



COMMUNITY COLLEGE LEAGUE OF CALIFORNIA

2017 O Street, Sacramento, CA 95811

(916) 444-8641

Website: www.ccleague.org

September 14, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: Assembly Bill 1699 (McCarty) K–14 classified employees: part-time or full-time vacancies: public postings.

Position: **Request for Veto**

Dear Governor Newsom:

On behalf of the Community College League of California (the League), **I respectfully request your veto on Assembly Bill 1699 by Assembly Member Kevin McCarty**, related to classified employee job vacancies.

AB 1699 requires job opportunities to be posted for internal applicants for 10 days before external candidates may be considered. It also requires that an internal candidate that meets the minimum qualifications, or “could” meet the minimum qualifications before their start date, have the right of first refusal for a position. The League believes that AB 1699 conflicts with existing laws and policies guiding community colleges hiring practices, hampers efforts to increase diversity at our colleges, and restricts local control of locally elected trustees to manage their colleges and districts.

AB 1699 places our colleges in direct conflict with Title 5 53021, which clearly emphasizes the importance of fair and open hiring. The intent of the regulations guiding our colleges is to prevent in-house or promotional-only recruitment except for interim positions. This regulation supports and implements Equal Employment Opportunity (EEO) for all.

By providing first right of refusal based on seniority, AB 1699 undermines diversity, equity, and inclusion (DEI) efforts, negatively impacting a district’s ability to strategically diversify its workforce, attract talent with currency in the field, and meet the needs of the community. This limits the ability to diversify staff as it establishes an inequitable system by setting a higher bar for external candidates, who often must meet additional job requirements to even be considered.

Finally, AB 1699 conflicts with Education Code 70902, which provides our locally elected boards with the power to manage the employment and assignment of “all personnel not inconsistent with the minimum standards adopted by the board of governors and establish employment practices, salaries, and benefits for all employees”. We believe that the question of internal candidate preferences and hiring processes should be left to the local bargaining table.

For these reasons, we must respectfully request your veto on AB 1699 by Assembly Member McCarty. If you or your staff have any questions, please do not hesitate to contact me at (916) 444-8641 or amartinez@ccleague.org

Sincerely,

Andrew Martinez
Senior Director of Government Relations
Community College League of California

CC: Assembly Member Kevin McCarty