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CITY OF LOMITA

August 7, 2024

The Honorable Senator Anna Caballero
Chair, Senate Appropriations Committee
1021 O Street, Room 7620
Sacramento, CA 95814

RE: AB 2561 (McKinnor) Local Public Employees: Vacant Positions.
Notice of OPPOSE (As Amended 07/03/2024)

Dear Senator Caballero,

The City of Lomita must respectfully oppose SB 2561 (McKinnor). This measure requires cities with bargaining unit vacancy rates exceeding 15% for more than 180 days to meet with the representative of the recognized employee organization within 21 days about strategies to fill vacancies. The bill requires the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year.

The City of Lomita recognizes the impact that long-term vacancy rates have, both on current employees and our residents who receive local services. Many specialty positions like Water Technicians, engineers and accounting finance directors are experiencing nationwide workforce shortages and a dwindling pipeline for new entrants, driven by both an expansion of services and an aging workforce. To further complicate recruitment, local governments are competing with both the private sector and other government agencies.

Cities are implementing innovative ways to try to boost recruitment and incentivize retention. The City of Lomita has implemented several efforts to boost recruitment and retention of employees. These efforts include conducting a comprehensive Classification and Compensation Study to ensure the city's pay and benefits are competitive with the market. Additionally, Lomita has focused on enhancing its recruitment processes by attracting diverse and qualified candidates through targeted outreach. The city also emphasizes employee development and engagement through training programs and initiatives aimed at improving job satisfaction and performance.

In The City of Lomita is committed to continuing the work happening now between all levels of government and employees to expand pipeline programs, build pathways into public sector jobs, modernize the hiring process, and offer competitive compensation. However, we cannot close the workforce shortages overnight; it will take investment from educational institutions, all levels of government, and the private sector to meet the workforce demands across the country.

We must use our limited human resources staff to hire employees during this economically challenging time rather than diverting resources to additional reports.

Implementing the bill's timelines can pose significant challenges due to the need for prompt action and resource allocation, which might strain existing capabilities. Working with vague terms in the bill can lead to ambiguities and varied interpretations, complicating compliance and execution. The "meet and confer" requirements necessitate collaboration between city officials and employee representatives, potentially leading to prolonged negotiations and adjustments in policies to address concerns raised by city employees. This process can be time-consuming and may require balancing differing interests to reach a consensus.

It is important to note that the new meet and confer requirements are not merely procedural in nature to facilitate conversations on vacancy rates. The requirements could result in demands to reopen MOUs, and might even lead to arguments that this bill voids bargained-for no strike and "entire agreement" (i.e., "zipper") clauses in existing MOUs, thereby exposing local agencies to impasse procedures, fact finding, and strikes during the MOU term. Certainly, there will be additional time and cost pressures for local agencies related to this requirement, potentially leading to adjudication before the Public Employment Relations Board (PERB).

Local bargaining units have the ability to address workforce concerns and develop hiring retention strategies at the bargaining table within agreements and compensation studies. City of Lomita welcomes partnering on workforce strategies and believes there is a more feasible solution than AB 2561. As currently drafted, AB 2561 is the wrong approach.

For those reasons The City of Lomita respectfully opposes AB 2561 (McKinnor).

Sincerely,



Bill Uphoff
City of Lomita
Mayor

cc: The Honorable Tina McKinnor
Members, Senate Appropriations Committee
The Honorable Ben Allen
The Honorable Al Muratsuchi
Lomita City Council
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