

ECONOMIC IMPACT ASSESSMENT

(Government Code section 11346.3(b))

As a result of the enactment of Assembly Bill 646 (Chapter 680, Statutes of 2011), effective January 1, 2012, the Meyers-Milias-Brown Act (MMBA), the collective bargaining statute applicable to local governments (cities, counties, and special districts) in California, provides for a mandatory impasse procedure—factfinding before a tripartite panel—upon the request of an exclusive representative where the parties have not reached a settlement of their dispute. The Public Employment Relations Board (PERB) is responsible for the appointment of the neutral chairperson of the factfinding panel unless the parties mutually agree upon the selection of the chairperson. This new legislation and the duties imposed on PERB under it require amendments to existing regulations as well as the adoption of new regulations in order to fully implement the legislation and PERB's role.

The proposed regulations clarify and interpret California Government Code sections 3505.4, 3505.5 and 3505.7, and provide guidelines for the filing and processing of requests for factfinding under the MMBA.

In accordance with Government Code Section 11346.3(b), the Public Employment Relations Board has made the following assessments regarding the proposed regulations:

Creation or Elimination of Jobs Within the State of California

The proposed regulations are designed to provide guidelines for the filing and processing of requests for factfinding under the MMBA. In clarifying and interpreting California Government Code sections 3505.4, 3505.5 and 3505.7 with the proposed factfinding guidelines, no jobs in California will be created or eliminated.

Creation of New or Elimination of Existing Businesses Within the State of California

The proposed regulations are designed to provide guidelines for the filing and processing of requests for factfinding under the MMBA. In clarifying and interpreting California Government Code sections 3505.4, 3505.5 and 3505.7 with the proposed factfinding guidelines, no new businesses in California will be created or existing businesses eliminated.

Expansion of Businesses or Elimination of Existing Businesses Within the State of California

The proposed regulations are designed to provide guidelines for the filing and processing of requests for factfinding under the MMBA. In clarifying and interpreting California Government Code sections 3505.4, 3505.5 and 3505.7 with the proposed factfinding guidelines, no existing businesses in California will be expanded or eliminated.

Benefits of the Regulations

The proposed regulations are designed to provide guidelines for the filing and processing of requests for factfinding under the MMBA. Through the guidelines, the Public Employment Relations Board will ensure improvement of the public sector labor environment by providing additional dispute resolution procedures and promoting full communication between public employers and their employees in resolving disputes over wages, hours and other terms and conditions of employment. The proposed regulations will further the policy of bilateral resolution of public sector labor disputes and help PERB constituents avoid unnecessary and costly unfair practice charges and related litigation. The proposed regulatory action will not adversely affect the health and welfare of California residents, worker safety, or the State's environment. The proposed regulatory action will not benefit the health of California residents, worker safety, or the State's environment. The proposed regulatory action will, as described, benefit the general welfare of California residents by ensuring that public labor disputes are resolved in less costly ways.