



March 28, 2024

Via: Electronic Submittal: <https://calegislation.lc.ca.gov/Advocates/>

The Honorable Tina McKinnor, Chair
Assembly Public Employment and Retirement Committee
1020 N Street, Room 153
Sacramento, CA 95814

Re: AB 2088 (McCarty), As Amended on March 18, 2024

Position: Oppose

Dear Assemblymember McKinnor:

On behalf of the Association of California Community College Administrators (ACCCA), I am writing to respectfully oppose Assembly Bill (AB) 2088 (McCarty), which is scheduled to be heard by the Assembly Public Employment and Retirement Committee on Wednesday, April 3, 2024.

AB 2088 would require K-14 employers to offer vacancies for part- or full-time positions to, as a right of first refusal for ten business days, current regular non-probationary classified employees who meet the minimum job qualifications of the position at the time of application.

The bill would also require a K-14 education employer to accept a current part-time employee's number of years of service with the education employer, regardless of the capacity in which they were earned, when that part-time employee applies for an additional part-time assignment that requires a certain number of years of service. The bill would require classified employees who work part-time assignments that equal the number of hours for a full-time assignment for the same education employer to receive the same benefits as employees who work a full-time assignment.

ACCCA holds steadfast to the principle that local control is fundamental in establishing and operating sound programs for students and creating an infrastructure that supports all community college employees. As currently written, AB 2088 would encroach on the local autonomy of community college districts (CCDs) by mandating district hiring processes and protocols, which is an issue that should be handled in conjunction with our labor partners during the collective bargaining process.

Additionally, our CCDs take great pride in the diversity of the workforce at each of our colleges and work hard to hire staff that is reflective of the students that we serve. AB 2088 would inhibit our ability to tap into our local communities by mandating current employees have the first right of refusal for any new position. In order to ensure that our staff remains reflective of the students we serve, we need to have the flexibility to hire from within and outside of our districts.

As currently written, this bill would infringe upon the collective bargaining process and create a new costly mandate for districts that are facing tightened budgets and increased cost pressures all while the state economy is softening. For these reasons, ACCCA must respectfully oppose AB 2088 and ask committee members to vote “no” on this measure.

Sincerely,



Susan K. Bray
Executive Director

cc: Members, Assembly Public Employment and Retirement Committee
The Honorable Kevin McCarty
Michelle McKay Underwood, Legislative Advocate, School Services of California Inc.
Kyle Hyland, Legislative Advocate, School Services of California Inc.