



ASSEMBLY FLOOR ALERT

Assembly Bill 2561 (McKinnor) Local public employees: vacant positions. (As Amended March 11, 2024) - **OPPOSE**

AB 2561 requires local public agencies with bargaining unit vacancy rates exceeding 10% for more than 180 days (approximately 6 months) to produce, implement, and publish a plan to reduce their vacancy rates to 0% within the subsequent 180 days. The bill also 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.

- Local public agencies – like all other employers in California and across the nation – face several challenges related to recruitment and retention due to a number of factors, such as rebounding from the COVID-19 pandemic, The Great Resignation, competing with the private sector for a limited hiring pool, and some disinterest in returning to in-office work.
- Many specialty positions like nurses, licensed behavioral health professionals, social workers, utility workers, police, teachers, and planners are experiencing nationwide workforce shortages and a dwindling pipeline for new entrants, driven by both an expansion of services and an aging workforce.
- Sizable vacancy rates exist in the public sector - for the state and for local employers. While the bill notably omits the state, the vacancy rate for the State of California has consistently been above 10 percent statewide for at least the past 20 years. As of February 2024, the vacancy rate for state jobs in California is about 20 percent.
- For counties, the issue of vacancies is particularly acute with the highest rates typically in county behavioral health, the sheriff's department, corrections, and

employment and social services. It is typical to see vacancy rates for behavioral health as high as 30-40%, consistently.

- Certain classifications are more difficult to hire for and take a significant amount of time to fill. Classes such as psychiatrist, behavioral health clinician, comprehensive care nurse, and senior social worker have either a limited candidate pool (unique skill set or insufficient candidates who meet the required qualifications) or candidates who are willing to accept the terms of the job (working in jail or correctional setting, unfavorable work shifts, etc.).
- Requiring local public agencies to produce, implement, and publish a plan every time one of their many bargaining units exceeds 10% vacancy rates for more than 180 days will keep local agencies on a perpetual cycle in order to comply. This will be incredibly taxing on agency staff and financial resources, likely resulting in diverting county staff away from core service delivery to comply.
- The bill also requires the public agency to present the plan during a public hearing of the local governing body and to publish the plan on the county website for public review for at least one year. The bill does not provide funding for agencies to take on the additional workload.
- This bill does nothing to solve the hindrances that slow down the hiring process.

If the true intent of **AB 2561** is to provide a path for local public agencies to reduce staff vacancies, diverting staff away from core service delivery and mandating they spend time producing reports on their vacancy rates will not achieve that goal. The total impact of mandated realignments without adequate concurrent funding and flexibility has also contributed to these vacancy rates. Adding another unfunded mandate on public agencies will not solve the problem this bill has identified. It is just as likely to create even more burn-out from employees tasked with producing the very report the bill mandates.

Vote “NO” on AB 2561

For more information, please contact Kalyn Dean, Legislative Advocate California State Association of Counties: kdean@counties.org.