

**Introduced by Senator Cortese**

February 20, 2025

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An act to amend Section 3541.3 of the Government Code, relating to the public employment.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 600, as introduced, Cortese. Public Employment Relations Board: powers and duties.

Existing law gives public school employees the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Existing law establishes the Public Employment Relations Board and gives the board specified powers and duties relating to employer-employee relations. Existing law authorizes the board to conduct studies relating to employer-employee relations, including the collection, analysis, and making available of data relating to wages, benefits, and employment practices in public and private employment, and to recommend legislation.

This bill would specifically authorize the board to conduct employer-employee relations studies concerning the impact on public employees of net-zero carbon emissions initiatives, including collecting, analyzing, and making available related data.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 3541.3 of the Government Code is  
2     amended to read:

1 3541.3. The board shall have all of the following powers and  
2 duties:

3 (a) To determine in disputed cases, or otherwise approve,  
4 appropriate units.

5 (b) To determine in disputed cases whether a particular item is  
6 within or without the scope of representation.

7 (c) To arrange for and supervise representation elections that  
8 shall be conducted by means of secret ballot elections, and *to*  
9 certify the results of the elections.

10 (d) To establish lists of persons broadly representative of the  
11 public and qualified by experience to be available to serve as  
12 mediators, arbitrators, or factfinders.

13 (e) To establish by regulation appropriate procedures for review  
14 of proposals to change unit determinations.

15 (f) Within its discretion, to conduct studies relating to  
16 employer-employee relations, including the collection, analysis,  
17 and making available of data relating to wages, benefits, ~~and~~  
18 employment practices in public and private employment, *and the*  
19 *impact on public employees of net-zero carbon emissions*  
20 *initiatives*, and, when it appears necessary in its judgment to the  
21 accomplishment of the purposes of this chapter, *to* recommend  
22 legislation. The board shall report to the Legislature by October  
23 15 of each year on its activities during the immediately preceding  
24 fiscal year. The board may enter into contracts to develop and  
25 maintain research and training programs designed to assist public  
26 employers and employee organizations in the discharge of their  
27 mutual responsibilities under this chapter.

28 (g) To adopt, pursuant to Chapter 3.5 (commencing with Section  
29 11340) of Part 1 of Division 3 of Title 2, rules and regulations to  
30 carry out the provisions and effectuate the purposes and policies  
31 of this chapter.

32 (h) To hold hearings, subpoena witnesses, administer oaths,  
33 take the testimony or deposition of any person, and, in connection  
34 ~~therewith~~, *with those powers*, to issue subpoenas duces tecum to  
35 require the production and examination of any employer's or  
36 employee organization's records, books, or papers relating to any  
37 matter within its jurisdiction. Notwithstanding Section 11425.10,  
38 Chapter 4.5 (commencing with Section 11400) of Part 1 of Division  
39 3 of Title 2 does not apply to a hearing by the board under this  
40 chapter, except a hearing to determine an unfair practice charge.

1 (i) To investigate unfair practice charges or alleged violations  
2 of this chapter, and take any action and make any determinations  
3 in respect of these charges or alleged violations as the board deems  
4 necessary to effectuate the policies of this chapter, except that in  
5 an action to recover damages due to an unlawful strike, the board  
6 shall have no authority to award strike-preparation expenses as  
7 damages, and shall have no authority to award damages for costs,  
8 expenses, or revenue losses incurred during, or as a consequence  
9 of, an unlawful strike.

10 (j) To bring an action in a court of competent jurisdiction to  
11 enforce any of its orders, decisions, or rulings, or to enforce the  
12 refusal to obey a subpoena. Upon issuance of a complaint charging  
13 that any person has engaged in or is engaging in an unfair practice,  
14 the board may petition the court for appropriate temporary relief  
15 or restraining order.

16 (k) To delegate its powers to any member of the board or to any  
17 person appointed by the board for the performance of its functions,  
18 except that no fewer than two board members may participate in  
19 the determination of any ruling or decision on the merits of any  
20 dispute coming before it, and except that a decision to refuse to  
21 issue a complaint shall require the approval of two board members.

22 (l) To decide contested matters involving recognition,  
23 certification, or decertification of employee organizations.

24 (m) To consider and decide issues relating to *the* rights,  
25 privileges, and duties of an employee organization in the event of  
26 a merger, amalgamation, or transfer of jurisdiction between two  
27 or more employee organizations.

28 (n) To take any other action ~~as~~ the board deems necessary to  
29 discharge its powers and duties and otherwise to effectuate the  
30 purposes of this chapter.