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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 504 (Reyes): State and local public employees: Labor Relations: Disputes.
– OPPOSE**

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 to AB 504 (Reyes) regarding State and local public employees: labor relations: disputes.

AB 504 (Reyes) allows any public employee with a limited exception to join a strike of another bargaining unit that they are not a member of which could lead to severe workforce shortage/stoppage. AB 504 (Reyes) would declare it a human right for a public employee to participate in a sympathy strike and to honor a picket line. The bill would override any policy or collective bargaining agreement that would limit or waive the rights. The bill would protect public employees that refuse to do any of the following:

- Enter property that is the site of a primary labor dispute.
- Perform work for a public employer involved in a primary labor dispute.
- Go through or work behind any primary picket line.

The City of Sunnyvale is a full-service city that provides essential services to the community. Critical services include public safety, dispatchers, animal control, road maintenance, street lighting, and stormwater/sewer services. Other non-urgent services that the community depends upon are building permits, business licenses, employment services, environmental services, and access to the library and recreation center.

The City of Sunnyvale’s Council Policy 7.0.B.3 (Long Term Advocacy Positions – Planning and Management), indicates that Council will “oppose any legislation that



reduces or erodes local revenues or local control”. AB 504 (Reyes) would reduce the local control as it would override the local Memorandum of Understanding previously agreed upon by the City and the recognized bargaining unit.

If the City and a bargaining unit are unable to come to agreement and a strike is proposed, a list of classifications essential to providing City services is identified prior to the strike. This list is provided to the California Public Employment Relations Board (PERB) to rule on which classifications are designated as “Essential Employee.” PERB’s decision is often based on other employees who would be available or eligible to perform the work instead, like a supervisor or manager in a different bargaining unit. Under AB 504 (Reyes), employees from another bargaining unit could create a work stoppage if the individual identified to perform work for the striking employee is not available due to a sympathy strike or refusal to cross a picket line. AB 504 (Reyes) would permit employees to participate in a sympathy strike, thus limiting the resources available to the public to maintain essential operations.

AB 504 (Reyes) would continue to exempt any public employee who is subject to Section 1962 of the Labor Code the right from the sympathy striking. Section 1962 of the Labor Code, indicates that Firefighters “shall not have the right to strike, or to recognize a picket line of a labor organization while in the course of the performance of their official duties.” The City of Sunnyvale has a fully integrated police and fire department. The City’s Public Safety Officers are trained police officers, firefighters, and emergency medical technicians and therefore may fall in this classification/group. Per the City’s 22/23 Fiscal Year Budget, there are 190 budgeted Public Safety Officers, with funding for an additional 20 Public Safety Officers-In-Training, which accounts for approximately 21% of the City’s workforce. The City of Sunnyvale’s mission to build community trust by delivering exceptional services would be impacted if the bill allows non-public safety employees to a sympathy strike, potentially placing the public’s health and safety at risk.

For these reasons, we would appreciate your support to OPPOSE AB 504 (Reyes). 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, 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 Eloise Gomez Reyes, 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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