

August 9, 2023

The Honorable Rick Chavez Zbur
California State Assembly
1021 O Street, Suite 4350
Sacramento, CA 95814

**RE: AB 1484 (Zbur) Temporary public employees.
City of Palo Alto – Notice of Opposition**

Dear Assembly Member Zbur,

On behalf of the City of Palo Alto, I write in opposition to your AB 1484, which requires the inclusion of temporary employees in the same bargaining unit as permanent employees. As written, this bill would be costly and difficult to implement, given its overly broad definition for what constitutes a "temporary employee," the inconsistencies it would create in the bargaining unit determination process, and the confusion and inconsistency of employee rights this bill would create.

The City of Palo Alto is proud of its diverse workforce. Hourly employees serve as a contingent workforce for the City, providing City departments increased flexibility to accomplish supplemental work or sporadic projects that do not require full time equivalent employees. There are two different groups of hourly employees in the City; represented hourly employees (SEIU 521) and unrepresented "Limited" Hourly employees who generally work less than 400 hours per fiscal year. SEIU Local 521 represents a group of approximately 120-170 hourly employees who generally work on a consistent, typically part time basis in positions including Librarian, Arts and Sciences Professional, Library Clerk, and Administrative Specialist.

AB 1484 would pose significant administrative and cost burdens to the City's regulation and support of its temporary workforce. Specifically, the measure contains an overly broad definition of a temporary employee, which reaches far beyond the stated purpose of the bill. "Extra help" employees are often retained for seasonal or "surge" needs, such as nurses, election workers, paid interns, and parks and recreation staff, like lifeguards and summer camp counselors. The definition also includes "casual employees" who, under PERB's own definition, lack a sufficient community of interest with regular or temporary employees due to their sporadic or intermittent relation with the employer. For instance, the City employs a number of retired annuitants, whose terms and conditions of employment are strictly regulated by state law. Including these employee groups into the same bargaining units comprised of full-time, full-benefit employees is bound to generate friction and confusion when seeking unit compromise.

Further, the City of Palo Alto believes that this measure could create inconsistencies in the bargaining unit determination process. AB 1484 specifically requires the plus terms and conditions of employment for both temporary and permanent employees to be bargained together in a single memorandum of understanding. This includes employees from student interns all the way to high-ranking salaried employees. Current law provides a robust mechanism for determining employees' bargaining units to ensure that each unit shares a "community of interest" and can therefore bargain effectively. Including temporary employees into these bargaining units upsets this regulatory mechanism by placing employees who work fewer hours and therefore are not eligible for a comprehensive benefits package to negotiate as a block with full-benefit employees.

Finally, and most importantly, the provisions of this bill, including the restrictions on discharging temporary employees and the inevitable increases in cost to public employers, will seriously discourage public agencies from hiring temporary employees. This will reduce temporary employment opportunities statewide, with devastating effects. Temporary positions provide income, stability, and flexibility to working parents, students, and those just entering or re-entering the workforce, among others, and are often an important stepping-stone to long-term public employment. Disincentivizing public agencies from offering these positions will further cement the barriers to upward mobility and income equality for the very persons whom this bill aims to help.

For these reasons, the City of Palo Alto must respectfully oppose your AB 1484.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lydia Kou', with a small horizontal line underneath the name.

Lydia Kou
Mayor
City of Palo Alto