



MEMORANDUM

TO: City Council

FROM: Ashley Garcia, Human Resources Officer

SUBJECT: Assembly Bill 2561 (City Workforce Vacancies, Recruitment, and Retention Trends) Compliance Procedure

DATE: April 8, 2025

RECOMMENDATION:

- 1) Adopt a Resolution adopting procedures for public hearings under Assembly Bill 2561; and
- 2) Direct staff to incorporate the procedure into the City Council Handbook.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

There is no immediate fiscal impact from the approval of a procedure to comply with Assembly Bill 2561 (AB 2561) requirements. However, it is estimated that eight hours of Human Resources staff time will be required annually to track vacancies, prepare a presentation, and interface with employee groups for AB 2561 vacancy reporting.

BACKGROUND:

Effective January 1, 2025, AB 2561 amended the Meyers-Milias-Brown Act, adding Government Code Section 3502.3, which now requires public agencies to provide annual public updates on vacancy status and associated recruitment efforts. This legislation was intended to respond to concerns in the California Legislature regarding widespread public sector vacancies.

ANALYSIS OF ISSUES:

AB 2561 outlines three key requirements:

1. Annual Public Hearing on Vacancies

Public agencies must present a report on the status of vacancies at a public hearing before their governing body at least once per fiscal year, preceding the adoption of the final budget. This report must include:

- Current recruitment and retention strategies.

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- Identification of any policy or procedural changes impacting vacancy reduction efforts.

In accordance with this requirement, a public hearing has been scheduled for the April 22, 2025, City Council meeting.

2. Additional Reporting for High Vacancy Rates

For bargaining units with vacancy rates exceeding 20% of total authorized full-time positions, agencies are required, upon request, to provide detailed information including:

- Total job vacancies within the bargaining unit.
- Number of applicants for vacant positions.
- Average hiring process duration (from posting to hiring).
- Opportunities to improve compensation and working conditions.

Currently, no bargaining unit vacancies exceed 20%.

3. Employee Organization Presentations

Recognized employee organizations may make their own presentations during the same public hearing, providing a forum for employee input alongside the agency's vacancy report.

Staff will invite representatives from Service Employees International Union (SEIU) Local 620 and Arroyo Grande Police Officers' Association (POA) to present during the City's vacancy report public hearing on April 22, 2025. Representatives from the International Association of Fire Fighters (IAFF) Local 4403 will be invited to present to the FCFA Board when they receive a vacancy report specific to FCFA staffing on April 29, 2025.

To establish a procedure for annual vacancy reporting to comply with AB 2561, staff developed a proposed order of presentation for the public hearing attached.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Adopt procedure to comply with AB 2561 and add to City Council Handbook;
2. Modify proposed procedure; or
3. Provide other direction to staff.

ADVANTAGES:

Establishing a framework and procedure ahead of the first required public hearing will clarify the order of the presentations for the multiple parties involved, including expectations for length of presentation.

DISADVANTAGES:

There are no disadvantages identified.

ENVIRONMENTAL REVIEW:

The AB 2561 Compliance procedure is not a project subject to the California Environmental Quality Act (“CEQA”) because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060 (c)(2) and (3), 15378.) Alternatively, the AB 2561 Compliance procedure is exempt from CEQA on the basis that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061, subd. (b)(3).)

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City’s website in accordance with Government Code Section 54954.2.

ATTACHMENTS:

1. Proposed Resolution
2. Assembly Bill No. 2561 Local Public Employees Vacant Positions Bill Text