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Eddy Cumins

May 20, 2026

Sonoma- Marin Area Rail Transit Board of Directors  
 5401 Old Redwood Highway, Suite 200  
 Petaluma, CA 94954

**SUBJECT:** Status of Vacant Positions as required by AB 2561

Dear Board Members:

**RECOMMENDATIONS:** Informational Only

**SUMMARY:** California State Assembly Bill (AB) 2561 (McKinnor) was approved on September 22, 2024, and added §3502.3 to the Government Code. This law requires public agencies to present the status of their union vacancies at a public hearing at least once per fiscal year. It also requires the agency to provide a summary of recruitment and retention efforts, and identify any necessary changes to policies, procedures, and recruitment efforts that may lead to obstacles in the hiring process. The presentation must be made prior to the adoption of a final budget for the fiscal year.

**BACKGROUND:**

The table below shows the current vacancy rates per bargaining unit.

<b>Teamsters Technicians Vacancy Rate</b>	
Total Approved Headcount	23
Total Number of Vacancies	1
Vacancy Rate %	4.35%
<b>Teamsters Supervisors Vacancy Rate</b>	
Total Approved Headcount	5
Total Number of Vacancies	0
Vacancy Rate %	0%
<b>Operating Engineers Local 3 (OE3) Vacancy Rate</b>	
Total Approved Headcount	39
Total Number of Vacancies	7
Vacancy Rate %	17.95%
<b>Machinists (IAMAW) Vacancy Rate</b>	
Total Approved Headcount	28
Total Number of Vacancies	2
Vacancy Rate %	7.14%

## **Status of Current Vacancies**

### **Teamsters – Technicians Bargaining Unit**

This unit is comprised of 5 job classes, a total of 23 full-time positions: Bridge Tender (4 FTE), Track Laborer (3 FTE), Track Maintainer I (5 FTE), Track Maintainer II (2 FTE), Signal Technician (9 FTE). There is currently one vacancy in the Track Laborer job class. A recruitment for this position is currently in process.

### **IAMAW (Machinists) Bargaining Unit**

This unit is comprised of 4 job classes, a total of 28 full-time positions: Laborer (11 FTE), Vehicle Maintenance Technician (13 FTE), Facilities Maintenance Technician (3 FTE) and Lead Facilities Engineer (1 FTE). There are currently 2 vacancies in this unit: Laborer (1 FTE) and Facilities Maintenance Technician (1 FTE). Both vacancies resulted from employees promoting within SMART to new positions. There is currently a candidate in background for the Facilities Maintenance position, and the Laborer position will be filled as of May 26, 2026.

### **Operating Engineers Local 3 (OE3) Bargaining Unit**

This unit is comprised of four job classes, Engineer Trainee, Engineer-Conductor, Conductor, and Conductor Trainee for a total of 39 full-time positions. There are currently seven (7) positions vacant in this unit. The District currently has two candidates in background and is actively recruiting to fill the remaining positions.

## **Recruitment and Retention Efforts**

SMART participates in local job fairs and promotes job openings on various platforms including job boards, social media, and the agency's website. SMART distributes current job openings to a network of career services and workforce development providers including educational institutes, veteran organizations, transportation organizations, chambers of commerce, the Employment Development Department (EDD), Department of Rehabilitation, and others. Human Resources staff also participate in Vet Net, a monthly online workshop hosted by the EDD that brings together employers and military veterans seeking employment. Veterans are able to speak directly with employers to learn about new opportunities as well as ask general questions about employment. SMART offers an employee referral program for certain hard to fill positions and may also retain the services of professional recruiting agencies.

SMART strives to retain talent by offering competitive pay, strong benefits, and retirement plans. SMART updates job descriptions as positions become available to ensure accurate job postings; offers internal promotion opportunities and education and training reimbursements. SMART has established internal trainee programs in its Transportation, Track, Vehicle Maintenance and Signals divisions that allow employees to learn on-the-job skills as well as classroom education to facilitate growth within the organization. In the past year, six (6) employees were promoted to new positions within SMART via SMART's internal training programs.

## **Identified necessary changes to policies, procedures and recruitment activities**

In the past year, SMART has broadened the reach of its recruitment activities by working with our Regulatory Compliance and Civil Rights Manager to identify additional community organizations that provide workforce

development services. These agencies are notified each time a new recruitment is opened. We are also working to create more flexibility in hiring by exploring the creation of job class series, for example Analyst I/II, that can be used across the organization to create career paths and advancement opportunities for existing staff. SMART will continue to evaluate the effectiveness of its recruitment efforts. At present, 49% of current staff have been with SMART for 5 or more years (5 – 18 years).

**FISCAL IMPACT:**

None

Sincerely,

/s/

Lisa Hansley

Human Resources Manager

## Assembly Bill No. 2561

### CHAPTER 409

An act to add Section 3502.3 to the Government Code, relating to public employment.

[Approved by Governor September 22, 2024. Filed with  
Secretary of State September 22, 2024.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2561, McKinnor. Local public employees: vacant positions.

Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations and to consider fully presentations that are made by the employee organization on behalf of its members before arriving at a determination of policy or course of action.

This bill would, as specified, require a public agency to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year, and would entitle the recognized employee organization to present at the hearing. If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the bill would require the public agency, upon request of the recognized employee organization, to include specified information during the public hearing. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include related legislative findings.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement shall be made pursuant to these statutory provisions for costs mandated by the state pursuant to this act, but would recognize that a local agency or school district may pursue any available remedies to seek reimbursement for these costs.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares as follows:

(a) Job vacancies in local government are a widespread and significant problem for the public sector affecting occupations across wage levels and educational requirements.

(b) High job vacancies impact public service delivery and the workers who are forced to handle heavier workloads, with understaffing leading to burnout and increased turnover that further exacerbate staffing challenges.

(c) There is a statewide interest in ensuring that public agency operations are appropriately staffed and that high vacancy rates do not undermine public employee labor relations.

SEC. 2. Section 3502.3 is added to the Government Code, to read:

3502.3. (a) (1) A public agency shall present the status of vacancies and recruitment and retention efforts during a public hearing before the governing board at least once per fiscal year.

(2) If the governing board will be adopting an annual or multiyear budget during the fiscal year, the presentation shall be made prior to the adoption of the final budget.

(3) During the hearing, the public agency shall identify any necessary changes to policies, procedures, and recruitment activities that may lead to obstacles in the hiring process.

(b) The recognized employee organization for a bargaining unit shall be entitled to make a presentation at the public hearing at which the public agency presents the status of vacancies and recruitment and retention efforts for positions within that bargaining unit.

(c) If the number of job vacancies within a single bargaining unit meets or exceeds 20 percent of the total number of authorized full-time positions, the public agency shall, upon request of the recognized employee organization, include all of the following information during the public hearing:

(1) The total number of job vacancies within the bargaining unit.

(2) The total number of applicants for vacant positions within the bargaining unit.

(3) The average number of days to complete the hiring process from when a position is posted.

(4) Opportunities to improve compensation and other working conditions.

(d) This section shall not prevent the governing board from holding additional public hearings about vacancies.

(e) The provisions of this section are severable. If any provision of this section or its application is held invalid, the invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(f) For purposes of this section, “recognized employee organization” has the same meaning as defined in subdivision (a) of Section 3501.

SEC. 3. The Legislature finds and declares that Section 2 of this act, which adds Section 3502.3 to the Government Code, furthers, within the

meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

It is in the public interest, and it furthers the purposes of paragraph (7) of subdivision (b) of Section (3) of Article I of the California Constitution, to ensure that information concerning public agency employment is available to the public.

SEC. 4. No reimbursement shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code for costs mandated by the state pursuant to this act. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Part 7 (commencing with Section 17500) and any other law.