

ASSEMBLY THIRD READING
AB 2682 (Berman and Wicks)
As Amended March 24, 2026
Majority vote

SUMMARY

Authorizes any charging party, respondent, or intervenor aggrieved by a final decision or order of the Public Employment Relations Board (board) in an unfair practice case under the Transportation Network Company Drivers Labor Relations Act (act) to appeal the decision or order by filing a petition for a writ of extraordinary relief from such decision or order in the district court of appeal, as specified.

Major Provisions

- 1) Authorizes any charging party, respondent, or intervenor aggrieved by a final decision or order of the board in an unfair practice case under the act to petition for a writ of extraordinary relief from such decision or order.
- 2) Provides that a "final decision or order of the board" excludes a decision of the board not to issue a complaint in an unfair practice case.
- 3) Requires the petition authorized under 1) above to be filed in the district court of appeal in the appellate district where the dispute giving rise to the unfair practice case occurred. The petition shall be filed within 30 days after issuance of the board's final order or order denying reconsideration.
- 4) Requires upon the filing of the petition, the court to serve notice on the board and subsequently shall have jurisdiction of the proceeding.
- 5) Requires the board to file with the court the record of the proceeding, certified by the board, within 10 days after the clerk's notice, unless such time is extended by the court for good cause shown.
- 6) States that the court shall have jurisdiction to grant to the board such temporary relief or restraining order it deems just and proper and make and enter a decree enforcing, modifying, or setting aside the order of the board.
- 7) Provides that the findings of the board with respect to questions of fact, including ultimate facts, are conclusive if supported by substantial evidence on the record considered as a whole.
- 8) Requires the law relating to writs of review in the Code of Civil Procedure (CCP) to be followed, however, the provisions of this section shall prevail in cases of conflict with the procedures in the CCP.
- 9) Authorizes, if the time to petition for extraordinary relief from a board decision has expired, the board to seek enforcement of any final decision or order in a district court of appeal or a superior court in the district where the unfair practice case occurred.

- 10) Requires the board to respond within 10 days to any inquiry from a party to the action as to why the board has not sought court enforcement of the final decision or order.
- 11) Requires, if the response does not indicate that there has been compliance with the board's final decision or order, the board to seek enforcement of the final decision or order upon the request of the party. The board shall file with the court the record of the proceeding, certified by the board, and appropriate evidence disclosing the failure to comply with the decision or order.
- 12) Requires, if, after a hearing, the court determines that the order was issued properly and that the person or entity refuses to comply with the order, the court to enforce such order by writ of mandamus. The court shall not review the merits of the order.

COMMENTS

Last year the Legislature passed and the Governor signed AB 1340 (Wicks) Chapter 335, Statutes of 2025 which established the act and gave rideshare drivers, despite their independent contractor status, the right to form, join, and participate in the activities of TNC driver organizations, to bargain through representatives of their own choosing, to engage in concerted activities for the purpose of bargaining or other mutual aid or protection, and to refrain from such activities. The act also empowered PERB to adjudicate unfair practice charges.

AB 2682 would authorize a party under the act to seek judicial review of a PERB final decision or order on an unfair practice. This would conform the act with other collective bargaining statutes administered by PERB.

According to the Author

According to the author, "Rideshare drivers are the backbone of the gig economy and for too long, they were denied the same rights and protections that others take for granted. Last year, the Legislature passed and the Governor signed AB 1340 - an historic leap forward for fairness and dignity on the job for hundreds of thousands of California workers who now have the opportunity to join a union. AB 2682 would correct an oversight and likewise ensure that those covered by the Transportation Network Company Drivers Labor Relations Act also have the right to appeal a decision or order from the Public Employment Relations Board."

Arguments in Support

Service Employees International Union California State Council, sponsor of the bill, states, "AB 2682 would establish a defined judicial review process for final decisions and orders of the PERB in unfair practice cases arising under the Transportation Network Company Drivers Labor Relations Act. Specifically, the bill would authorize an aggrieved charging party, respondent, or intervenor to petition for a writ of extraordinary relief in the Court of Appeal or the California Supreme Court, and it would set timelines and service requirements for that review process. Simply, this clarifies where appeals go after PERB makes a determination of the case and expedites the process which impacts hundreds of thousands of drivers and a broader industry. These appeals provisions are the same as for the other labor relations statutes that PERB administers.

These appeals provisions would improve procedural fairness and strengthen confidence in the administration of the act. This would provide PERB in their role as arbitrator and administrator of the Transportation Network Company Drivers Labor Relations Act, a clear path for parties to

seek judicial review after a PERB decision to help ensure that parties affected by final board action have a meaningful opportunity to challenge legal error, promotes consistency in enforcement, and supports transparency and accountability in a new labor-relations framework."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee,

- 1) Absorbable costs to PERB to follow appeal procedures in conformity with other collective bargaining statues administered by PERB.
- 2) Ongoing cost pressures of an unknown amount to the courts in additional workload by authorizing an aggrieved party to petition for a writ of extraordinary relief under the Act (GF or Trial Court Trust Fund (TCTF)). There are more than 800,000 TNC drivers in California. It is unclear how many writs may be filed statewide and how much court time may be needed to resolve each case, but it generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court funding from the GF. The state budget provides annual GF backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in fiscal year 2025-26.

VOTES

ASM LABOR AND EMPLOYMENT: 7-0-0

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

ASM APPROPRIATIONS: 13-1-1

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

NO: Tangipa

ABS, ABST OR NV: Ta

UPDATED

VERSION: March 24, 2026

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