
THIRD READING

Bill No: AB 1309
Author: Flora (R)
Introduced: 2/21/25
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 5-0, 6/25/25
AYES: Smallwood-Cuevas, Strickland, Cortese, Durazo, Laird

SENATE APPROPRIATIONS COMMITTEE:

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 77-1, 6/3/25 - See last page for vote

SUBJECT: State employees: compensation: firefighters

SOURCE: CAL FIRE Local 2881

DIGEST: This bill 1) requires the state to pay Department of Forestry and Fire Protection (CALFIRE) Bargaining Unit 8 (BU-8) firefighters within 15 percent of the average salary for corresponding ranks in specified local fire departments; and 2) requires CalHR, on or before January 1, 2027, to conduct a survey on the salaries and benefits for fire chiefs and report to CALFIRE, as specified.

ANALYSIS:

Existing law:

- 1) Creates the state civil service that includes every officer and employee of the state except a limited number of specified, exempted officers and employees. Existing law also requires that the state make “permanent appointment and promotion in the civil service under a general system based on merit ascertained by competitive examination.” Case law and custom refer to this provision as the

merit principle and it governs the administration of the state's civil service system. (California Constitution (CA CONST.) art. VII, §1 and §4)

- 2) Creates, under the Dills Act, a system of collective bargaining between the state and its employees' exclusive representatives to negotiate for terms and conditions of employment (Government Code (GOV) §3512 et seq.)
- 3) Requires CalHR to 1) establish and adjust salary ranges for each class of position, as specified, on the principle that the state shall pay like salaries for comparable duties and responsibilities; and 2) consider the prevailing rates for comparable service in other public employment and in private business in establishing or changing these ranges. (GOV §19826 (a))
- 4) Prohibits, however, CalHR from establishing, adjusting, or recommending a salary range for any employees represented by an exclusive representative, as specified. Instead, existing law requires CalHR to submit to the respective parties that are meeting and conferring over the salaries and to the Legislature, a report containing CalHR's findings relating to the salaries of employees in comparable occupations in private industry and other governmental agencies at least six months before the end of an existing memorandum of understanding (MOU) or as otherwise specified. (GOV §19826 (b)-(c))
- 5) Requires the state to pay, as specified, sworn members of the California Highway Patrol who are rank-and-file members of State Bargaining Unit 5 the estimated average total compensation for each corresponding rank for the Los Angeles Police Department, Los Angeles County Sheriff's Office, San Diego Police Department, Oakland Police Department, and San Francisco Police Department. Total compensation shall include base salary, educational incentive pay, physical performance pay, longevity pay, and retirement contributions made by the employer on behalf of the employee. (GOV §19827)
- 6) Declares that it is the state's policy to consider prevailing salaries and benefits prior to making salary recommendations in order for the state to recruit skilled firefighters for CAL FIRE and requires CalHR to take into consideration the salary and benefits of other jurisdictions employing 75 or more full-time firefighters who work in California in order to provide comparability in pay. (GOV §19827.3)

This bill:

- 1) Makes various findings and declarations regarding the increasing frequency of wildfires and the health of CAL-FIRE firefighters.
- 2) Requires the state to pay rank-and-file BU-8 firefighters within 15 percent of the average salary for corresponding ranks in the following 20 California fire departments, as agreed to by BU-8 and the CalHR in 2017:
 - a) The cities of Bakersfield, Chula Vista, Corona, Escondido, Fullerton, Hayward, Milpitas, Ontario, Oxnard, Rialto, Roseville, San Mateo, Santa Monica, and Torrance.
 - b) The Livermore-Pleasanton Fire Department.
 - c) The Novato Fire District.
 - d) The counties of Los Angeles and Ventura.
- 3) Requires the state and BU-8's exclusive bargaining representative to jointly survey and calculate the comparable departments' estimated average salaries based on their projected average total salary as of July 1 of the year in which the parties conduct the survey.
- 4) Requires CalHR, on or before January 1, 2027, to conduct a cursory survey on the salaries and benefits for the prior year of each of the fire chiefs for the following five California fire departments and report to CALFIRE:
 - a) The City of Fresno
 - b) The County of Los Angeles
 - c) The County of San Bernardino
 - d) The City of San Diego
 - e) The City of County of San Francisco
- 5) Declares that, when determining compensation for CAL FIRE's uniformed classifications, it is the state's policy to consider the salary of corresponding ranks within the comparable jurisdictions, as well as other factors, including internal comparisons.
- 6) Requires the state to implement any increase in salary for BU-8 firefighters resulting from this bill's provisions through an MOU negotiated pursuant to the Ralph C. Dills Act (Chapter 10.3 (commencing with Section 3512) of Division 4 of Title 1).

- 7) Provides that if this bill's provisions and an MOU conflict, the MOU shall control without further legislative action except that if the MOU's provisions require the expenditure of funds, the provision shall not become effective unless approved by the Legislature and the annual Budget Act.

Background

Bargaining Unit 8 (BU-8). BU-8 represents state-employed firefighters, almost all of whom work for CALFIRE. BU-8's current MOU went into effect on July 1, 2024 and expires on June 30, 2026. The MOU includes several provisions intended to increase firefighter retention. Specifically, it reduced the duty workweek from 72 hours to 66 hours, modified staffing schedules, increased general base pay by 2.5 percent, and specified special salary adjustments for each of the two covered fiscal years.

Existing law requires CalHR, when determining compensation for state firefighters, to take into consideration the compensation provided by jurisdictions employing 75 or more full-time firefighters who work in California. The most recent compensation survey found that state compensation for firefighters lags behind compensation provided to local fire department firefighters by as much as 11 percent to 29 percent, depending on the classification.¹ Additionally, the survey found that state firefighters work more days of the year than local department firefighters.²

Bargaining Unit 5 (BU-5) Highway Patrol (CHP). AB 1309's provisions are modeled after BU-5's pay structure. Existing law requires CalHR to survey the total compensation provided to peace officers in five specified jurisdictions to determine salary increases for sworn members of the CHP who are rank-and-file members of BU-5. The five jurisdictions are Los Angeles County and the Cities of Los Angeles, Oakland, San Diego, and San Francisco. This statutory requirement, established in 1974, predates the state employee collective bargaining process established by the Dills Act. Due to the high cost of living in the specified jurisdictions, sworn members of the CHP consistently receive annual salary increases far greater than other state employees.

This Bill. AB 1309 would require the state to pay CALFIRE BU-8 firefighters within 15 percent of the average salary for corresponding ranks in specified local fire departments. Any salary increase would be implemented through an MOU

¹ "2023 California Firefighter Total Compensation Survey," CalHR, May 2024, [2023-California-Firefighter-Total-Compensation-Survey.pdf](#)

² Ibid

negotiated pursuant to the Dills Act. Unlike the author's previous version of this bill (AB 1254, Flora of 2023) AB 1309 would also require CalHR, on or before January 1, 2027, to conduct a survey and report to CALFIRE on the salaries and benefits for fire chiefs in five specified fire departments.

Related/Prior Legislation

AB 252 (Bains, 2025) would have required CAL FIRE to maintain no less than full staffing levels throughout the calendar year and meet specified staffing requirements. *This bill was held in the Assembly Appropriations Committee.*

AB 393 (Connolly, 2025) would require the California Department of Corrections and Rehabilitation and the Department of State Hospitals to take specified actions before entering into a personal services contract to fill a Bargaining Unit 16 physician position and a Bargaining Unit 19 psychologist position. *This bill is pending on the Senate Floor.*

AB 2872 (Calderon, Vetoed, 2024) would have required the state to pay sworn members of the Department of Insurance who are rank-and-file members of Bargaining Unit 7 the same compensation paid to corresponding rank-and-file sworn peace officers of the Department of Justice.

AB 1677 (McKinnor, Vetoed, 2024) would have required the University of California at Berkeley Labor Center to undertake a study of the existing salary structure and provide recommendations for alternative models, if applicable, as applied to rank-and-file scientists in State Bargaining Unit 10, among other provisions.

AB 1254 (Flora, 2023) was nearly identical to AB 1309 and would have required the state to pay CAL-FIRE firefighters within 15 percent of the average salary for corresponding ranks in 20 listed California fire departments. *This bill was ordered to the Inactive File on the Senate Floor.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

“CalHR indicates that this bill would result in first-year costs of \$373 million to \$609 (\$246 million to \$401 million General Fund), and between \$28 million to \$115 million (\$18 million to \$75 million General Fund) annually thereafter. The range of costs for initial implementation depend heavily on the results of a future

salary survey, which would be the State's first opportunity to account for BU 8 wage increases related to the transition to a 66-hour work week. To the extent that wages for the local jurisdictions did not increase at the same pace as state wages, the bill's cost would likely be on the lower end of the range."

SUPPORT: (Verified 8/29/25)

CAL FIRE Local 2881 (Source)
California Professional Firefighters

OPPOSITION: (Verified 8/29/25)

None received

ARGUMENTS IN SUPPORT:

The sponsors of the bill, CAL FIRE Local 2881, argue:

"On behalf of the almost 10,000 CAL FIRE Firefighters who confront disasters on the front line, we are proud to sponsor AB 1309, which requires pay for rank and file members of Bargaining Unit 8 within 15% of the average salary for corresponding ranks within the cities of Bakersfield, Chula Vista, Corona, Escondido, Fullerton, Hayward, Milpitas, Ontario, Oxnard, Rialto, Roseville, San Bernardino, San Mateo, Santa Monica, Stockton, Torrance, and Ventura, the Livermore-Pleasanton Fire Department, the Novato Fire District and the County of Los Angeles.

An agreement was made in 2017 between Bargaining Unit 8 (CAL FIRE Local 2881) and CalHR to follow such protocol. This bill codifies that agreement.

CAL FIRE has the most diverse mission and with a new pattern of historically catastrophic fires, our men and women work onerous schedules that have physical and psychological risk. Comparative pay is essential. Because of low pay, more than 400 firefighters in the past couple of years have left CAL FIRE for better paying departments. This bill will help stanch the loss."

According to the California Professional Firefighters:

"Devastating wildfires have become a regular occurrence in California, exacerbated by a changing climate and years of dry conditions. Large scale incidents such as the Dixie Fire, the Camp Fire, and the Eaton and Palisades Fires have strained not only the resources of fire departments to the limit, but placed

unimaginable burdens onto the firefighters employed by CAL FIRE who are on the front lines of many of these blazes...

For years however, the wages for CAL FIRE have lagged significantly behind what is offered in municipal and county departments, devaluing the critical work done by these professionals and making it increasingly difficult to recruit and retain firefighters where they are desperately needed. Short staffing only compounds the dangers inherent to this work through exhaustion and critical stress, but also presents long-term health impacts from extended exposure to toxic smoke with no respiratory protection as well as the negative repercussions for behavioral health from lack of sleep, overwork, and months on end spent away from family. In order to retain the skilled and trained firefighters that are so desperately needed at safe levels it is imperative that wages are commensurate with the critically important work that they perform.”

ASSEMBLY FLOOR: 77-1, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio

NO VOTE RECORDED: Lee

Prepared by: Emma Bruce / L., P.E. & R. / (916) 651-1556
8/30/25 16:40:59

**** END ****