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March 25, 2016

The Honorable Roger Hernández  
Chair, Assembly Labor & Employment Committee  
State Capitol, Room 5016  
Sacramento, CA 95814

**RE: AB 1669 (Hernández) – Displaced employees: service contracts:  
collection and transportation of solid waste – OPPOSE**

Dear Chair Hernández,

The Solid Waste Association of North America (SWANA) is the world's largest association of solid waste professionals (over 8,000 members). SWANA's California chapters represent more than 900 members. SWANA is committed to advancing the practice of environmentally- and economically-sound management of municipal solid waste. SWANA's California Legislative Task Force (LTF) is responsible for representing the California Chapters on legislative and regulatory issues.

SWANA regretfully **OPPOSES AB 1669**, which would require local government agencies to give a bidding preference for contractors and subcontractors who agree to retain previous employees for a specified time period. The new contractors and subcontractors would be required to offer employment to those employees to continue to perform services most often in cases where the employees and company were shown to be less competitive than the new company through a bidding process.

This legislation would infringe on local control and flexibility. With limited resources, it is critical that local governments have authority over contracting and employment decisions to provide the most cost effective services. Preference for one contractor or subcontractor over another should not be pre-determined by a requirement that may be inappropriate based on unique contracting, staffing, and economic circumstances that local governments may face. Bidders have the option to retain previous employees and local governments already have the right to put such terms in procurement documents to meet local needs. But the central reason that local government undertakes bidding of services is frequently to assure that services are provided at the least cost to ratepayers.

**AB 1669** will unnecessarily harm local governments' authority over their own contracting arrangements. For these reasons and more, SWANA regretfully **OPPOSES AB 1669**. Thank you for your consideration.

Sincerely,

Jason Schmelzer  
SWANA Legislative Advocate

Cc: Members and Consultants, Assembly Labor & Employment Committee