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| **Bill No:** | AB 2129 | **Hearing Date:** | June 24, 2026 |
| **Author:** | Flora | | |
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| **Urgency:** | No | **Fiscal:** | Yes |
| **Consultant:** | Emma Bruce | | |

**SUBJECT:** State employees: compensation: firefighters

## KEY ISSUE

This bill 1) requires the state to bargain in good faith with Department of Forestry and Fire Protection (CALFIRE) Bargaining Unit 8 (BU-8) firefighters to reach a competitive range within 15 percent of the average salary for corresponding ranks in specified local fire departments; and 2) requires CalHR, on or before March 31, 2027, to conduct a survey on the salaries and benefits of specified fire chiefs, among others.

## 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. (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 §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. (Government Code §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. (Government Code §19826 (b)-(c))

5) Requires the CalHR to post, in a clear and conspicuous manner on its internet website, each MOU that has been submitted to the Legislature for determination, as provided, and that has

been ratified by the affected union membership, among other provisions. (Government Code §19829.6)

6) 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. (Government Code §19827)

7) 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. (Government Code §19827.3)

**This bill:**

1) Requires the state to bargain in good faith with rank-and-file BU-8 firefighters to reach a competitive range within 15 percent of the average of the salary for corresponding ranks in the following 20 California fire departments, as agreed to by BU-8 and CalHR in 2024:

   a) The cities of Bakersfield, Chula Vista, Corona, Escondido, Fullerton, Hayward, Milpitas, Ontario, Oxnard, Rialto, Roseville, San Mateo, Santa Monica, Stockton, and Torrance.
   b) The Livermore-Pleasanton Fire Department.
   c) The Novato Fire District.
   d) The counties of Los Angeles, San Bernadino, and Ventura.

2) Requires the state and BU-8's exclusive bargaining representative to jointly survey and calculate the estimated average salaries of the departments in 1) based on the projected average total salary for those departments as of July 1 of the year in which the survey is conducted.

3) Requires CalHR, on or before March 31, 2027, for purposes of the bargaining unit contract renewal to be conducted July 1, 2027, to conduct and report to CALFIRE a cursory survey on all of the following:

   a) The salaries and benefits for the prior year of each of the fire chiefs for the following five California fire departments:
      i. The City of Fresno
      ii. The County of Los Angeles
      iii. The County of San Bernadino
      iv. The City of San Diego
      v. The City and County of San Francisco

   b) The salaries and benefits for the prior year of other city and county fire departments similar to those described in a).
   c) The salaries and benefits for the prior year of other heads of state departments.

4) Provides 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 listed in 1), as well as other factors, including internal comparisons.

5) 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).

6) 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.

7) Makes various findings and declarations.

## COMMENTS

1. **Background:**

*Bargaining Unit 8 (BU-8)*
BU-8 represents state-employed firefighters, almost all of whom work for CALFIRE. As of March 2025, the rank-and-file, managerial, and supervisorial employees associated with BU-8 include 9,220 full-time equivalent employees.[1] The estimated salary and salary-driven costs for these employees in 2024-25 totaled $1.1 billion with about two-thirds of these costs being paid from the General Fund.[2] BU-8's current MOU went into effect on July 1, 2024, and expires on June 30, 2027. Initially, the MOU was set to expire June 30, 2026, but a side letter between CalHR and BU-8 extended the agreement by one year.

As wildfire seasons become longer and increasingly destructive, the State has taken steps to shift some seasonal firefighter positions to permanent ones and to increase firefighter retention. The MOU discussed above (pre side letter) includes several provisions intended to increase retention. Specifically, it began implementing a shift from a 72-hour workweek to a 66-hour workweek, modified staffing schedules, increased general base pay by about 2.5 percent, and specified special salary adjustments. For the most part, the side letter maintains provisions of the ratified MOU. However, the letter also includes a general salary increase of 2.5 percent, a commitment that the 2027 successor MOU negotiations will include the 56-hour industry standard work week, and a guarantee that CALFIRE Local 2881 will meet with CalHR to present a deferred retirement option program (DROP program) on or before February 1, 2026.[3]

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

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[1] Schroeder, Nick. "MOU Fiscal Analysis: Bargaining Unit 8 (Firefighters)." LAO. August 19, 2025.
[2] Ibid.
[3] Ibid.

classification.[4] Additionally, the survey found that state firefighters work more days of the year than local department firefighters.

*Bargaining Unit 5 (BU-5) Highway Patrol (CHP)*
AB 2129'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. The five jurisdictions used in the formula were the five largest police jurisdictions in 1974. At the time, they were possibly a representative sample of the cost of living where CHP officers worked, however these five jurisdictions today represent the most expensive regions of the state and are not where many CHP officers work.[5] Sworn members of the CHP are the *only* state employees who automatically receive adjustments to their salary ranges each year. Due to this compensation formula, BU-5's base pay has continued to grow faster than inflation.[6]

The Legislative Analyst's Office has long argued that, although BU-5's formula has precedent, it should be improved or repealed. The formula makes it difficult to forecast future salary increases, which can vary significantly from year to year. Furthermore, the formula limits legislative oversight of state employee compensation and hinders the Legislature's ability to respond to fiscal crises. If the formula's survey methodology was updated to use a more representative sample of employers, it could better reflect the cost of living for the average CHP officer.

2. **Committee Comments:**

AB 2129 would require the state to *bargain in good faith* with BU-8 firefighters to reach a competitive range within 15 percent of the average salary for corresponding ranks in specified local fire districts. Additionally, the bill would require CalHR to, on or before March 31, 2027, conduct a survey on the salaries and benefits of specified fire chiefs, of other city and county fire departments, and of other heads of state departments.

The author's previous versions of this bill (AB 1254, 2023 and AB 1309, 2025) would have instead required the state *to pay* BU-8 firefighters within 15 percent of the average salary for corresponding ranks in specified local fire districts. AB 1254 was ordered to the inactive file on the Senate Floor and AB 1309 was ultimately vetoed by the Governor.[7] The concerns raised in the Governor's veto message, as well as the LAO's concerns with automatic salary increases, discussed above, remain relevant. Given the LAO's concerns with BU-5's compensation formula, should the Legislature extend a similar formula to BU-8?

3. **Need for this bill?**

According to the author:

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[4] "2023 California Firefighter Total Compensation Survey," CalHR, May 2024, 2023-California-Firefighter-Total-Compensation-Survey.pdf
[5] Schroeder, Nick. "MOU Analysis: Bargaining Unit 5 (Highway Patrol)." LAO. August 23, 2024.
[6] Ibid.
[7] See prior legislation for the veto message.

"CAL FIRE rank-and-file firefighters are overworked and significantly underpaid compared to their counterparts in local fire departments. CAL FIRE firefighters work 72-hour workweeks, compared to a typical 54-hour workweek for local fire departments. For many years, wages for CAL FIRE's all risk firefighters have lagged behind municipal and county departments, devaluing the critical work they perform and making it increasingly difficult to recruit and retain firefighters where they are most urgently needed. Short staffing exacerbates the inherent dangers of firefighting by increasing exhaustion and stress, while also contributing to long-term health impacts from prolonged exposure to toxic smoke, limited respiratory protection, chronic sleep deprivation, and extended periods away from family. As climate change drives longer and more destructive fire seasons, ensuring competitive compensation is essential to maintaining a skilled, healthy, and stable firefighting workforce capable of protecting public safety statewide."

4. **Proponent Arguments:**

The sponsor of the measure, CAL FIRE Local 2881, argues:

"On behalf of the 10,000 CAL FIRE firefighters who confront California's disasters on the front line, CAL FIRE Local 2881 are proud to sponsor Assembly Bill 2129 which requires the state to bargain in good faith to achieve firefighter salaries within 15% of the average pay for comparable ranks across 20 California local fire departments.

AB 2129 is similar to AB 1309 which was vetoed by Governor Newsom last year. The Governor cited his concerns with circumventing the established collective bargaining process as well as other budget concerns. AB 2129 places a clearer emphasis on "good faith bargaining" language, reinforcing that implementation still occurs through MOUs, and establishes the bill as a benchmarking tool rather than a mandate.

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.

AB 2129 creates a structured framework to ensure CAL FIRE firefighter pay is more competitive in California's labor market amid the department's recruitment/retention crisis."

5. **Opponent Arguments:**

None received.

6. **Prior Legislation:**

AB 1381 (McKinnor, 2026) would require, among other things, public employers to raise their firefighter and peace officer safety pension formulas effective January 1, 2027, to give at age 55 what their specific PEPRA formula gives at age 57 unless the parties bargain for a higher or lower formula, as specified. *This bill is pending in the Senate Labor, Public Employment and Retirement Committee.*

AB 1309 (Flora, 2025) would have 1) required the state to pay CALFIRE BU-8 firefighters within 15 percent of the average salary for corresponding ranks in specified local fire departments; and 2) required 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. AB 2129 is nearly identical to AB 1309. *This bill was vetoed by Governor Newsom, who stated*:

> *"This bill would require the Department of Forestry and Fire Protection to pay firefighters within 15 percent of the average salary for corresponding ranks in certain local fire departments. This measure would also require an annual survey of the salaries and benefits for fire chiefs in five specified fire departments.*
>
> *While I appreciate the author's intent, this bill would create significant cost pressures for the state and circumvent the collective bargaining process. State employee salaries, along with other components of compensation such as health and pension benefits, should be determined through collective bargaining. Establishing a statutory salary floor for employees of a single department undermines this process, to the detriment of both the state and other bargaining units."*

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 2872 (Calderon, 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. This bill was vetoed by Governor Newsom.

AB 1254 (Flora, 2023) was nearly identical to AB 1309 and AB 2129 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.*

## SUPPORT

CAL FIRE Local 2881 (Sponsor)
California Professional Firefighters

## OPPOSITION

None received

**-- END --**