
CONSENT

Bill No: AB 1510
Author: Committee on Public Employment and Retirement
Amended: 6/13/25 in Senate
Vote: 21

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

SENATE JUDICIARY COMMITTEE: 13-0, 7/8/25
AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Valladares, Wahab, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 73-1, 5/12/25 - See last page for vote

SUBJECT: Santa Clara Valley Transportation Authority: employee relations

SOURCE: Assembly Committee on Public Employment and Retirement

DIGEST: This bill provides Santa Clara Valley Transportation Authority (VTA), its unions, and intervenors the right to appeal decisions of the Public Employment Relations Board (PERB), as specified.

ANALYSIS:

Existing law:

- 1) Governs collective bargaining in the private sector under the federal National Labor Relations Act (NLRA) but leaves to the states the regulation of collective bargaining in their respective public sectors. While the NLRA and the decisions of its National Labor Relations Board (NLRB) often provide persuasive precedent in interpreting state collective bargaining law, public employees generally have no collective bargaining rights absent specific statutory authority establishing those rights (29 United State Code §151 et seq.).

- 2) Provides several statutory frameworks under California law to provide public employees collective bargaining rights, govern public employer-employee relations, and limit labor strife and economic disruption in the public sector through a reasonable method of resolving disputes regarding wages, hours and other terms and conditions of employment between public employers and recognized public employee organizations or their exclusive representatives. These include the Meyers-Milias-Brown Act (MMBA) which provides for public employer-employee relations between local government employers and their employees, including some, but not all public transit districts. (Government Code §3500 et seq.)
- 3) Establishes PERB, a quasi-judicial administrative agency charged with administering certain statutory frameworks governing employer-employee relations, resolving disputes, and enforcing the statutory duties and rights of public agency employers and employee organizations. (Government Code §3541)
- 4) Does not cover all California's public transit districts by a common collective bargaining statute. Instead, while some transit agencies are subject to the MMBA, many transit agencies are instead subject to labor relations provisions found in each district's specific Public Utilities Code (PUC) enabling statute, in joint powers agreements, or in articles of incorporation and bylaws. (e.g., Public Utilities Code §28500)
- 5) Provides transit employees not under the MMBA with basic rights to organization and representation, but does not define or prohibit unfair labor practices. Unlike other California public agencies and employees, these transit agencies and their employees traditionally rely upon the courts to remedy alleged violations. Additionally, they may be subject to provisions of the federal Labor Management Relations Act of 1947 (Taft-Hartley) and the 1964 Urban Mass Transit Act, now known as the Federal Transit Act, commonly referred to as Section 13 (c). (Public Utilities Code §24501 et seq.; 49 United State Code §5333 (b))
- 6) Provides that the following provisions shall govern disputes between exclusive bargaining representatives of public transit employees and local agencies not covered by the MMBA:

- a) The disputes shall not be subject to any fact-finding procedure otherwise provided by law.
 - b) Each party shall exchange contract proposals not less than 90 days before the expiration of a contract, and shall be in formal collective bargaining not less than 60 days before that expiration.
 - c) Each party shall supply to the other party all reasonable data as requested by the other party.
 - d) At the request of either party to a dispute, the California State Mediation and Conciliation Service shall assign a conciliator to mediate the dispute and shall have access to all formal negotiations. (Government Code §3611)
- 7) Authorizes the Governor to appoint a committee to investigate a transit district's labor dispute relating to an impasse in bargaining that results in a threatened or actual strike and provides a process to resolve the dispute. (Government Code §3612 to §3616)
- 8) Authorizes the establishment of the Santa Clara Valley Transportation Authority (VTA) through the Santa Clara Valley Transportation Act (SCVTA), which includes provisions governing labor relations between the VTA and its employees and which provides for labor organization representation, unit determination, collective bargaining, and retirement benefits. (Public Utilities Code §100000 et seq.)
- 9) Authorizes VTA employee unions to make an irrevocable selection to move one or more of its represented bargaining units to PERB's jurisdiction for unfair practice charges, as specified. (Public Utilities Code §100310 (b)).
- 10) Provides that the option to select PERB jurisdiction shall not displace or supplant the impasse resolution and injunctive relief procedures requirements provided pursuant to Government Code Sections 3612 to 3614, inclusive, which shall remain exclusive. (Public Utilities Code §100310 (a))

This bill:

- 1) Authorizes any charging party, respondent, or intervenor aggrieved by a PERB final decision or in an unfair practice case, except a PERB decision not to issue a complaint in such a case, to petition for a writ of extraordinary relief from that decision or order.
- 2) Requires the aggrieved party to file petition for a writ of extraordinary relief:

- a) In the district court of appeal having jurisdiction over any county in which the VTA operates;
 - b) Within 30 days from the date of PERB's issuance of its final decision or order, or order denying reconsideration, as applicable.
- 3) Requires the appellate court, upon the party's filing of the petition, to cause the party to serve notice upon PERB and thereafter for the court to have jurisdiction of the proceeding.
- 4) Requires PERB to file its certified record of the proceeding in the court within 10 days after the clerk's notice unless the court extends that time for good cause.
- 5) Authorizes the court to have jurisdiction to grant any temporary relief or restraining order it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as modified, or setting aside in whole or in part, the PERB decision or order.
- 6) Makes PERB's findings conclusive with respect to questions of fact, including ultimate facts, if supported by substantial evidence on the record considered as a whole.
- 7) Applies Title 1 (commencing with Section 1067) of Part 3 of the Code of Civil Procedure relating to writs shall, to the proceeding except where specifically superseded by this bill's provisions.

Background

Until recently, unfair labor practice charges (ULPs) at the VTA were not under PERB's jurisdiction and were resolved through litigation in superior court or through the federal Section 13 (c) process and U.S. Department of Labor intervention. Recent legislation provided individual VTA bargaining units that are represented by different unions the right to individually elect PERB jurisdiction while allowing other bargaining units the right to continue resolving ULPs through their traditional process in the superior court.

This bill adds language that is standard in other public employer-employee acts to provide a mechanism for PERB to adjudicate ULPs and seek enforcement of its decisions from appellate courts (and effectively remove ULP decisions from the

jurisdiction of superior courts). However, the VTA act is different from those other acts in that not all of VTA's bargaining units have elected PERB's jurisdiction.

Prior legislation did not include this language, in part, because of policy concerns that an "intervenor" or other aggrieved party could interfere with the superior court process of a party not electing PERB jurisdiction by raising a related ULP at PERB, thereby invoking a jurisdictional conflict.

Thus, this bill's language enhancing PERB's jurisdiction is not technical. However, it appears to be uncontroversial. Bargaining units represented by three VTA employee unions have elected PERB jurisdiction. One union has elected to continue under the superior court process. According to the author, all four VTA unions find the bill's provisions acceptable.

Need for this bill? According to the author:

"This bill would add a necessary provision to the existing SCVTA employer-employee relations statute by authorizing a party aggrieved by a decision or order of the PERB to be able to appeal that decision or order in a court of competent jurisdiction. This addition is substantially similar to provisions that currently exist in, and apply to, other statewide collective bargaining statutes."

Related/Prior Legislation:

AB 2524 (Kalra, Chapter 789, Statutes of 2022) authorized PERB jurisdiction over disputes relating to employer-employee relations of the VTA for those exclusive representatives that have elected to move one or more of its bargaining units to the jurisdiction of the PERB for unfair practice charges.

SB 957 (Laird, Chapter 240, Statutes of 2022) transferred jurisdiction over unfair labor practice charges involving the Santa Cruz Metropolitan Transit District from the judicial system to PERB.

SB 598 (Pan, Chapter 492, Statutes of 2021) provided exclusive employee organizations the option of transferring jurisdiction over unfair labor practice charges for their represented bargaining units within SacRT from the judicial system to PERB.

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

SUPPORT: (Verified 8/18/25)

Assembly Committee on Public Employment and Retirement (source)
American Federation of State, County and Municipal Employees

OPPOSITION: (Verified 8/18/25)

None received

ARGUMENTS IN SUPPORT:

According to the American Federation of State, County and Municipal Employees:

“Currently, the VTA’s employer-employee relations statute lacks explicit provisions for both PERB enforcement and judicial review. This creates a disparity compared to other public sector employees in California who are under PERB’s jurisdiction. By addressing this discrepancy, AB 1510 will provide VTA workers with the same fundamental rights and protections afforded to their counterparts across the state. The proposed amendments are essential for creating a more balanced and just labor environment.”

ASSEMBLY FLOOR: 73-1, 5/12/25

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

NOES: DeMaio

NO VOTE RECORDED: Carrillo, Gallagher, Michelle Rodriguez, Sanchez, Stefani

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8/21/25 16:45:49

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