

SENATE THIRD READING

SB 513 (Durazo)

As Amended May 6, 2025

Majority vote

SUMMARY

Expands the scope of personnel records that a current and former employee or their representative has a right to inspect and receive a copy of to include education or training records and requires those records to include specified information about the training.

Major Provisions

- 1) Expands the scope of personnel records that a current and former employee or their representative has a right to inspect and receive a copy of to include education or training records.
- 2) Requires an employer who maintains education or training records to ensure those records include all of the following:
 - a) The name of the employee.
 - b) The name of the training provider.
 - c) The core competencies of a training, including skills in equipment or software.
 - d) The resulting certification or qualification.

COMMENTS

As California moves to a carbon neutral economy, workers in the fossil fuel industry, particularly refinery workers, are facing facility closures and layoffs. A demographic challenge of this workforce for reemployment, as found in a UC Berkeley Labor Center study¹ of Marathon refinery workers who were laid off in 2020, is that it tends to be older than the regional workforce at large. Researchers in this study identified various forms of assistance that could benefit the workers, from cash support to help in job searches. The study also found that workers looking to reenter the workforce needed support in verifying certifications they had earned while working at the refinery.² The Marathon refinery workers largely lacked the tools necessary to verify their experience, thus the study recommended, among other things, that workers get "verification of employment from the company, going back to initial hire date and [s]kill verification from the company or union which describes workers' formal skill and experience, as well as certifications and trainings that the workers completed at the refinery."³ By requiring that training and education records be thorough and available for an employee to access in their personnel records, SB 513 would give employees facing job loss the information they need to verify their experience.

¹ Parks, Virginia and Baran, Ian, "Fossil fuel layoff: The economic and employment effects of a refinery closure on workers in the Bay Area," prepared for the UC Berkeley Labor Center, April 26, 2023.

² *Ibid.*

³ *Ibid.*

According to the Author

"California is on a path to transition away from most traditional fuels and energy sources in accordance with state climate goals and directives set forth. These policy directions have significant impacts on workers and communities especially as rapid job transitions occur. In the event, that workers lose their jobs, they will have to react quickly and search for new employment. However, some employers are withholding those training records from their employees.

Many refinery workers came into the job without specific credentials and were trained by their employers through joint labor-management programs to safely operate and maintain refineries. They have received significant, extensive on-the-job training from their employers on process safety, instrumentation, plant chemistry, lab work, control boards, pumps, compressors, maintenance crafts, and more, in addition to state HAZMAT and ongoing safety and health programs. With SB 513, employees across sectors will be able to demonstrate their ability and confirm their eligibility to future employers as jobs sectors transition to meet State climate goals."

Arguments in Support

California Labor for Climate Jobs is in support and states, "Many refinery workers accumulate their skills, knowledge and credentials through on the job experience with their employer through a joint labor-management partnership program. These complex and extensive on-the-job training programs include process safety management, plant chemistry, control boards, maintenance crafts and the most up-to-date safety and health programs. Despite current law that requires employers to retain and provide access to employees personnel records, the on-the-ground reality is that the records employers provided lacked any real specificity or applicable information. The outcome of this policy test was a clear need to improve the process to better explain and verify the skills, experience, certifications and training that the workers completed at the refinery. Now, Phillips 66 refinery in Los Angeles has announced layoffs for hundreds of workers in December of 2025. Absent policy that mandates the quality of records employers should provide this announcement threatens to leave workers without the information they need to secure new employment.

SB 513 will clarify that employers must provide education and training records in personnel files that include training dates, duration, and core competencies such as skills in equipment or software, as well as resulting certificates or qualifications. This common sense action will ensure that all workers have the clearest pathway into new careers in this shifting climate and technological economy."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee,

- 1) Minor and absorbable costs to the Labor Commissioner (LC) to update informational materials and provide related enforcement.

- 2) Cost pressures of an unknown, but likely minor amount, to the courts in additional workload by expanding the definition of personnel records, as the provision of such records may be enforced by a civil action brought by an employee or the LC.

VOTES

SENATE FLOOR: 29-9-2

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Limón, Reyes

ASM LABOR AND EMPLOYMENT: 7-0-0

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

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Jeff Gonzalez, Solache, Tangipa

ABS, ABST OR NV: Ta

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