

CONCURRENCE IN SENATE AMENDMENTS

AB 2078 (Rogers)

As Amended August 21, 2026

Majority vote

SUMMARY

Adds stationary engineers, as defined, to the exemption from meal period law for certain employees covered by a valid collective bargaining agreement (CBA) with specified provisions.

Senate Amendments

- 1) Add to the definition of "stationary engineer" that the occupation has a state-registered apprenticeship program that was established on or before December 31, 1964, and includes the name "Stationary Engineer" in the program's occupation.

COMMENTS

The Legislature has taken action in a limited manner to exempt from meal and rest period law narrowly defined categories of employees in a specific industry who are unable to take meal or rest breaks due to the unique nature of their working conditions. In these cases, the exemption generally requires the employees: 1) be covered by a CBA containing specific provisions related to wages and dispute resolution; and 2) be provided a remedy if they miss their meal or rest period.

According to the Author

According to the author, "AB 2078 provides flexibility for stationary engineers by adding them to the existing list of employees whose meal breaks are governed by their collective bargaining agreements due to the complex nature of their work.

Blue collar jobs are often strenuous in nature, and workers require rest and recovery to continue to perform to the best of their ability. Currently, stationary engineers, who oversee important equipment and perform maintenance and oversight work, constantly get interrupted from their meal breaks during their shifts. After the working hours of their shift, they must stay to satisfy the statutory meal break requirement and avoid any employer related violations, which inconveniences the workers and creates inconsistency for employers.

AB 2078 adds stationary engineers to the list of employees whose meal breaks are governed by CBAs, ensuring that they can leave work at the scheduled time, providing more certainty for employers. This bill will ensure that workers who perform these strenuous and risky tasks are allowed to have flexibility in a part of their day that they can use to rest, recover, and spend time with loved ones."

Arguments in Support

The California-Nevada Conference of Operating Engineers, sponsor of the bill, states, "Importantly, stationary engineers serve as the first line of defense in emergency building maintenance situations; whether a boiler malfunctions, HVAC system fails, power disruptions take place, or other urgent facility issues arise—these workers are often the only qualified personnel immediately available to address these problems and keep facilities safe and operational. Because of this, stationary engineers are effectively on call throughout their entire

shift and are frequently pulled away and interrupted from their meal break periods to respond to building emergencies.

As a result, some employers who want to avoid meal break violations will require their stationary engineers to remain onsite for an additional 30 minutes after their shift ends to act as a designated "meal break." This practice creates significant frustration for employees who have already completed their full scheduled shift, but are called to stay an extra 30 minutes once their shift has been completed.

Legislation is needed to provide flexibility for both employers and employees in this space that ensures that emergency building maintenance situations can be responded to while not penalizing employees for simply doing their job."

Arguments in Opposition

None on file.

FISCAL COMMENTS

The Senate Committee on Appropriations passed this bill pursuant to Senate Rule 28.8.

VOTES:

ASM LABOR AND EMPLOYMENT: 7-0-0

YES: Ortega, Alanis, Chen, Elhawary, Kalra, Lee, Ward

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Hoover, Aguiar-Curry, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

ABS, ABST OR NV: Arambula

ASSEMBLY FLOOR: 77-0-3

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

ABS, ABST OR NV: Arambula, Flora, Celeste Rodriguez

UPDATED

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CONSULTANT: Megan Lane / L. & E. / (916) 319-2091

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