



CITY OF PALM DESERT

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August 21, 2023

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

**Re: AB 1484 (Zbur): Temporary Public Employees - OPPOSE
As Amended on May 18, 2023**

Dear Senator Portantino:

The City of Palm Desert must respectfully oppose AB 1484, which would require local public employers to include temporary employees in the same bargaining unit as permanent employees upon request of the recognized employee organization. AB 1484 would be difficult, if not impossible, for public employers to fulfill and includes provisions that conflict with existing law for permanent employees.

The bill's provisions, including restrictions on discharging temporary employees and the inevitable increases in cost to employers, would also seriously discourage public agencies from hiring temporary employees. This reduction in employment opportunities would be detrimental to Californians throughout the state who are seeking temporary work.

AB 1484 would also negatively impact public services. "Extra help" employees are often hired for seasonal or "surge" needs. This bill would significantly increase the costs of hiring such employees, thereby reducing levels of service to residents. Similarly, temporary employees are frequently hired to backfill permanent employees who are on leave or temporarily reassigned. This bill would discourage such hiring, leaving positions unfilled and the public unserved.

Furthermore, AB 1484 would have unintended and unpredictable consequences when applied to the myriad existing local programs and the laws governing employees. This includes retired annuitants — whose terms and conditions of employment are strictly controlled by state law in ways that would severely impair any meaningful bargaining — and workers hired through staffing agencies.

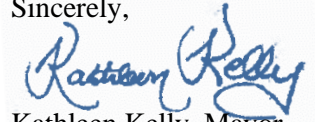
Public agencies also often offer paid student internship programs, which provide valuable work experience for the next generation of public employees. Requiring agencies to include those positions with the bargaining unit (and give them discharge protections) would strongly discourage local governments from offering such programs.

AB 1484 would also require public agencies to inform temporary employees and the employee organization of the anticipated length of employment. However, temporary employees are often hired to fulfill an immediate need of uncertain duration, as was the case during the COVID-19 pandemic. In these cases, the agency would not be able to identify an end date that is anything more than speculation, which would serve no useful purpose and may lead to unnecessary disputes.

Most critically, AB 1484 provides temporary employees with more rights than permanent employees. Proposed Section 3507.7(b)(5) provides that "temporary employees...who have been employed for more than 30 calendar days shall be entitled to use any grievance procedure in the memorandum of understanding to challenge any discipline without cause." By contrast, the City of Palm Desert offers a probationary period of six months for permanent employees, during which the employee may be released without cause and without triggering a grievance. This probationary period is a critical part of the hiring process. If public employers cannot use this process for temporary employees, they would be vastly less likely to hire temporary employees.

Temporary employees are hired for a temporary and urgent need. The provisions of this bill severely limit local agencies' ability to utilize this workforce, which ultimately impacts our ability to provide services. For these reasons, the City of Palm Desert respectfully opposes AB 1484.

Sincerely,



Kathleen Kelly, Mayor
City of Palm Desert

cc: Assembly Member Gregg Wallis, 47th District
Senator Steve Padilla, 18th District
League of California Cities