

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2025-2026 Regular Session**

AB 1510 (Committee on Public Employment and Retirement)

Version: June 13, 2025

Hearing Date: July 8, 2025

Fiscal: Yes

Urgency: No

ID

**SUBJECT**

Santa Clara Valley Transportation Authority: employee relations

**DIGEST**

This bill permits an aggrieved party to a decision or order of the Public Employment Relations Board relating to an unfair labor practice involving the Santa Clara Valley Transportation Authority to appeal the decision or order to a district court of appeal, and provides provisions for the enforcement of a final decision or order of the board that is not appealed.

**EXECUTIVE SUMMARY**

The Santa Clara Valley Transportation Authority (VTA) provides and operates public transit in Santa Clara County, including bus, light rail, paratransit services, and regional rail services. It has an annual ridership of 21.4 million riders. The VTA's enabling statute includes various employer-employee relations provisions that guarantee VTA employees the right to organize and collectively bargain. They provide the Public Employment Relations Board (PERB) the authority to determine whether an appropriate bargaining unit of VTA employees has elected to be represented by a particular union. They also allow a union representing VTA employees to elect to have any unfair labor practice claims relating to one or more of its bargaining units be reviewed under the jurisdiction of PERB. However, the employer-employee relations provisions of the VTA's enabling statute do not include specific provisions for the appeal of a decision or order by PERB. AB 1510 corrects this by permitting an aggrieved party to appeal a decision or order of PERB relating to an unfair labor practice claim involving the VTA and its employees to a district court of appeal within 30 days of the decision or order. It also provides various provisions for the enforcement of a final decision or order on an unfair labor practice claim of PERB, as specified. AB 1510 is author-sponsored, and is supported by AFSCME CA. The Committee has received no timely letters of opposition. AB 1510 previously passed out of the Senate Labor, Public Employment, and Retirement Committee by a vote of 5 to 0.

**PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Authorizes the establishment of the Santa Clara Valley Transportation Authority (VTA) through the Santa Clara Valley Transportation Act (SCVTA) to meet the public transit problems of Santa Clara County. (Pub. Util. Code § 100000 et seq.)
- 2) Provides several statutory frameworks under California law to provide public employees collective bargaining rights, govern public employer-employee relations, and limit labor strife and economic disruption in the public sector through a reasonable method of resolving disputes regarding wages, hours, and other terms and conditions of employment between public employers and recognized public employee organizations or their exclusive representatives. These include the Meyers-Milias-Brown Act (MMBA), which provides for public employer-employee relations between local government employers and their employees, including some, but not all public transit districts. (Gov. Code § 3500 et seq.)
- 3) Contains various employer-employee relations statutes for most public transit districts in the state in each district's enabling statute in the Public Utilities Code, including for the Santa Clara Valley Transportation District. Provides provisions governing labor relations between the VTA and its employees that provide for labor organization and representation, bargaining unit determination, collective bargaining, and retirement benefits. (Pub. Util. Code § 100300 et seq.)
- 4) Specifies that employees of the VTA shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representation of their choosing, and to engage in other concerted activities. (Pub. Util. Code § 100300.)
- 5) Establishes PERB, a quasi-judicial administrative agency charged with administering certain statutory frameworks governing employer-employee relations, resolving disputes, and enforcing the statutory duties and rights of public agency employers and employee organizations. (Gov. Code § 3541.)
- 6) Specifies that any question regarding whether a majority of employees in an appropriate bargaining unit desires to be represented by a labor organization must be submitted to PERB for review, and requires PERB to apply all relevant federal law and administrative practice developed under the Labor Relations Act of 1947, and to adopt appropriate rules and regulations, for the resolution of such disputes. Provides for the California State Mediation and Conciliation Service to conduct a public hearing and a secret ballot election to determine a question of union representation, as specified. (Pub. Util. Code § 100301.)

- 7) Requires the VTA and a representative of an appropriate bargaining unit that by majority vote elected the labor organization to represent them to bargain in good faith and make all reasonable efforts to reach agreement on the terms of a written contract governing wages, hours, and working conditions. Specifies that, if after a reasonable period of time the parties have failed to reach an agreement, either party may request mediation services of the State Conciliation Service, and that the dispute may be resolved by binding arbitration, as specified, if both parties agree. (Pub. Util. Code §§ 1003002, 100304, 100305.)
- 8) Specifies that the MMBA is not applicable to the VTA. (Pub. Util. Code § 100307.)
- 9) Provides PERB with the jurisdiction to enforce the employer-employee relations provisions of VTA's enabling statute (Pub. Util. Code §§ 100300 et seq.), and specifies that PERB must perform its duties in enforcing these provisions consistent with its regulations, and may make additional regulations. (Pub. Util. Code § 100309.)
- 10) Authorizes VTA employee unions to make an irrevocable selection to move one or more of its represented bargaining units to PERB's jurisdiction for unfair practice charges, as specified. (Public Util. Code §100310 (b).)
- 11) Provides that the option to select PERB jurisdiction shall not displace or supplant the impasse resolution and injunctive relief procedures requirements provided pursuant to Government Code Sections 3612 to 3614, inclusive, which shall remain exclusive. (Public Util. Code §100310 (a).)
- 12) Provides that the following provisions shall govern disputes between exclusive bargaining representatives of public transit employees and local agencies not covered by the MMBA, including transit districts:
  - a. The disputes shall not be subject to any fact-finding procedure otherwise provided by law.
  - b. Each party shall exchange contract proposals not less than 90 days before the expiration of a contract, and shall be in formal collective bargaining not less than 60 days before that expiration.
  - c. Each party shall supply to the other party all reasonable data as requested by the other party.
  - d. At the request of either party to a dispute, the California State Mediation and Conciliation Service shall assign a conciliator to mediate the dispute and shall have access to all formal negotiations. (Gov. Code § 3611.)
- 13) Authorizes the Governor to appoint a committee to investigate a transit district's labor dispute relating to an impasse in bargaining that results in a threatened or

actual strike and provides a process to resolve the dispute. (Gov. Code §§ 3612-3616.)

This bill:

- 1) Specifies that any charging party, respondent, or intervenor aggrieved by a final decision or order of PERB in an unfair practice case, except for a decision of PERB not to issue a complaint in such a case, relating to the VTA, may petition to a superior court for a writ of extraordinary relief from that decision or order.
- 2) Specifies that a petition for a writ of extraordinary relief pursuant to (1), above must be filed in the district court of appeal having jurisdiction over any county in which the VTA operates within 30 days from the date of the issuance of PERB's final decision or order, or order denying reconsideration. Specifies that, upon the filing of such a petition, the court must have the notice be served upon PERB, after which PERB shall have jurisdiction on the proceeding. Requires PERB to file the record of the proceeding with the court within 10 days after receiving notice, unless extended by the court for good cause shown.
- 3) Provides that the court has jurisdiction to grant any temporary relief or restraining order it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as modified, or setting aside in whole or in part, PERB's decision or order. Specifies that PERB's findings regarding questions of fact, including ultimate facts, is conclusive if supported by substantial evidence on the record considered as a whole. Applies specified provisions of the code of civil procedure regarding writs to proceedings permitted by the bill.
- 4) Specifies that, if the time to petition for extraordinary relief from PERB's decision or order has expired, PERB may seek enforcement of that decision or order in a district court of appeal or superior court having jurisdiction over the county where the acts that gave rise to the decision or order occurred. Requires PERB to respond within 10 days to any inquiry from a party to the action as to why PERB has not sought court enforcement. Requires that, if PERB's response does not indicate that there has been compliance with the decision or order, it must seek enforcement upon request of the party.
- 5) Requires PERB to file in court the record of the proceeding, and appropriate evidence disclosing the failure to comply with PERB's decision or order. Requires that, if the court determines after the hearing that the order was issued pursuant to the procedures established by PERB, and that the person or entity refuses to comply with the order, that the court enforce the order by a writ of mandamus or other proper process. Prohibits the court from reviewing the merits of the order.

- 6) Makes legislative findings and declarations that a special statute is necessary because of the unique need of VTA to efficiently and cost effectively adjudicate unfair labor practice complaints.

## COMMENTS

### 1. Author's statement

According to the author:

This bill makes a necessary change to the VTA employment relations statute to ensure that a party aggrieved by a final decision or order of the Public Employment Relations Board (PERB) can request a writ of extraordinary relief from that appeal or order from a court.

### 2. The VTA and its employer-employee relations statute

The Santa Clara Valley Transportation Authority (VTA) provides and operates public transit in Santa Clara County.<sup>1</sup> While a transportation district has existed for Santa Clara County since 1969, the VTA in its current form was created by a special statute in 1994 to manage public transit services in the county through an independent special district. As an independent special district, the VTA is separate from the county and any city government and has its own governing board. It provides bus, light rail, and paratransit services, and also participates in regional rail services. It has an annual ridership of 21.4 million riders across all services, including bus and light rail.<sup>2</sup>

California has multiple laws that provide public employees collective bargaining rights and govern employer-employee relations. One of these laws is the Meyers-Milias-Brown Act (MMBA), which governs employer-employee relations between local government employers and their employees. (Gov. Code § 3500.) However, the MMBA covers only specified transit authorities, in part because every regional transit authority, like the VTA, is established through its own enabling statute. Thus, the employer-employee relations of most transit authorities are governed by specific labor relations provisions included in the transit authority's enabling statute within the Public Utilities Code.

The VTA is no different. Its employer-employee relations are regulated by provisions within its enabling statute at Public Utilities Code sections 100000, et seq. Since 1969, those provisions have included a right for VTA employees to organize and join labor unions and collectively bargain. (Pub. Util. Code § 100300.) They also require that the

---

<sup>1</sup> "About VTA," Santa Clara Valley Transportation Authority (accessed Jun. 24, 2025), <https://www.vta.org/about>.

<sup>2</sup> Santa Clara Valley Transportation Authority, "Second year of strong ridership growth," (Apr. 8, 2024), <https://www.vta.org/blog/second-year-strong-ridership-growth>.

VTA bargain in good faith with a recognized union of VTA employees, and specify that, if an agreement is not reached after a reasonable amount of time, either party may request mediation services, or the parties may agree to submit the issue to binding arbitration. (Pub. Util. Code §§ 100302, 100304, 100305.)

The VTA's employer-employee relations statute also provides the Public Employment Relations Board (PERB) with authority to resolve certain disputes around collective bargaining. PERB is a quasi-judicial administrative agency of the state that administers various employer-employee relations statutes that cover various public entities including public schools and colleges, the state, local public agencies, trial courts, the Judicial Council, and specified transportation agencies. PERB resolves disputes between employee organizations and their public employer, certifies union elections, adjudicates unfair labor practice (ULP) claims, and enforces various statutory duties and rights of public employers and employee organizations. When VTA employees seek to form a union, the VTA's employer-employee relations statutes give PERB the authority over determining the appropriate bargaining unit, reviewing the petition for certification, and any hearings and elections regarding the request to unionize. (Pub. Util. Code § 100301.) In addition, while ULP claims were previously handled through civil actions in superior court, legislation in 2022 (AB 2524 (Kalra) Ch. 789, Stats. 2022) provided a union for VTA employees with the ability to move a bargaining unit it represents to the jurisdiction of PERB for the purposes of a ULP claim. (Pub. Util. Code § 100310.) Lastly, PERB generally has the authority to enforce the VTA's employer-employee relations statute. (Pub. Util. Code § 100309.)

3. AB 1510 similarly provides an opportunity to appeal PERB decisions regarding the VTA

However, the VTA's employer-employee relations statute provides no mechanism to appeal a decision or order of PERB relating to the VTA and its employees. This bill would provide a specified avenue for such appeals. It does so by incorporating into the VTA employer-employee relations statute provisions substantially similar to those used in other employer-employee relations statutes over which PERB has authority. For example, the language in AB 1510 is nearly identical to that in the labor provisions related to the San Francisco Bay Area Rapid Transit District in Public Utilities Code section 28861.

These provisions provide that any party aggrieved by a final decision or order of PERB in a ULP case, except for a decision of PERB not to issue a complaint in a ULP case, may petition for a writ of extraordinary relief from that order to the state district court of appeal that has jurisdiction over any county in which the VTA operates. AB 1510 requires that this petition be filed within 30 days from the date of the issuance of the final decision or order, and requires that the court then serve upon PERB notice regarding the appeal. AB 1510 requires PERB to then file in the court the record of the proceeding related to the decision or order within 10 days after receiving notice of the

appeal, unless extended by the court for good cause. The court would be empowered to grant any temporary relief or restraining order it deems just and proper, and may enforce, modify, or set aside in whole or in part PERB's decision. However, PERB's findings of fact would be considered conclusive if supported by substantial evidence on the record considered as a whole.

AB 1510 also provides that, if the timeline for appealing a PERB decision or order passes, PERB may seek to enforce its final decision or order in a court with jurisdiction over the county where the events that led to the decision or order occurred. If PERB has not enforced a final decision or order, AB 1510 would permit a party to the action to inquire to PERB as to why it has not sought court enforcement of its decision. PERB would be required to respond to such an inquiry within 10 days, and must seek enforcement of the decision or order upon the request of that party. If a party or entity fails to comply with PERB's order, and a court after a hearing on PERB's request to enforce the decision or order determines that the decision or order was issued pursuant to PERB's procedures and that the entity refuses to comply, the court must enforce the order by a writ of mandamus or similar process. In such circumstances, the court may not review the merits of PERB's final order, but only whether the order was issued properly and whether the entity subject to it is complying.

These procedures are substantially the same as those provided for appeals of PERB decisions or orders related to other public agencies and transit authorities. They provide a reasonable opportunity for a party to a dispute before PERB to seek judicial review of that decision, and provide robust enforcement mechanisms for when a PERB decision or order becomes final. It should be noted however, that AB 1510's provisions only apply to a decision by PERB relating to a ULP claim, and not to any decision PERB may make regarding other employer-employee disputes at the VTA over which it has authority.

### **SUPPORT**

American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME)

### **OPPOSITION**

None received

### **RELATED LEGISLATION**

Pending Legislation: None known.

Prior Legislation:

AB 2524 (Kalra, Ch. 789, Stats. 2022) authorized PERB jurisdiction over disputes relating to employer-employee relations of the VTA for those exclusive representatives that have elected to move one or more of its bargaining units to the jurisdiction of the PERB for unfair practice charges.

SB 957 (Laird, Ch. 240, Stats. 2022) transferred jurisdiction over unfair labor practice charges involving the Santa Cruz Metropolitan Transit District from the judicial system to PERB.

SB 598 (Pan, Ch. 492, Stats. 2021) provided exclusive employee organizations the option of transferring jurisdiction over unfair labor practice charges for their represented bargaining units within Sacramento Regional Transit from the judicial system to PERB.

AB 2850 (Low, Ch. 293, Stats. 2020) gave PERB jurisdiction over unfair labor practices involving employees of the Bay Area Rapid Transit District.

AB 2196 (Low, Ch. 381, Stats. 2016) revised various provisions related to the Santa Clara Valley Transportation Authority to change the name of the VTA and references to the authority to "VTA," and made a number of other changes to the structure and bidding requirements of the VTA.

SB 1377 (Grunsky, Ch. 978, Stats. 1967) established the Santa Cruz Metropolitan Transit District, defined the area to be included in the district, and prescribed the purpose, organization, powers, and duties of the district.

**PRIOR VOTES:**

Senate Labor, Public Employment and Retirement Committee (Ayes 5, Noes 0)

Assembly Floor (Ayes 73, Noes 1)

Assembly Appropriations Committee (Ayes 15, Noes 0)

Assembly Public Employment and Retirement Committee (Ayes 7, Noes 0)

\*\*\*\*\*