GOVERNMENT CODE

STATE OF CALIFORNIA

Chapter 10. Public Employee Organizations

3500. It is the purpose of this chapter to promote the improvement of personnel management and employer-employee relations within the various public agencies in the State of California by providing a uniform basis for recognizing the right of public employees to join organizations of their own choice and be represented by such organizations in their employment relationships with public agencies. Nothing contained herein shall be deemed to supersede the provisions of existing state law and the charters, ordinances and rules of local public agencies which establish and regulate a merit or civil service system or which provide for other methods of administering employer-employee relations. This chapter is intended, instead, to strengthen merit, civil service and other methods of administering employer-employee relations through the establishment of uniform and orderly methods of communication between employees and the public agencies by which they are employed.

3501. As used in this chapter:
(a) "Employee organization" means any organization which includes employees of a public agency and which has as one of its primary purposes representing such employees in their relations with that public agency.
(b) "Public agency" means the State of California, every governmental subdivision, every district, every public and quasi-public corporation, every public agency and public service corporation and every town, city, county, city and county and municipal corporation, whether incorporated or not and whether chartered or not.
(c) "Public employee" means any person employed by any public agency excepting those persons elected by popular vote or appointed to office by the Governor of this State.

3502. Except as otherwise provided by the Legislature, public employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Public employees also shall have the right to refuse to join or participate in the activities of employee organizations and shall have the right to represent themselves individually in their employment relations with the public agency.

3503. Employee organizations shall have the right to represent their members in their employment relations with public agencies. Employee organizations may establish reasonable restrictions regarding who may join and make reasonable provisions for the dismissal of individuals from membership. Nothing in this section shall prohibit any employee from appearing in his own behalf in his employment relations with the public agency.

3504. The scope of representation shall include all matters relating to employment conditions and employer-employee relations, including but not limited to wages, hours, and other terms and conditions of employment.

3505. The governing body of a public agency, or such boards, commissions, administrative officers or other representatives as may be properly designated by law or by such governing body, shall meet and confer with representatives of employee organizations upon request, and shall consider as fully as it deems reasonable such presentations as are made by the employee organization on behalf of its members prior to arriving at a determination of policy or course of action.
3506. Public agencies and employee organizations shall not interfere with, intimidate, restrain, coerce or discriminate against public employees because of their exercise of their rights under Section 3502.

3507. A public agency may adopt reasonable rules and regulations for the administration of employer-employee relations under this chapter (commencing with Section 3500).

Such rules and regulations may include provisions for (a) verifying that an organization does in fact represent employees of the public agency (b) verifying the official status of employee organization officers and representatives (c) access of employee organization officers and representatives to work locations (d) use of official bulletin boards and other means of communication by employee organizations (e) furnishing non-confidential information pertaining to employment relations to employee organizations (f) such other matters as are necessary to carry out the purposes of this chapter.

For employees in the state civil service, rules and regulations in accordance with this section may be adopted by the State Personnel Board.

3508. The governing body of a public agency may, in accordance with reasonable standards, designate positions or classes of positions which have duties consisting primarily of the enforcement of state laws or local ordinances, and may by resolution or ordinance adopted after a public hearing, limit or prohibit the right of employees in such positions or classes of positions to form, join or participate in employee organizations where it is in the public interest to do so.

The right of employees to form, join and participate in the activities of employee organizations shall not be restricted by a public agency on any grounds other than those set forth in this section. This section is not applicable to any employee subject to the provisions of Chapter 4 (commencing with Section 1960) of Part 7, Division 2 of the Labor Code.

3509. The enactment of this chapter shall not be construed as making the provisions of Section 923 of the Labor Code applicable to public employees.

Santa Barbara City Schools
Office of the Superintendent
June 4, 1964
Upon receiving all signed and verified information, the Superintendent shall certify to the Board of Education that the information has been received in accordance with Board policy, and that the organization is eligible for PLURALITY, MINORITY, or BASIC recognition according to the following definitions of terms:

**PLURALITY RECOGNITION** shall be given to the local employee organizations having as members and representing a plurality of the certificated or classified employees, as the case may be, of the school districts within the jurisdiction of the Board of Education.

**MINORITY RECOGNITION** shall be given to local employee organizations having as members and representing not less than 10% but less than a plurality of the certificated or classified employees, as the case may be, of the school districts within the jurisdiction of the Board of Education.

**BASIC RECOGNITION** shall be given to the local employee organizations having as members and representing less than 10% of the certificated or classified employees, as the case may be, of the school districts within the jurisdiction of the Board of Education.

The services of all recognized employee organizations shall be utilized to every reasonable extent in the development and consideration of policies and programs recommended for consideration by the Board of Education. In concurrence with the principle of majority rule, the Board shall generally give precedence in the following particulars to those employee organizations representing a plurality of the certificated or classified employees, as the case may be, of the school districts within the jurisdiction of the Board of Education:

1. The proportionate number of representatives of the respective organizations on joint professional committees or joint staff committees that may be appointed;

2. Appointment by the administration of committees established to assist in implementing the policies of the Board of Education;

3. Considerations of matters on which the viewpoints of a plurality of certificated and/or classified staff members are of proper concern to the Board of Education.

Employee organizations qualifying for minority or basic recognition may, at the discretion of the Superintendent and/or Board of Education, and depending on the nature of the matter to be discussed, be represented on joint professional or staff committees.