

Date of Hearing: June 24, 2026

ASSEMBLY COMMITTEE ON PUBLIC EMPLOYMENT AND RETIREMENT

Tina S. McKinnor, Chair

SB 1166 (Arreguín) – As Introduced February 18, 2026

**SENATE VOTE:** 30-9

**SUBJECT:** Alameda-Contra Costa Transit District: employee relations

**SUMMARY:** Vests the Public Employment Relations Board (PERB) with jurisdiction to enforce certain provisions related to the Alameda-Contra Costa Transit District's (AC Transit) over unfair practice charges (UPC) for represented employees subject to a selection by the exclusive representative, among other provisions. Specifically, **this bill:**

- 1) Establishes the primary purpose is to promote improvement of personnel management and employer-employee relations within the district by providing a uniform basis for recognizing the right of employees to join employee organizations of their own choice, be represented, and select one organization as the exclusive organization as the exclusive representative in an appropriate unit, and to afford employees a voice at work.
- 2) Establishes that the PERB's powers, duties, and existing or new regulations, including emergency regulations as necessary, to enforce the provisions of this proposed statute must apply, and that its actions regarding such regulations is conclusively presumed to be necessary for the immediate preservation of public peace, health, safety, or general welfare, as provided.
- 3) Establishes that the provisions of this proposed statute must not displace or supplant the requirements of existing law, as specified, and impasse resolution and injunctive relief procedures provided under existing law must remain exclusive.
- 4) Authorizes an exclusive representative of AC Transit employees to irrevocably select one or more of its represented bargaining units (BU) to the PERB's jurisdiction for UPCs, but must file notice of the selection with the PERB's general counsel, or designees, and either: i) AC Transit's general manager, chief executive officer, or equivalent; ii) general counsel or equivalent, or iii) AC Transit, pursuant to applicable regulations.
- 5) Provides that if the above-described selection is made, the PERB has exclusive jurisdiction as to the initial determination on whether a UPC is justified and, if so, the appropriate remedy to effectuate the purposes of this statute. However, in actions to recover damages due to an unlawful strike, the PERB must not award strike-preparation expenses as damages or damages for costs, expenses, or revenue losses incurred during, or as a consequence of, an unlawful strike.
- 6) Requires AC Transit to give reasonable written notice to an exclusive representative of its intent to make any change to matters within the scope of representation to provide the exclusive representative a reasonable amount of time to negotiate regarding the proposed changes.

- 7) Prescribes the process and procedures to petition a court for a writ of extraordinary relief by a charging party, respondent, or intervenor aggrieved by a final decision or order of the PERB in a UPC case.
- 8) Includes a legislative finding and declaration that a special statute is necessary with respect to AC Transit and pro forma provisions regarding reimbursement of costs to local agencies and school districts, if the Commission on State Mandates determines that this proposed statute contains state-mandated costs.

#### **EXISTING LAW:**

- 1) Governs collective bargaining in the private sector under the federal National Labor Relations Act (NLRA), but leaves it to the states to regulate collective bargaining in their respective public sectors. (Sections 151 et seq., Title 29, United States Code.) While the NLRA and the decisions of its National Labor Relations Board often provide persuasive precedent in interpreting state collective bargaining law, public employees have no collective bargaining rights absent specific statutory authority establishing those rights.
- 2) Establishes the PERB, a quasi-judicial administrative agency charged with administering certain statutory frameworks governing employer-employee relations, resolving disputes, and enforcing the statutory duties and rights of public agency employers, employees, and employee organizations, but provides the City and County of Los Angeles a certain local alternative to PERB oversight. (Sections 3541 et seq., Gov. Code.)
- 3) Provides several statutory frameworks under California law to provide public employees collective bargaining rights, govern public employer-employee relations, and limit labor strife and economic disruption in the public sector through a reasonable method of resolving disputes regarding wages, hours, and other terms and conditions of employment between public employers and recognized public employee organizations or their exclusive representatives. These include the Santa Clara Valley Transportation Authority (VTA) employment relations statute (Sections 100300, et seq., Gov. Code.); the Orange County Transit (OC Transit) Act (Sections 40000 et seq., (PUC)); San Francisco Bay Area Rapid Transit (SF BART) District Act (Sections 28848 et seq., PUC); the Santa Cruz Metropolitan (SC Metro) Act (Sections 98160 et seq., PUC), and the Sacramento Regional Transit District (SacRT) Act (Sections 102398 et seq., PUC).
- 4) Does not cover California's public transit districts by a common employer-employee relations statute. Instead, while some transit districts are subject to specific employer-employee relations statutes, the majority of transit districts are subject to labor relations provisions found in each district's specific PUC enabling statute, joint powers agreements, or in articles of incorporation, and bylaws.

Generally, these provisions provide employees with basic rights to organization and representation, but do not define or prohibit unfair labor practices. Unlike other California public agencies and employees, public transit districts and their employees not within the jurisdiction of the PERB have no recourse to the PERB. Instead, they must rely upon the courts to remedy alleged violations. Additionally, they may be subject to provisions of the federal Labor Management Relations Act of 1947 and the 1964 Urban Mass Transit Act (modernly referred to as the Federal Transit Act).

- 5) Vests the PERB with jurisdiction to enforce certain provisions relating to employer-employee relations between the above-described transportation district acts and their respective employees, among other provisions. (Sections 100300, *ibid.*)
- 6) Authorizes a party aggrieved by a final decision or order of the PERB in an unfair practice case, except as specified, to petition a court of competent jurisdiction for a writ of extraordinary relief from such decisions or orders. (Sections 3509.5 (local public employment relations); 3542 (K-14 education employment relations); 3524.73 (Judicial Council employment relations); 3564 (higher education employment relations); 71639.4 (trial court employment relations), and 71825.1 (court interpreter employment relations) of the Gov. Code; Sections 40122.2 (OC Transit employment relations); 28861 (SF BART employment relations); 98172 (SC Metro employment relations); 99562 (Los Angeles County transit supervisory employment relations ); 102409 (SacRT employment relations), and 100312 (VTA employment relations) of the PUC, and Section 10428.5 (childcare providers employment relations) of the Welfare and Institutions Code.
- 7) Provides that the following provisions must govern disputes between exclusive bargaining representatives of public transit employees and local agencies not covered by the MMBA (Section 3611, Gov. Code):
  - a) The disputes must not be subject to any fact-finding procedure otherwise provided by law.
  - b) Each party must exchange contract proposals not less than 90 days before the expiration of a contract and shall be in formal collective bargaining not less than 60 days before that expiration.
  - c) Each party must supply to the other all reasonable data as requested by the other party.
  - d) At the request of either party to a dispute, the California State Mediation and Conciliation Service must assign a conciliator to mediate the dispute and shall have access to all formal negotiations.
- 8) Authorizes the Governor to appoint a committee to investigate a transit district's labor dispute relating to an impasse in bargaining that results in a threatened or actual strike and provides a process to resolve the dispute. (Sections 3612 and 3616, Gov. Code.)
- 9) Provides for the continuance of the AC Transit, as specified. (Sections 24561 et seq. Pub. Util. Code (PUC) Code.)
- 10) Requires the AC Transit board to bargain in good faith with the district employees' accredited representatives, as specified, and requires both parties to bargain in good faith and make all reasonable efforts to reach agreement on the terms of a written contract governing wages, salaries, hours, working conditions, and grievance procedures. (Section 25051, PUC. Code.)
- 11) Authorizes the district and the union to submit unresolved disputes over contract term governing wages, salaries, hours, or working conditions an arbitration board, as specified, whose decision shall be final. (Section 25051(a)(1), PUC. Code.)

- 12) Requires the parties to submit questions regarding whether a union represents a majority of employees or whether a proposed bargaining unit is or is not appropriate to the State Conciliation Service for disposition. (Section 25052, PUC. Code.)

**FISCAL EFFECT:** According to the Senate Committee on Appropriations, the [PERB] 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 AC Transit to represent itself before the 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).

**COMMENTS:**

Information provided by the author states, “[t]he vast majority of local government labor relations are governed by the Meyers-Milias-Brown Act (MMBA) (e.g., cities, counties, municipalities, most special districts). [The] PERB resolves unfair labor practice charges and representation disputes for employers and employees under the MMBA. However, public transit districts have collective bargaining statutes governed by individual codes under Public Utilities Code, meaning by default, that public transit districts and their employees must rely upon the courts to remedy any alleged labor disputes. Courts often go without expertise in public sector labor relations. To address this disparity, the Legislature has brought several public transit districts under PERB’s jurisdiction to adjudicate labor disputes [... and,] AC Transit is one of the remaining public transit districts whose unionized employees do not have the opportunity to access [the] PERB’s expertise on labor law or its provision of expeditious and cost-effective alternatives to processing labor disputes, which means claims of unfair labor practices currently must go through superior court.”

**Public Transit Districts and Continued Migration from Courts to the PERB to Adjudicate Workplace Violation Allegations**

Itemized under “Prior or Related Legislation” below, the history of public transit districts migrating from the courts to the PERB to adjudicate workplace violation allegations continues, and this bill follows that trend.

As enumerated under “Existing Law,” some transit districts are subject to specific employer-employee relations statutes, whereas, the majority of transit districts are subject to labor relations provisions found in each district’s specific PUC enabling statute, joint powers agreements, or in articles of incorporation, and bylaws. As such, existing law does not cover all public transit districts by common collective statute. For these transit districts, the PERB is not the venue for recourse relating to alleged workplace violations. Instead, resolution of such matters are adjudicated in court. This jurisdictional variation, i.e., courts vs. the PERB, for handling workplace violations in public transit employment relations may be considered as a public policy inequity that can result in inconsistent decisions among those venues when workplace violation allegations in the public sector are raised.

This bill seeks to resolve this matter with respect to AC Transit in a manner similar to prior enacted statutes that migrated certain matters to the PERB’s jurisdiction, and where the PERB

was specifically established to timely and objectively resolve such matters and is the subject matter expert in public sector employment relations.<sup>1</sup>

### **Comments by Supporters**

A coalition of the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO and states, “[the AC Transit] establishing statute lies within the [PUC] and therefore AC Transit does not fall under [the] PERB’s jurisdiction by default. To seek resolution for [a UPC], AC Transit or its employees must file a writ in Superior Court. This process can be time-consuming, prohibitively expensive, and may involve a judge who has no experience with public sector employer-employee relations. Furthermore, California’s chronically under-resourced court system has a severe backlog. Delays wrought by the existing process can carry on for years, contribute to labor tension, and complicate contract negotiations. [The] PERB is a more timely, accessible, and labor-focused venue to resolve any future [UPC] conflicts that may arise. Transit agencies should have access to the same well-regarded employer-employee conflict resolution process as most California public employees. [This bill] permits AC Transit employee organizations to move to the jurisdiction of [the] PERB for [UPC]. In moving to [the] PERB, AC Transit will join Santa Clara Valley Transit Authority, San Francisco Bay Area Rapid Transit District, and Sacramento Regional Transit District. Additionally, if AC Transit or its employees are aggrieved by a PERB decision, [this bill] authorizes them to petition for a writ of extraordinary relief. [We believe] that a more efficient conflict resolution process benefits the employees, the employer and those who rely on public transit.”

The International Brotherhood of Electric Workers, Local 1245 offers similar statements in support of this bill.

### **Comments by Opponents**

None on file.

### **Prior or Related Legislation**

Chapter 454, Statutes of 2025 (Assembly Bill 1510, Committee on Public Employment and Retirement) made a change to the VTA employment relations statute relating to authorize the appeal of a final decision or order of the PERB for purposes of equity and parity to various other public employment relations statutes administered by the PERB.

Chapter 789, Statutes of 2022 (Assembly Bill 2524, Kalra) gives PERB jurisdiction over disputes relating to employer-employee relations of the VTA for those exclusive representatives that have elected to move one or more of its bargaining units to the jurisdiction of the PERB for unfair practice charges.

Chapter 492, Statutes of 2021 (Senate Bill 598, Pan) gives exclusive employee organizations the option of transferring jurisdiction over unfair labor practices for their represented bargaining units within the SacRT from the judicial system to the PERB.

---

<sup>1</sup> Ref. No. 3 under “Existing Law” and “Prior or Related Legislation,” below.

Chapter 293, Statutes of 2020 (Assembly Bill 2850, Low) granted the PERB jurisdiction over disputes relating to employer-employee relations between the San Francisco Bay Area Rapid Transit District (BART) and its employees, among other provisions.

Chapter 713, Statutes of 2019 (Assembly Bill 355, Daly) requires employers and employees of the Orange County Transit District Authority (OCTDA) to adjudicate charges of unfair practice before the PERB, among other provisions.

Assembly Bill 2305 (Rodriguez, 2018) proposed to expand the jurisdiction of the PERB to include disputes between public agencies and peace officer employee organizations other than those employers and employees under the jurisdiction of employee relations commissions for the City and County of Los Angeles. Disputes between public agencies and individual peace officers would remain outside of the jurisdiction of the PERB. This bill was vetoed by the Governor who stated:

*“Over the years, the Legislature has expanded the Board’s jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board – both labor and employers have complained about this problem. This Administration has recently increased the Board’s funding to help correct this problem. The Board’s jurisdiction should not be expanded again until the Board’s ability to handle its previously expanded caseload is established.”*

Assembly Bill 2886 (Daly, 2018) proposed to transfer jurisdiction over the adjudication of unfair labor practices for the Orange County Transportation Authority (OCTA) and San Joaquin Regional Transit District (SJRTD) from the judicial system to the PERB, effective January 1, 2020. This bill was vetoed by the Governor who stated the same rationale as provided for the veto of Assembly Bill 2305 (Rodriguez, 2018).

Assembly Bill 530 (Cooper, 2017) proposed to expand the jurisdiction of the PERB to include Penal Code Section 830 peace officers; authorized a peace officer or labor union representing these peace officers to bring certain actions in court and, excluded employers and employees of the City and County of Los Angeles from its provisions. The Governor vetoed this bill and stated:

*“This bill authorizes peace officers to bring unfair practice charges to the Public Employment Relations Board while preserving their existing right to directly petition a superior court for injunctive relief. No other group has both of these rights and I’m unconvinced that providing such a unique procedure is warranted.”*

Assembly Bill 3034 (Low, 2018) proposed to amend the Pub. Util. Code by placing supervisory, professional, and technical employee units of the BART under the MMBA; thereby, granting them certain statutory rights related to the employer-employee relationship. The Governor vetoed this bill by stating the same rationale provided for with Assembly Bills 2305 (Rodriguez, 2018) and 2886 (Daly, 2018).

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

American Federation of State, County and Municipal Employees, AFL-CIO (Cosponsor)

American Federation of State, County and Municipal Employees, Council 57, AFL-CIO  
(Cosponsor)

American Federation of State, County and Municipal Employees, Local 3916, AFL-CIO  
(Cosponsor)

International Brotherhood of Electrical Workers, Local 1245

**Opposition**

None on file.

**Analysis Prepared by:** Michael Bolden / P. E. & R. / (916) 319-3957