
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1166 (Arreguín) - Alameda-Contra Costa Transit District: employee relations

Version: February 18, 2026

Policy Vote: L., P.E. & R. 4 - 1, JUD. 10 -
2

Urgency: No

Mandate: Yes

Hearing Date: April 20, 2026

Consultant: Robert Ingenito

Bill Summary: SB 1166 would transfer jurisdiction for unfair labor practice complaints involving the Alameda-Contra Costa Transit District (ACTD) from the court system to the Public Employment Relations Board (PERB).

Fiscal Impact:

- PERS estimates that it would incur first-year costs of \$150,000, and \$100,000 annually thereafter, to implement the provisions of the bill (General Fund).
- By requiring ACTD to represent itself before PERB, this bill creates a state-mandated local program. To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs (General Fund). The magnitude is unknown, but could exceed \$50,000 per year (General Fund).

Background: PERB is a quasi-judicial agency that oversees public sector collective bargaining in the State. Its major functions involve the evaluation and adjudication of unfair practice charges filed, and the administration of the collective bargaining process through which employees select organizations to represent them in their labor relations with their employer.

Covered employees may file an unfair practice charge with PERB within six months of the alleged unfair practice. Once the charge has been properly filed, a Board agent reviews it to determine if a complaint should be issued, or dismisses it if there is insufficient factual evidence. A dismissal may be appealed. If a complaint is filed, the case proceeds to an informal settlement conference, or may proceed to a formal hearing conducted by an administrative law judge if no settlement can be reached. Public transit districts in many cases have historical antecedents as private sector companies that were taken over by public agencies following World War II. Federal legislation linked transportation project funding to the preservation of transit district employees' collective bargaining rights at a time when public sector employees had not yet attained collective bargaining. Consequently, transit district employees often enjoyed collective bargaining protections earlier than other state and local public employees. When the State authorized collective bargaining for state and local public employees through various labor relations statutes, many transit districts already were governed by collective bargaining arrangements and were not included in the new labor relations statutes. Those districts retain the traditional method of resolving labor

disputes through litigation in the court system. In contrast, the statutory frameworks for most public sector labor relations regimes now provide for disputes to be resolved by PERB.

ACTD is one such public entity that handles labor disputes outside of the PERB process. ACTD provides and operates public transit in Alameda and Contra Costa counties as the largest bus-only transit system in the state. AC Transit was established as a transit district in 1956 pursuant to its own enabling statute. As a transit district, AC Transit is an independent special district separate from the county and any city government, with its own elected governing board. Its enabling statute specifies its operation and governance, and also includes its own labor relations provisions. However, these provisions do not include provisions regarding the disposition of unfair labor practice claims. Consequently, Currently, when ACTD is unable to resolve unfair labor practice disputes through negotiation or arbitration, the matter winds up in the courts.

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

- Permit an exclusive representative for employees of ACTD to select or move one or more of its represented bargaining units to the jurisdiction of PERB for unfair practices charges, as specified.
- Provide PERB with the exclusive jurisdiction over the initial determination of whether an unfair practice charge is justified, and if so the appropriate remedy, if a selection is made to provide PERB with jurisdiction over unfair practice charges. Prohibit PERB from, in an action to recover damages due to an unlawful strike, awarding strike-preparation expenses as damages or awarding damages for costs, expenses, or revenue losses incurred during or as a consequence of an unlawful strike.
- Require ACTD to give reasonable written notice to an exclusive representative of its intent to make any changes to matters within the scope of representation of employees represented by the exclusive representative, for the purposes of providing the exclusive representative a reasonable amount of time to negotiate with the district regarding the changes.
- Specify that PERB shall have jurisdiction to enforce the labor provisions of the Transit District Law, and that the regulations of PERB apply to those provisions. Require PERB to perform its duties consistent with its regulations, and may make additional regulations to carry out those provisions as emergency regulations.
- Permit a charging party aggrieved by a final decision of PERB regarding an unfair practice charge pursuant to the bill's provisions, except where PERB decides not issue a complaint, to petition for a writ of extraordinary relief from the decision with the district court of appeal with jurisdiction over any county in which the district operates, as specified.
- Specify that, if the time to appeal PERB's decision has passed, PERB may seek enforcement of any final decision or order in a district court of appeal or superior

court with jurisdiction over the county where the events giving rise to the decision occurred. Require PERB to respond within 10 days to any inquiry from a party to the action as to why PERB has not sought court enforcement. Require that, if PERB's response does not indicate that there has been compliance with the decision or order, it must seek enforcement upon request of the party.

Related Legislation:

- SB 957 (Laird, Chapter 240, Statutes of 2022) transferred jurisdiction for unfair labor practice complaints involving Santa Cruz Metropolitan Transit District (SCMTD) from the court system to the Public Employment Relations Board (PERB).
- SB 598 (Pan, Chapter 492, Statutes of 2021) granted unions the option of transferring jurisdiction over unfair labor practices for their represented bargaining units within the Sacramento Regional Transit District from the judicial system to PERB.
- AB 2850 (Low, Chapter 293, Statutes of 2020) granted PERB jurisdiction over disputes relating to employer-employee relations between the San Francisco Bay Area Rapid Transit District and its employees, among other provisions.
- AB 355 (Daly, Chapter 713, Statutes of 2019) transferred jurisdiction over unfair labor practice charges at the Orange County Transportation Authority from the judicial system to PERB; and authorizes parties to a labor dispute to appeal PERB decisions and orders to the courts through a petition for a writ of extraordinary relief filed within 30 days of the PERB ruling.
- AB 2886 (Daly, 2018) would have transferred jurisdiction over unfair labor practices for the Orange County Transportation Authority and the San Joaquin Regional Transit District to PERB, effective January 1, 2020. The bill was vetoed by the Governor.
- AB 3034 (Low, 2018) would have amended the PUC by including BART's supervisory, professional, and technical employee units under MMBA's provisions; thereby, granting them certain statutory rights related to the employer-employee relationship, and bringing them under PERB's jurisdiction. The bill was vetoed by the Governor.

Staff Comments: PERB assumes (consistent with its experience with similar bills impacting other transit agencies in the State) that less than five disputes annually would result from this bill, requiring a half-position of staff time to perform the resulting workload. PERB would also need to promulgate regulations to add ACTD to its case processing regulations, at a one-time cost of \$50,000.

-- END --