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April 5, 2011

The Honorable Sandre Swanson
Chair, Assembly Labor & Employment Committee
State Capitol, Rm. 6012
Sacramento, CA 95814

RE: OPPOSE AB 350 (Solorio) as Introduced

Dear Assemblymember Swanson:

The California Disabilities Services Association (CDSA) represents over 100 community-based organizations throughout California that provide a wide range of services and supports to thousands of people with autism, cerebral palsy, mental retardation, seizure disorders and other developmental disabilities.

On behalf of our member organizations that provide employment services, the California Disabilities Services Association (CDSA) respectfully OPPOSES AB 350 (Solario).

This bill is discriminatory and will greatly limit the ability of people with disabilities to secure employment, exacerbating what is already an 80% unemployment rate among people with disabilities.

The requirements of AB 350, which greatly expand the scope of existing law, would apply to a very comprehensive list of services that many people with developmental disabilities perform including janitorial, landscaping, window cleaning, and food cafeteria services. If we are required to hire the non-disabled workers who previously held the job – for any period of time let alone the requirement to offer permanent employment – we are simply blocked from carrying out our mission to increase employment opportunities for persons with developmental disabilities.

Unlike other companies, our members are not in business to become janitorial contractors, food service providers or window cleaning companies. Our purpose in securing contracts is to provide employment opportunities for persons with disabilities. Our member organizations identify and develop employment opportunities, place employees, and provide on-site coaching support that enable persons with disabilities to find, secure and retain employment.

If enacted, AB 350 gives a competitive advantage to companies that do not employ persons with developmental disabilities. AB 350 does not address how employment opportunities for persons with developmental disabilities are often structured in terms of support personnel and services.

Requiring new employers to hire the employees of the company that previously held the contract for 90-days, and to offer permanent employment to employees who perform acceptably not only limits our ability to hire persons with developmental disabilities, it creates a logistical nightmare in relation to the support personnel in place that can't just be transferred to another organization simply because a contract has changed.

In addition, it is wrong to require our member organizations to hire people who have not gone through their existing hiring procedures and criminal background check processes. When working with vulnerable populations such as people with developmental disabilities, these processes are vital. Under AB 350, our member organizations would have to absorb the additional costs to apply their human resources policies to incoming employees from previous contracts, as they are unable to pass the costs on and bidding for these contracts is already fiercely competitive.

For these reasons, CDSA OPPOSES AB 350 and we urge your NO vote when the bill comes before you.

If you have further questions regarding our position, please contact Dwight Hansen, Hansen & Associates, at (916) 798-0550.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Rice". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Chris Rice
Executive Director

c: Members of the Assembly Labor and Employment Committee
Assembly Member Solorio, Bill Author
Benjamin Ebbink, Majority Consultant
Terry Mast, Minority Consultant