

Date of Hearing: April 24, 2018

ASSEMBLY COMMITTEE ON HIGHER EDUCATION  
Jose Medina, Chair  
AB 2049 (Gonzalez Fletcher) – As Amended March 19, 2018

**SUBJECT:** Classified school and community college employees: payroll deductions for employee organization dues.

**SUMMARY:** Amends existing law regarding the payment of union dues, as specified, by a classified employee of a school district or community college district for service provided by a bona fide employee organization. Specifically, **this bill:**

- 1) Requires the governing boards of school districts and community college districts, respectively, to deduct from the salary or wage of a classified employee of a school or community college district, without charge, an amount that has been requested in a written revocable authorization, by an employee who is a member of the bargaining unit, for the payment of dues to any bona fide employee organization, as specified.
- 2) Provides that the revocable written authorization must remain in effect until expressly revoked in writing by the employee in accordance with the terms of the authorization.
- 3) Specifies that, if there is an increase in the amount to be paid to the employee organization, before the effective date of the increase, the employee organization must provide the employee with adequate and necessary data regarding the increase in order to provide the employee an opportunity to revoke the written authorization, if desired and permitted by the authorization.
- 4) Requires the revocability of an authorization, as specified, must be determined by the terms of the authorization.
- 5) Requires that before processing a revocation request, school districts and community college districts, respectively, must either provide a copy of the request to the employee organization, or confirm that the employee has sent the school district or community college district the revocation request.
- 6) Requires the school district or community college district to provide the employee organization five days to advise the school district or community college district whether the revocation request is in conformity with the authorization.
- 7) Permits the school district or community college district to rely on the employee organization's statement that the revocation is not in conformity with the authorization, and provides that the employee organization must indemnify and defend the school district or community college district against claims made by an employee for deductions based on the statement
- 8) Makes technical and clarifying changes.

**EXISTING LAW:**

- 1) Requires the appointing authority, whenever it is determined that an error has been made in the calculation or reporting in any classified employee payroll or in the payment of any classified employee's salary to, within five workdays following such determination, provide the employee with a statement of the correction and a supplemental payment drawn against any available funds (Education Code (EC) Section 45167).
- 2) Authorizes the governing board of a school district, and the governing board of a community college district, when drawing an order for the salary or wage payment due to a classified employee of the school district or community college district to, without charge, reduce the order by the amount that it has been requested in a revocable written authorization by the employee to deduct for the payment of dues in, or for any other service provided by, any bonda fide employee organization (EC Sections 45168 and 88167).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Double referral.* This bill was heard by the Assembly Committee on Public Employees, Retirement, and Social Security; and passed out with a vote of 5-0 on April 4, 2018.

*Purpose of the measure.* According to the author, existing law outlines the process by which union membership dues are submitted by school and community college employers to the exclusive representatives for classified school and community college employees.

However, the author contends that existing law also outlines the aforementioned process for teachers, but clearly articulates, "that school employers shall submit the union membership dues without charge to the exclusive representative".

This measure seeks to clarify and align the statutory authorization for membership dues in the EC for classified school and community college employees to be similar with the payroll processing for membership dues for teachers.

Additionally, this measure clarifies that the five days' notice to the exclusive representative is required if a classified employee chooses to remove their membership from the union.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

American Federation of State, County and Municipal Employees, AFL-CIO  
California Federation of Teachers  
California Professional Firefighters  
California School Employees Association (Sponsor)  
California Teamsters  
Orange County Employees Association

**Opposition**

None on file.

**Analysis Prepared by:** Jeanice Warden / HIGHER ED. / (916) 319-3960