



CITY OF COMMERCE STAFF REPORT

TO: The Honorable City Council

FROM: City Manager

SUBJECT: PUBLIC HEARING OF ANNUAL STATUS OF VACANCIES, RECRUITMENT, AND RETENTION EFFORTS PURSUANT TO GOVERNMENT CODE SECTION 3502.3

MEETING DATE: June 16, 2026

RECOMMENDED ACTION:

1. Open the public hearing on the subject matter.
2. Close the public hearing.
3. The City Council will receive the informational report on the City of Commerce's vacancies, recruitment, and retention efforts pursuant to Government Code Section 3502.3.

BACKGROUND:

Governor Newsom signed Assembly Bill 2561 (AB 2561) into law on September 22, 2024, amending the Meyers-Milias-Brown Act (MMBA). AB 2561 added California Government Code Section 3502.3, which requires public agencies to hold a public hearing at least once per fiscal year to report on vacancy rates, recruitment status, and retention efforts.

During the hearing, the agency must identify any necessary changes to policies, procedures, or recruitment activities that may be creating obstacles in the hiring process. Recognized employee organizations (unions) are entitled to make a presentation at the hearing.

Additionally, if vacancies within a single bargaining unit meet or exceed 20% of the authorized full-time positions, the agency must—upon request of the recognized employee organization—provide additional information during the hearing.

Visit the [California Public Employment Relations Board](#) for more information.

LEGISLATIVE BACKGROUND:

As noted in Assembly Bill 2561 (AB 2561), the Legislature recognized a statewide interest in ensuring that public agency operations are adequately staffed and that high vacancy rates do not undermine public employee labor relations. AB 2561 adds the following section to the Government Code Section 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 occur prior to the adoption of the final budget.
- (3) During the hearing, the agency shall identify any necessary changes to policies, procedures, and recruitment activities that may be creating obstacles in the hiring process.
- (b) The recognized employee organizations for a bargaining unit are entitled to make a presentation at the public hearing where the agency presents vacancy and recruitment information for positions within that unit.
- (c) If the number of job vacancies within a single bargaining unit meets or exceeds 20 percent of the total number authorized full-time positions, the agency shall, upon the request of the recognized employee organization, include all of the following information during the public hearing:
1. Total number of job vacancies within the bargaining unit.
 2. Total number of applicants for those vacancies.
 3. Average number of days to complete the hiring process from posting to hire.
 4. Opportunities to improve compensation and working conditions.
- (d) This section does not prevent the governing board from holding additional public hearings on vacancies.
- (e) Should any provision of this section be deemed invalid, the remaining provisions shall continue in full force and effect.
- (f) For purposes of this section, "recognized employee organization" has the same meaning as defined in Government Code Section 3501(a).

The full text of AB 2561 can be viewed on the [California Legislative Information website](#).

STATUS OF VACANCIES FOR BARGAINING UNITS:

As of June 16, 2026, the City of Commerce has 165 full-time mid-management & non-management authorized full-time positions represented by the City of Commerce Employees Association / AFSCME Local 773, AFSCME Council 36 and Teamsters 986.

Of those 165 full time positions, there are sixteen (16) vacancies, which is approximately a 9.7% vacancy rate.

As of June 16, 2026, the City of Commerce has 293 part time authorized positions represented by the City of Commerce Employees Association / AFSCME Local 773, AFSCME Council 36 and Teamsters 986.

Of those 292 part time positions, there are forty-four (44) vacancies, which is approximately a 15.0% vacancy rate.

The Full Time Bargaining Unit and the Part-Time Bargaining Units have vacancies; however, the full-time bargaining unit does not exceed the 20% vacancy threshold for full-time authorized positions.

RECRUITMENT & RETENTION EFFORTS:

The City of Commerce has historically maintained a stable workforce for full-time positions by providing competitive salaries, benefits and job growth opportunities.

The City of Commerce currently posts job announcements on its website as well as GovernmentJobs.com and other job boards. At this time, no changes to recruitment policies, procedures, or activities are necessary, as recruitment efforts have been effective and positions are being successfully filled. Staff will continue to monitor and evaluate recruitment and retention strategies and will identify and implement changes as needed in the future.

RECOMMENDATION: That the City of Commerce City Council receive the informational report on the City of Commerce Vacancies, Recruitment, and Retention Efforts pursuant to Government Code Section 3502.3.

FISCAL IMPACT:

None.

Recommended/Prepared By: Marlo Revilla, HumanResources Manager
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Approved as to Form: Noel Tapia, City Attorney
Respectfully submitted: Ernie Hernandez, City Manager