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May 4, 2023

The Honorable Chris R. Holden  
Chair, Assembly Appropriations Committee  
Appropriations Committee  
1021 O Street, Suite 8220  
Sacramento, California 95814

**RE: AB 1484 (Zbur): Temporary public employees – OPPOSE UNLESS  
AMENDED (as Amended March 28, 2023)**

Dear Assembly Member Holden,

Larry Klein  
Mayor

Omar Din  
Vice Mayor

Russ Melton  
Councilmember

Alysa Cisneros  
Councilmember

Richard Mehlinger  
Councilmember

Murali Srinivasan  
Councilmember

Linda Sell  
Councilmember

On behalf of the City of Sunnyvale, I strongly urge your opposition, unless amended, to Assembly Bill (AB) 1484 (Zbur) regarding representation for temporary employees.

AB 1484 (Zbur) imposes an automatic requirement that temporary employees performing the same or similar work as a permanent employee be represented by a recognized employee organization that currently represents permanent employees performing that work. This requirement would provide temporary at-will employees with representation on all matters including employment conditions and employer-employee relations. Although AB 1484 intends to benefit temporary employees of local public agencies, it would negatively impact both the temporary and permanent employees, the City of Sunnyvale, and the community.

On an annual basis, the City of Sunnyvale hires/employs approximately 870 regular full time and part time employees, along with 361 temporary/casual employees. Temporary employees provide assistance with short-term projects and special events, provide temporary or seasonal city services including summer recreation programs and park maintenance, temporarily fill vacant positions, and augment the City's regular workforce.

AB 1484 would automatically include temporary employees in the same bargaining unit as permanent employees performing the same or similar work. This would therefore provide conditions of employment that are not negotiated or bargained on behalf of temporary employees. The bill will create challenges discharging temporary



employees at the end of their temporary assignment or during a reduction in workload. Temporary employees are at-will and do not have due process rights. The proposed legislation, Section 3507.7(b)(5), states “temporary employees...who have been employed for more than 30 calendar days shall be entitled to use any grievance procedure in the memorandum of understanding to challenge any discipline without cause.” This process would prolong the City’s ability to manage staffing resources for employees not hired to a budgeted position, nor have property rights related to their employment, creating additional financial burdens. The bill further eliminates the ability for the City to request reimbursement of costs expended by this process.

During the pandemic, the City of Sunnyvale experienced a one-time reduction in temporary staffing. With AB 1484 in place, it would have added time to laying off temporary staff that should not be required due to the at-will nature of their assignment and the need to adequately and quickly staff fluctuating workload demands. Council Policy 7.0.B.3 (Long Term Advocacy Positions – Planning and Management) states that Sunnyvale will “oppose any legislation that reduces or erodes local revenues or local control.”

Current City of Sunnyvale policy prevents temporary employees from exceeding 900 hours per fiscal year, except in exceptional circumstances, due to CalPERS requirements that temporary employees work less than 1,000 hours per fiscal year. Since temporary employees only work a limited number of hours within a designated time frame, the temporary nature of their employment is maintained on the City’s payroll for short-term and augmented staffing needs. The current use of casual and temporary employees allows the City of Sunnyvale to maximize responsiveness to customers through Council Policy 7.3.6 Service Delivery Options. This bill would increase costs to the City of Sunnyvale, reducing the number of temporary employees or obtaining services through temporary staffing agencies with higher overhead costs. Temporary employment agency confusion regarding contract employee determination could further increase the financial impact, thereby reducing the ability for the City to provide timely services to the public. Our Commitment to City Employees through the Council policy referenced above identifies the intangible benefit of providing services using City staff, rather than the added cost of delivering services by contract.

We propose an amendment to the current language in AB 1484 to mirror the CalPERS requirements that limit temporary employees to work less than 1,000 hours per fiscal



year before enrollment in CalPERS. Temporary employees who work more than 1,000 hours in a fiscal year could then be afforded the same protections as a classified employee under the proposed legislation.

Temporary employment provides opportunities for those looking for limited hours, additional income, students who are interested in paid internships with local government, individuals who are interested in local government and would like to work temporarily, and those between jobs who have valuable skills and knowledge. Similarly, temporary employees are frequently brought in to backfill permanent employees who are on leave or temporarily reassigned. This bill would discourage such hiring, leaving positions unfilled and the public unserved.

For these reasons, we would appreciate your support to **OPPOSE UNLESS AMENDED AB 1484** (Zbur). Thank you for your time and consideration of our position. Please do not hesitate to contact me or Tina Murphy, Director of Human Resources at 408-730-3001 or [tmurphy@sunnyvale.ca.gov](mailto:tmurphy@sunnyvale.ca.gov), if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Larry Klein".

Larry Klein  
Mayor

cc: The Honorable Gavin Newsom, Governor  
The Honorable Rick Chavez Zbur, State Assembly  
The Honorable Josh Becker, State Senate  
The Honorable Aisha Wahab, State Senate  
The Honorable Evan Low, State Assembly  
City Council  
Kent Steffens, City Manager  
Teri Silva, Assistant City Manager  
Tina Murphy, Director of Human Resources  
Seth Miller, Regional Division Public Affairs Manager  
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