

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE  
Robert Rivas, Chair  
AB 1362 (Carrillo) – As Introduced February 19, 2021

**SUBJECT:** Secretary of Food and Agriculture: cooperative agreements: agricultural inspector services

**SUMMARY:** This bill deletes a provision that prevents the Secretary (Secretary) of California Department of Food and Agriculture (CDFA) from entering into cooperative agreement, if less than 75% of the agricultural inspector associates in Los Angeles County (LA) are not afforded protections as permanent employees employed, as specified. Specifically, *this bill*:

**EXISTING LAW:**

- 1) Authorizes the Secretary to enter into cooperative agreements to carry out and enforce programs that promote and enhance agriculture, combat invasive pests and diseases, inspect poultry and meat, or other activities to administer and enforce these provisions. Specifically, the Secretary enters into cooperative agreements with county agricultural commissioners (CAC) to administer and enforce programs and inspections on the local level.
- 2) Prohibits the Secretary from entering into a cooperative agreement with a county of the first class for agricultural inspector services, if the agreement requires that the county provide year-round services, unless not less than 66% of the agricultural inspector aids and not less than 75% of the agricultural inspector associates not afforded protections as permanent employees employed under the cooperative agreement are afforded protections as permanent employees under the county's civil service or other personnel system.
- 3) Defines "counties of the first class" to be counties whose populations exceed four million residents.

**FISCAL EFFECT:** Unknown.

**COMMENTS:** Current law authorizes CDFA to enter into cooperative agreements with counties to carry out and enforce programs that, among other things, combat invasive pests and diseases. CDFA specifically contracts with CACs to administer and enforce local programs and inspections.

CDFA's Plant Health and Pest Prevention Services Division is responsible for the prevention and control of plant pests, working cooperatively with CACs to accomplish these goals. Depending on the specific requirements for pest monitoring, trapping, and inspections, work is typically performed by the local CAC's staff, which includes aids, associates, and inspectors.

In 2003-04, legislation was enacted which prohibited CDFA from entering into cooperative agreements for agricultural inspections with the County unless a minimum of 66% of all agricultural inspector aids were granted permanent civil service status as a county employee. Prior to that legislation, these employees were hired on a temporary basis to work on year-long contracts with CDFA. The legislation increased labor costs for the County, and state funds were provided to aid this transition and reduce fiscal impact to the County.

AB 1175 (Bocanegra), Chapter 588, Statutes of 2014 added in the “not less than 75% of the agricultural inspector associates” clause in order to ensure that agricultural inspector aids would not lose their permanent status when attempting to receive a promotion by going through a year-long, temporary associate position.

According to the author, provides flexibility between the classifications of Associate Inspector and Journey-Level Agricultural Inspectors. As the law currently stands, associate inspectors assigned to the Agricultural Bureaus cannot do certain tasks unless they are under the cooperative labor agreement. This current regulation is burdensome to workers because the amount of work available for associate agricultural inspectors can vary throughout the year, so workers may see a sudden reduction in their workload when they could instead be tasked with doing other needed work.

Supporters state the agricultural inspector associate is, by design and definition, a 12-month, non-permanent, entry-level class serving as a prerequisite to qualifying for consideration to the permanent Agricultural/Weights and Measures (AWM) Inspector series. In 2014, LA County opposed AB 1175 on the basis that statutorily requiring 75 percent of Associates to be granted permanent status would, effectively, eliminate that entry-level class. To ensure the retention of over \$10 million in CDFA cooperative agreement annual revenues to support AWM Inspector jobs and fulfill critical functions, LA county was forced to preclude Associate incumbents from participating in any duties under those many cooperative agreements. This bill would enable the County to exercise flexibility in staffing its programs supported by CDFA cooperative agreements, and would afford Associates the opportunities to gain hands-on experience to pursue statutorily-required state-issued licenses predicated by the passing of examinations to test their respective knowledge of program-related subject matters.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

AFSCME, AFL-CIO (Sponsor)  
County of Los Angeles Board of Supervisors

### **Opposition**

None of file

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