

million by 2019-20. This committee has reached out to stakeholders to ask if PERB's backlog has improved and has received mixed responses.

While the Legislature and the administration have taken action intended to reduce PERB's backlog of cases, this problem is likely to persist in the near term. As state and local governments grapple with significant revenue shortfalls, the number of employment disputes is likely to increase.

- 3) **Cost assumptions.** This bill's cost estimates rely on a number of assumptions. First, this committee assumes four cases per year over the next two years. This assumption is based on BART's estimate that this bill will lead to eight new cases over the near term. Second, this committee assumes that BART uses in-house counsel. BART provided this committee a range of cost estimates that varied from \$28,000 per case to \$47,400 per cases, depending on whether BART uses in-house counsel or outside counsel with PERB expertise.

Analyses of previous versions this bill have questioned whether BART would see a significant increase in costs. After all, any new workload from this bill could be avoided by simply avoiding unnecessary labor disputes. After extensive discussions with BART, this analysis has been updated to reflect what will likely be some type of increase in workload for BART, but one that is not as dramatic as BART fears.

- 4) **Recent legislation.** AB 3034 (Low), of the 2017-18 Legislative Session, was substantively similar to this bill. AB 3034 was vetoed by the governor, whose veto message stated:

Over the years, the Legislature has expanded the Board's jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board - both labor and employers have complained about this problem. This Administration has recently increased the Board's funding to help correct this problem. The Board's jurisdiction should not be expanded again until the Board's ability to handle its previously expanded caseload is established.

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