

2021 EMPLOYER/EMPLOYEE LEGISLATION

AB 25 (Kiley): Repeals AB 5 regarding Independent Contractors

AB 53 (Low): Adds the statewide general election to the list of state holidays and require school districts and community colleges to close.

AB 55 (Boerner Horvath): Placeholder for a bill on telecommuting.

AB 58 (Salas): Beginning in the 2022-23 school year, requires LEAs to provide suicide awareness and prevention training to teachers on annual basis.

AB 86 (Ting): COVID-19 relief and school reopening, reporting, and public health requirements.

AB 95 (Low): Extends bereavement leave to allow for up to ten days off, unpaid.

AB 104 (Gonzalez): Comprehensive learning recovery bill.

AB 231 (Nguyen): Allows for another exemption from AB 5 for licensed manicurists.

AB 237 (Gray): Requires public employers to provide health care and medical coverage during a strike.

AB 289 (Calderon): Requires a devised identification system, developed to adopt or terminate a merit district system, ensure of ballot secrecy and prohibits a district employee from making any marks on the ballot; requires one member of the tabulations committee to be a classified employee; and if the district expresses opposition to the formation of a merit district, the exclusive representative must be provided equal time.

AB 312 (Seyarto): Exempts CBEST requirement for a teacher candidate who scored a B or better in qualifying coursework.

AB 320 (Medina): Clarifies the definition of a regionally accredited teacher preparation program and allows a teacher candidate to demonstrate subject matter competence through coursework or a combination of methods authorized by the Commission on Teacher Credentialing.

AB 388 (Medina): Expands permanent status for certificated employees after 2-year probationary period for any size LEA and regional occupational programs.

AB 399 (Salas): Makes unnecessary, costly changes to the workers compensation system including rules pertaining to medical provider networks, utilization review, and independent medical review.

AB 404 (Salas): Prohibits the workers' compensation system fee schedule not decrease in the event that the federal Medicare Economic Index decreases.

AB 405 (Smith): Placeholder for alternate certification process in subject matter shortage areas.

AB 415 (R. Rivas): Extends family paid sick days to include a child regardless of immigration status.

AB 437 (Kalra): Exempts CSET requirement for a teacher candidate who has demonstrated subject matter competence through a combination of subject matter examination and high education coursework in the subject content area of the credential.

AB 438 (Reyes): Requires a March 15 layoff notice and hearings for all classified employees.

AB 498 (Quirk-Silva): Establishes the Computer Science Access Initiative to award grants to train and increase the number of teachers to teach computer science.

AB 513 (Bigelow): Authorizes an employee working from home or a remote location of the employer to receive legally required notices and postings electronically and sign or acknowledge certain documents electronically.

AB 612 (Mayes): Creates a new ABC (AB 5) exemption for a bona fide business-to-business arrangement that involves a voluntary deposit.

AB 815 (L. Rivas): Authorize LAUSD to offer a nursing credential program.

AB 845 (Rodriguez): Presumes an employee contracted COVID-19 from the workplace for a VoVID-19 related disability retirement and requires PERS to adjust the disability retirement for the employee.

AB 995 (Gonzalez): Extends the paid sick leave from 3 days to 5 days (40 hours) by the 200th calendar day of employment.

AB 1003 (Gonzalez): Makes the intentional theft of wages greater than \$950 by an employer punishable as grand theft.

AB 1041 (Wicks): Expands who an employee can take leave to care for to include a close association with the employee.

AB 1042 (Jones-Sawyer): Placeholder for CalOSHA changes.

AB 1119 (Wicks): Extends FEHA to cover the care of a child when the school is closed.

AB 1133 (Chen): Establishes legislative intent to create a hybrid pension system in PERS.

AB 1179 (Carrillo): Requires employers with 1,000 or more employees to provide a backup child care benefit. It does not apply to employees covered by a collective bargaining agreement that already provides for backup childcare.

AB 1227 (Levine): Exempts seasonal stage workers from the provisions of AB 5.

AB 1284 (Rubio): Extends the certificated probationary period to three years.

AB 1313 (Bigelow): Provides COVID-19 liability protection for specific businesses including 501 c 3's.

AB 1354 (Grayson): Placeholder for legislation pertaining to PERS.

AB 1400 (Kalra): Establishes Universal Health Care.

AB 1433: (Irwin): Exempts a trainee in a technology educational program from the requirements of AB 5 who has received a scholarship or stipend and the provider of the program.

AB 1465 (Reyes): Requires the Director of the Division of Workers' Compensation to establish a statewide medical provider network and allow an employee to choose their treatment provider within the network. The bill further creates criteria for physician inclusion.

AB 1484 (Kiley): Prohibits an LEA from collecting fair share fees.

AB 1496 (Cooper): Placeholder for PERB legislation.

AB 1505 (Rodriguez): Prohibits an evaluation of a permanent certificated employee working in a district that has closed the schools due to COVID-19.

AB 1506 (Kalra): Placeholder for CalOSHA legislation.

AB 1548 (Carrillo): Placeholder for legislation pertaining to classified employees.

SB 14 (Portantino): Among other things, pursuant to a budget appropriation to require CDE to identify an evidence-based training for LEAs to train all school employees in direct contact with students in grades 7-12, on youth mental and behavioral health.

SB 46 (Stern): Placeholder for legislation requiring employers to conduct contact-tracing for COVID-19.

SB 86 (Committee on Budget): Comprehensive school reopening legislation.

SB 95 (Skinner): Reestablishes the two-week supplemental COVID-19 paid sick leave and expands the use of the leave to include the care of family members.

SB 205 (Leyva): Removes differential pay for any school employee on extended leave who has exhausted their sick leave and vacation.

SB 224 (Portantino and Rubio): Requires every school district to ensure that students in grades 1-12 receive medically accurate, age-appropriate mental health education from instructors who are trained in the appropriate courses.

SB 229 (Dahle): Expresses legislative intent for an annual \$500 million budget allocation to increase mental health staff.

SB 270 (Durazo): Beginning on July 1, 2022, authorizes an exclusive representative to file an unfair labor practice charge if the public entity does not provide the names and home addresses of newly hired employees within 30 days of hire or by the first pay period of the month following the hire.

SB 278 (Leyva): Establishes new procedures for cases in which PERS determines the benefits of a member or annuitant are, or would be, based on disallowed compensation.

SB 294 (Leyva): Removes the 12-year limitation for service credit earned on an employer approved compensated leave.

SB 331 (Leyva): Expands the prohibition to prevent the disclosure of factual information in a settlement agreement to include acts of workplace harassment or discrimination not based on sex.

SB 411 (Cortese): Placeholder for legislation on PERB and unfair labor practices.

SB 488 (Rubio): Replaces RICA with an updated assessment.

SB 501 (Wieckowski): Creates an extension to the deadline to file a claim against a public entity if the claimant was a minor or incapacitated for 6 months after the incident. Ensures that fewer people run out of time to file a claim.

SB 505 (Hertzberg): Requires an employer to make a good faith effort to obtain the written authorization from an employee to resolve a monetary obligation before utilizing a third-party collection service or commencing civil action.

SB 510 (Pan): Requires a health care provider or disability insurance provider to pay for all COVID costs and not require cost sharing.

SB 606 (Gonzalez): Increases CalOSHA fines against employers.

SB 657 (Ochoa Bogh): Permits an employee working from home to receive legally required notices and postings electronically and sign or acknowledge certain documents electronically.

SB 681 (Ochoa Bogh): Permits mandated reporters to file complaints with a school district police or security officer.

SB 704 (Gonzalez): Placeholder for CalOSHA legislation.

SB 788 (Bradford): Prohibits specified considerations when determining the approximate percentage of a permanent disability under the workers' compensation system.

SB 805 (Rubio): Exempts non-profit performing arts organizations from the provisions of AB 5.