SENATE COMMITTEE ON APPROPRIATIONS
Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1630 (Caloza) - Meet and confer: observation

Version: May 22, 2026
Urgency: No
Hearing Date: June 29, 2026
Policy Vote: L., P.E. & R. 4 - 1
Mandate: No
Consultant: Robert Ingenito

Bill Summary: AB 1630 would modify the Higher Education Employer-Employee Relations Act (HEERA) to authorize an exclusive representative to invite one or more members of a bargaining unit to remotely observe a session held for the purpose of a meet and confer on a memorandum of understanding (MOU).

Fiscal Impact:

- The University of California (UC) indicates that it would incur one-time costs of $100,000 to $200,000, and $270,000 to $430,000 annually thereafter, to implement the provisions of the bill (General Fund). Cost drivers include procuring the requisite technology platform, creating policies and procedures and training staff, and hiring additional information technology support necessary to facilitate remote and passive observation of bargaining sessions.

- The bill would result in ongoing General Fund costs of up to $255,000 annually for the California State University (CSU) to procure the necessary technology platform, create policies and procedures, and hire additional information technology support necessary to facilitate remote and passive observation of bargaining sessions.

Background: HEERA establishes the framework governing labor relations between UC, CSU and their employees. The Act requires higher education employers and employee organizations to engage in collective bargaining over matters within the scope of representation, including wages, hours, and other terms and conditions of employment. Disputes concerning compliance with these obligations may be brought before the Public Employment Relations Board (PERB) through the unfair practice process.

HEERA also establishes protections for employees and employee organizations by prohibiting conduct that interferes with the exercise of collective bargaining rights. Among other provisions, employers may not discriminate against, retaliate against, or coerce employees or applicants because of their participation in protected labor activities. Similar restrictions apply to employee organizations. The Act further provides for released or reassigned time for employee representatives engaged in collective bargaining and related labor-relations activities, subject to the terms of any applicable MOU.

The scope and conduct of collective bargaining under HEERA have also been shaped by PERB decisions addressing bargaining procedures and ground rules. In decisions arising under other public-sector labor relations statutes, PERB has concluded that bargaining ground rules are themselves mandatory subjects of negotiation and that, absent mutual agreement, collective bargaining sessions generally are limited to designated representatives of the parties. As a result, decisions regarding the presence of bargaining-unit members as observers during negotiations have traditionally been determined through mutual agreement between the employer/exclusive representative.

Proposed Law: This bill, among other things, would do the following:

- Authorize an exclusive representative to, at their discretion, invite one or more members of a bargaining unit to remotely observe a session held for the purpose of a meet and confer on a memorandum of understanding. However, it would clarify that a remote observer may not delay/disrupt a meet and confer session.

- Require that remote access be provided for this purpose at the request of the exclusive representative.

- Provide that nothing shall prevent the parties from agreeing to allow, nor require any change in existing practices to, in-person observers or greater participation by observers in sessions held for the purpose of a meet and confer.

Related Legislation:

- AB 1818 (Ortega) would amend HEERA relating to CSU, a written MOU, and funding on the MOU via the annual state Budget Act. Specifically, it would require, with regards to whether a MOU requires legislative action or if the Legislature or Governor fail to fully fund the MOU or take requisite curative action, the determination to be made by the Director of Finance by written notification to the parties. The bill is currently pending in the Senate Committee on Labor, Public Employment and Retirement.

- AB 1582 (Ortega) would amend HEERA by adding other prohibited acts of a higher education employer relating to arbitration and violation of a collective bargaining agreement (CBA). Specifically, the bill would make HEERA employers who disregard arbitration decisions related to CBA violation disputes over outsourcing “the same or similar services” of bargaining unit work, subject to PERB unfair labor practice charges and penalties for repeat offenders, as specified. The bill is currently pending in the Senate Committee on Judiciary.

Staff Comments: As noted above, this bill would modify the framework for institutions governed by HEERA by authorizing an exclusive representative to permit bargaining-unit members to remotely observe negotiations over an MOU. Upon request of the exclusive representative, the employer would be required to provide remote access for such observation. The bill specifies that observers may not disrupt or delay negotiations and, unless otherwise agreed by the parties, would not be entitled to released time or compensation for participating as observers.

-- END --