

AMENDED IN SENATE JUNE 13, 2025

AMENDED IN SENATE MAY 28, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

## ASSEMBLY BILL

No. 1510

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**Introduced by Committee on Public Employment and Retirement  
(Assembly Members McKinnor (Chair), Boerner, Elhawary,  
Garcia, and Nguyen)**

March 4, 2025

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An act to amend Sections 19775.17 and 19775.18 of, and to repeal Section 19775.16 of, the Government Code, and to add Section 100312 to the Public Utilities Code, relating to public employees.

### LEGISLATIVE COUNSEL’S DIGEST

AB 1510, as amended, Committee on Public Employment and Retirement. ~~Public employees.~~*Santa Clara Valley Transportation Authority: employee relations.*

~~Existing law requires the state to provide certain benefits and compensation to a state employee who, who as a member of the California National Guard or a United States military reserve organization, is called into active duty as a result of the Bosnia crisis on or after November 21, 1995. Existing law also requires the state to provide certain benefits to a state employee who, as a member of the California National Guard or United States military reserve organization, is ordered to active duty on and after September 11, 2001, as a result of the War on Terrorism. Existing law requires that those employees, while on active duty, receive from the state, for the duration of the War on Terrorism, specified pay, merit raises, and benefits, for a period not exceeding 365 calendar days. Existing law requires the state to reimburse~~

~~the cost of insurance premiums for certain state employees ordered to active duty on and after September 11, 2001, as a result of the War on Terrorism, for the period of time on active duty, not to exceed 365 calendar days.~~

~~This bill would repeal the provisions requiring the state to provide benefits and compensation for a state employee called into active duty as a result of the Bosnia crisis. The bill would increase the maximum number of calendar days for which employees, while on active duty, would receive from the state, for the duration of the War on Terrorism, specified pay, merit raises, and benefits, to a period not exceeding 730 cumulative calendar days. The bill would increase the maximum number of calendar days for reimbursement for the cost of the insurance premiums for certain state employees ordered to active duty on and after September 11, 2001, as a result of the War on Terrorism, to 730 cumulative calendar days.~~

Existing law, the Santa Clara Valley Transportation Authority Act, establishes the Santa Clara Valley Transportation Authority with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara.

Existing law establishes the Public Employment Relations Board (PERB) in state government as a means of resolving disputes and enforcing the statutory duties and rights of specified public employers and employees under various acts regulating collective bargaining, including the Meyers-Milias-Brown Act. Existing law vests PERB with jurisdiction to enforce certain provisions related to the authority's employees, over charges of unfair practices for represented authority employees, subject to a selection by an exclusive representative. Existing law, in the case of such a selection, gives PERB jurisdiction over the initial determination as to whether those charges are justified and, if so, the appropriate remedy, subject to certain restrictions.

This bill would authorize any charging party, respondent, or intervenor aggrieved by a final decision or order of PERB in an unfair practice case, except a decision of PERB not to issue a complaint in such a case, to petition for a writ of extraordinary relief from that decision or order, as specified. The bill, if the time to petition for extraordinary relief from a PERB decision or order has expired, would authorize PERB to seek enforcement of any final decision or order in a district court of appeal or superior court having jurisdiction over the county where the events giving rise to the decision or order occurred, as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the authority.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1.—Section 19775.16 of the Government Code is~~  
2     ~~repealed.~~

3     ~~SEC. 2.—Section 19775.17 of the Government Code is amended~~  
4     ~~to read:~~

5     ~~19775.17.—(a) In addition to the benefits provided pursuant to~~  
6     ~~Sections 19775 and 19775.1, a state employee who, as a member~~  
7     ~~of the California National Guard or a United States military reserve~~  
8     ~~organization, is ordered to active duty by Presidential determination~~  
9     ~~that it is necessary to augment the active forces for any operational~~  
10    ~~mission, or when in time of national emergency declared by the~~  
11    ~~President or otherwise authorized by law, shall have the benefits~~  
12    ~~provided for in subdivision (b).~~

13    ~~(b) Any state employee to which subdivision (a) applies, while~~  
14    ~~on active duty, shall receive from the state, for the duration of the~~  
15    ~~event as authorized pursuant to Sections 12302 and 12304 of Title~~  
16    ~~10 of the United States Code, but not for more than 180 calendar~~  
17    ~~days, as part of the state employee's compensation both of the~~  
18    ~~following:~~

19    ~~(1) The difference between the amount of the state employee's~~  
20    ~~military pay and allowances and the amount the employee would~~  
21    ~~have received as a state employee, including any merit raises that~~  
22    ~~would otherwise have been granted during the time the individual~~  
23    ~~was on active duty. The amount an employee, as defined in Section~~  
24    ~~18526, would have received as a state employee, including any~~  
25    ~~merit raises that would otherwise have been granted during the~~  
26    ~~time the individual was on active duty, shall be determined by the~~  
27    ~~Department of Human Resources.~~

28    ~~(2) All benefits that the state employee would have received~~  
29    ~~had they not served on active duty unless the benefits are prohibited~~  
30    ~~or limited by vendor contracts.~~

31    ~~(c) Any individual receiving compensation pursuant to~~  
32    ~~subdivision (b) who does not reinstate to state service following~~  
33    ~~active duty, shall have that compensation treated as a loan payable~~

1 with interest at the rate earned on the Pooled Money Investment  
2 Account. This subdivision shall not apply to compensation received  
3 pursuant to Section 19775.

4 (d) ~~Benefits provided under paragraph (1) of subdivision (b)~~  
5 ~~shall only be provided to a state employee who was not eligible~~  
6 ~~to participate in a federally sponsored income protection program~~  
7 ~~for National Guard personnel or military reserve personnel, or~~  
8 ~~both, called into active duty, as determined by the Department of~~  
9 ~~Human Resources. For a state employee eligible to participate in~~  
10 ~~a federally sponsored income protection program, and whose salary~~  
11 ~~as a state employee was higher than the sum of their military pay~~  
12 ~~and allowances and the maximum allowable benefit under the~~  
13 ~~federally sponsored income protection program, the state employee~~  
14 ~~shall receive the amount payable under paragraph (1) of subdivision~~  
15 ~~(b), but that amount shall be reduced by the maximum allowable~~  
16 ~~benefit under the federally sponsored income protection program.~~  
17 ~~For individuals who elected the federally sponsored income~~  
18 ~~protection program, the state shall reimburse for the cost of the~~  
19 ~~insurance premium for the period of time on active duty, not to~~  
20 ~~exceed 180 calendar days.~~

21 (e) ~~For purposes of this section, “state employee” means an~~  
22 ~~employee as defined in Section 18526 or an officer or employee~~  
23 ~~of the legislative, executive, or judicial department of the state.~~

24 (f) ~~This section shall not apply to any state employee entitled~~  
25 ~~to additional compensation or benefits pursuant to Section~~  
26 ~~19775.18 of this code, or Section 395.08 of the Military and~~  
27 ~~Veterans Code.~~

28 SEC. 3. ~~Section 19775.18 of the Government Code is amended~~  
29 ~~to read:~~

30 ~~19775.18. (a) In addition to the benefits provided pursuant to~~  
31 ~~Sections 19775 and 19775.1, a state employee who, as a member~~  
32 ~~of the California National Guard or a United States military reserve~~  
33 ~~organization, is ordered to active duty on and after September 11,~~  
34 ~~2001, as a result of the War on Terrorism, shall have the benefits~~  
35 ~~provided for in subdivision (b).~~

36 (b) ~~Any state employee to which subdivision (a) applies, while~~  
37 ~~on active duty, shall receive from the state, for the duration of the~~  
38 ~~event known as the War on Terrorism, as authorized pursuant to~~  
39 ~~Sections 12302 and 12304 of Title 10 of the United States Code,~~

1 but not for more than 730 cumulative calendar days, as part of the  
2 state employee's compensation both of the following:

3 (1) ~~The difference between the amount of the state employee's~~  
4 ~~military pay and allowances and the amount the employee would~~  
5 ~~have received as a state employee, including any merit raises that~~  
6 ~~would otherwise have been granted during the time the individual~~  
7 ~~was on active duty. The amount an employee, as defined in Section~~  
8 ~~18526, would have received as a state employee, including any~~  
9 ~~merit raises that would otherwise have been granted during the~~  
10 ~~time the individual was on active duty, shall be determined by the~~  
11 ~~Department of Human Resources.~~

12 (2) ~~All benefits that the state employee would have received~~  
13 ~~had they not served on active duty unless the benefits are prohibited~~  
14 ~~or limited by vendor contracts.~~

15 (c) ~~Any individual receiving compensation pursuant to~~  
16 ~~subdivision (b) who does not reinstate to state service following~~  
17 ~~active duty, shall have that compensation treated as a loan payable~~  
18 ~~with interest at the rate earned on the Pooled Money Investment~~  
19 ~~Account. This subdivision does not apply to compensation received~~  
20 ~~pursuant to Section 19775.~~

21 (d) ~~Benefits provided under paragraph (1) of subdivision (b)~~  
22 ~~shall only be provided to a state employee who was not eligible~~  
23 ~~to participate in a federally sponsored income protection program~~  
24 ~~for National Guard personnel or military reserve personnel, or~~  
25 ~~both, called into active duty, as determined by the Department of~~  
26 ~~Human Resources. For a state employee eligible to participate in~~  
27 ~~a federally sponsored income protection program, and whose salary~~  
28 ~~as a state employee was higher than the sum of their military pay~~  
29 ~~and allowances and the maximum allowable benefit under the~~  
30 ~~federally sponsored income protection program, the state employee~~  
31 ~~shall receive the amount payable under paragraph (1) of subdivision~~  
32 ~~(b), but that amount shall be reduced by the maximum allowable~~  
33 ~~benefit under the federally sponsored income protection program.~~  
34 ~~For individuals who elected the federally sponsored income~~  
35 ~~protection program, the state shall reimburse for the cost of the~~  
36 ~~insurance premium for the period of time on active duty, not to~~  
37 ~~exceed 730 cumulative calendar days.~~

38 (e) ~~The Governor may, by executive order, extend the period~~  
39 ~~of time for the receipt of benefits provided pursuant to this section~~  
40 ~~by no more than an additional 1,460 calendar days.~~

~~(f) (1) “Military pay and allowances” for the purposes of this section does not include hazardous duty pay, hostile fire pay, or imminent danger pay. A state employee is entitled to retain these and any other special and incentive pay provided by the federal government.~~

~~(2) “State employee” for the purposes of this section means an employee as defined in Section 18526 or an officer or employee of the legislative, executive, or judicial department of the state.~~

~~(g) This section does not apply to any state employee entitled to additional compensation or benefits pursuant to Section 19775.17 of this code, or Section 395.08 of the Military and Veterans Code.~~

~~(h) This section does not apply to any active duty served after the close of the War on Terrorism.~~

**SEC. 4.**

*SECTION 1.* Section 100312 is added to the Public Utilities Code, to read:

100312. (a) Any charging party, respondent, or intervenor aggrieved by a final decision or order of the Public Employment Relations Board in an unfair practice case, except a decision of that board not to issue a complaint in such a case, may petition for a writ of extraordinary relief from that decision or order.

(b) A petition for a writ of extraordinary relief shall be filed in the district court of appeal having jurisdiction over any county in which the VTA operates. The petition shall be filed within 30 days from the date of the issuance of the Public Employment Relations Board’s final decision or order, or order denying reconsideration, as applicable. Upon the filing of the petition, the court shall cause notice to be served upon the Public Employment Relations Board and thereafter shall have jurisdiction of the proceeding. The Public Employment Relations Board shall file in the court the record of the proceeding, certified by that board, within 10 days after the clerk’s notice unless that time is extended by the court for good cause shown. The court shall have jurisdiction to grant any temporary relief or restraining order it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as modified, or setting aside in whole or in part, the decision or order of the Public Employment Relations Board. The findings of the Public Employment Relations Board with respect to questions of fact, including ultimate facts, if supported by

1 substantial evidence on the record considered as a whole, shall be  
2 conclusive. Title 1 (commencing with Section 1067) of Part 3 of  
3 the Code of Civil Procedure relating to writs shall, except where  
4 specifically superseded by this section, apply to proceedings  
5 pursuant to this section.

6 (c) If the time to petition for extraordinary relief from a Public  
7 Employment Relations Board decision or order has expired, the  
8 Public Employment Relations Board may seek enforcement of any  
9 final decision or order in a district court of appeal or superior court  
10 having jurisdiction over the county where the events giving rise  
11 to the decision or order occurred. The Public Employment  
12 Relations Board shall respond within 10 days to any inquiry from  
13 a party to the action as to why the Public Employment Relations  
14 Board has not sought court enforcement of the final decision or  
15 order. If the response does not indicate that there has been  
16 compliance with the Public Employment Relations Board's final  
17 decision or order, the Public Employment Relations Board shall  
18 seek enforcement of the final decision or order upon the request  
19 of the party. The Public Employment Relations Board shall file in  
20 the court the record of the proceeding, certified by that board, and  
21 appropriate evidence disclosing the failure to comply with the  
22 decision or order. If, after the hearing, the court determines that  
23 the order was issued pursuant to the procedures established by the  
24 Public Employment Relations Board and that the person or entity  
25 refuses to comply with the order, the court shall enforce the order  
26 by writ of mandamus or other proper process. The court may not  
27 review the merits of the order.

28 ~~SEC. 5.~~

29 *SEC. 2.* The Legislature finds and declares that a special statute  
30 is necessary and that a general statute cannot be made applicable  
31 within the meaning of Section 16 of Article IV of the California  
32 Constitution because of the unique need of the Santa Clara Valley  
33 Transportation Authority to efficiently and cost effectively  
34 adjudicate unfair labor practice complaints.

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