



COUNTY OF MENDOCINO

Board of Supervisors

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June 13, 2025

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, CA 95814

RE: AB 1331 (Elhawary): Workplace surveillance
As amended May 23, 2025 – OPPOSE

Dear Chair Umberg,

On behalf of Mendocino County, we respectfully oppose AB 1331 (Elhawary). This bill would significantly complicate the routine operations of local governments, jeopardize our ability to provide essential public services, hinder our capacity to manage and respond to threats of workplace violence, and expose local governments to the risk of waste and misuse of public resources. It is unclear how local agencies could continue to provide behavioral health services, protect foster children, manage jails and juvenile halls, administer elections, or keep kids safe in schools if this bill was enacted as currently drafted.

We understand the reasonable concerns one could have about the slow creep of surveillance tools into every aspect of daily life and appreciate the bill's expressed need for appropriate limits to prevent employers from snooping into the private lives of their employees. However, the scope of this bill is vast and would deem everyday tools used for everyday work, including badge access, collaboration tools like Teams or Slack, or GPS tools used to track fleets, to be "surveillance tools" whose use could be constricted by this bill. Under AB 1331, any device that collects or facilitates the collection of data on an employee's movements, actions, communications, or behaviors is deemed a surveillance tool that cannot be used in "off-duty areas" or can be turned off during "off-duty" hours.

Assembly Bill 1331 poses significant risks to public workforces and severely undermines the capacity to prevent and investigate incidents of workplace violence. This legislation restricts local agencies from utilizing surveillance tools in any "off-duty area," a designation that encompasses breakrooms, cafeterias, and lounges. Such limitations raise critical questions regarding the ability of public agencies to effectively manage and mitigate workplace violence if they are unable to monitor these essential common areas.

Under the provisions of AB 1331, employees are mandated to leave surveillance tools behind during off-duty hours or when entering designated off-duty areas. However, the applicability of these regulations to various tools necessary for public employees—such as emergency alarms utilized by educators and body cameras employed by law enforcement—remains ambiguous. Furthermore, the challenges of

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compliance become increasingly complex for positions that require on-call or standby arrangements, including law enforcement officials, emergency responders, and laboratory safety officers. This uncertainty presents significant operational difficulties for public agencies striving to adhere to the requirements while ensuring safety and accountability.

Unfortunately, we have seen a rise in hostility and threats against government entities and their workforces. That includes violence and threats of violence against government employees whose job requires them to serve the public, like library staff, teachers, firefighters, and benefits officers, among myriad other examples. It also includes public officials who are frequently targeted with threats or actual violence, including election workers, health officers, and public officials. AB 1331 would heighten the vulnerability of public servants at a time of strong anti-government sentiment.

We understand the sponsors are advancing this bill to address activities by private employers that undermine efforts to organize a union, influence union elections, or retaliate against union leaders. Existing law already provides significant protections for public employee union activities. For example, Government Code § 3550 provides that a public employer shall not deter or discourage public employees, or applicants to be public employees, from becoming or remaining members of an employee organization. Section 3551.5 imposes significant penalties for violations of § 3550 and grants employee organizations standing to bring the claims.

In summary, public agencies use surveillance tools to protect public resources, not to interfere with employee organization activities. We strongly urge the author to amend the bill to exclude public agencies from its provisions altogether.

For these reasons, we are opposed to AB 1331 and urge your “NO” vote.

Sincerely,



John Haschak, Chair
Mendocino County Board of Supervisors

cc: The Honorable Sade Elhawary, California State Assembly
Members and Consultants, Senate Judiciary Committee
Margie Estrada, Chief Counsel, Senate Judiciary Committee
Morgan Branch, Policy Consultant, Senate Republican Caucus
The Honorable Mike McGuire, Member of the California State Senate
The Honorable Chris Rogers, Member of the California State Assembly