic Data
Applies to: All State Agencies and Departments
Bill Number: Assembly Bill 1088 (Eng), Chapter 689, Statutes of 2011
Sections Amended: Government Code sections 8310.5 and 8310.7

This bill requires that any state agency, board or commission that collects demographic data to include separate collection categories for each major Asian, Native Hawaiian, and Pacific Islander group.

Subject: Rejected Probationer – Bargaining Unit 5
Applies to: California Highway Patrol
Bill Number: Senate Bill 318 (De-Leon), Chapter 60, Statutes of 2011
Sections Amended: Government Code sections 19173 and 19175

With respect to Bargaining Unit 5 members, this bill will create consistency in the probationary process by providing the same appeal rights to CHP Officers and Cadets as all other civil service employees with respect to rejections during probation.

Questions regarding this memorandum may be directed to Carol Ong, Chief, Consulting Services Division, State Personnel Board carol.ong@spb.ca.gov or (916) 653-1028.