

DATE: December 8, 2025
TO: Department Heads
FROM: Tami Douglas-Schatz, Human Resources Director
RE: Assembly Bill 339 Guide for Departments: Understanding When Labor Notice is Required for Contracted Services

Assembly Bill 339 (AB 339) requires 45-days advance written notice to labor groups (e.g. unions/associations) before issuing a request for contracting out services that are performed by job classes represented by the labor groups. This guide helps Departments quickly screen whether AB 339 may apply before submitting requests for proposals/bids/services and prepare for the reasonably expected impacts.

** While AB 339 only adds a new contracting notice requirement, it does not replace any obligations or processes already in place under any existing law, County policy or Memorandums of Understanding (MOU). This advance union notice may invite information requests, and potential meeting requests from the labor groups to provide their input and share their concerns. Departments may experience more frequent and direct union involvement in some purchasing efforts. **

When AB 339 Applies:

AB 339 applies when a department plans to issue a request for proposals, request for quotes, or renew or extend a service contract and the vendor would perform work done by County represented job classifications. This includes Purchase Requests processed/approved by the Department directly and/or submitted to central Purchasing or a purchasing representative liaison.

Any amendments to renew or extend contracts/services that are not fully executed prior to **January 1, 2026**, are subject to the AB 339 notice requirements. Consequently, Departments are strongly encouraged to plan their purchasing and contract extension/renewal efforts at least two months in advance.

Steps to determine if AB 339 applies:

1. **Is the contract only for supplies and/or equipment?** If yes, AB 339 does not apply. Submit request following normal processing procedures. If no, proceed to step number 2.
2. **Is the request for proposals (RFP), request for quotes (RFQ), or renewal/extension to perform service(s)?** If yes, AB 339 may apply. Proceed to step number 3.
3. **Do the vendor services fall within one of the excluded categories below?** If yes, AB 339 does not apply. Submit the request following normal processing procedures. If no, proceed to step number 4.

EXCLUDED CATEGORIES:

- Contracts for construction related work covered by prevailing wage laws, including construction, alteration, demolition, installation, repair, or maintenance work, as well as contracts for highly specialized data, software, or services that directly support that type of construction or maintenance work.

- Contracts for architectural, engineering, landscaping, environmental, construction management, or other professional design or project delivery services for public works or for residential, commercial, industrial, or other building or infrastructure projects that follow adopted building codes or standards.

4. **Do the vendor services fall within the scope of work of a represented County job classification?**
If yes, AB 339 applies. Proceed to step number 5.

If unsure, consult your Human Resources Business Partner and the Classification and Compensation Division (Class and Comp) at HR-ClassComp@rivco.org for clarification. Provide Class and Comp with a full description of work a vendor is anticipated to be performing, including duties, responsibilities, required knowledge, skills, abilities, and any information on experience and/or qualifications. Class and Comp will review this information against existing County job classifications to determine whether the County already has a classification that performs that work.

5. **If AB 339 applies, notice to the relevant labor group is required and the Department must submit the following information to the Human Resources Labor Relations Division (Labor Relations) at Labor-Relations@rivco.org:**

- The anticipated duration of the contract
- The scope of work under the contract
- Identified County classes that perform this work
- The anticipated cost of the contract
- The draft solicitation, or information normally included in a solicitation if a draft is not yet available
- The reason the Department believes the contract is necessary despite having a represented County classification perform or potentially perform the work

The Department will submit the above information to the Human Resources Labor Relations Division **at least 60 days before** the Department plans to submit the request for services. This allows Labor Relations to review the body of submitted information and develop the union notice at least 45 days in advance of the planned RFP/RFQ/renewal submission date. Once all information is provided by the Department, Labor Relations will draft and submit the required notice to the labor group and will update to the Department on the start of the 45-day waiting period.

After the Labor Relations Division issues the notice and the full 45-day period has passed, the Department may proceed with issuing a request for proposal, a request for quotes, or renewing or extending an existing contract to perform services that fall within the scope of work of job classifications represented by that organization. Once the notice to the labor group is submitted, the scope cannot change.

Emergency Situations

If AB 339 applies and an emergency prevents the Department from meeting the 45-day notice requirement, the Department must immediately notify both County Counsel and Labor Relations. Labor Relations will provide notice to the labor group as soon as practicable under the circumstances, as required by the law.

Next Steps and Questions

Purchasing is developing an automated form to assist with communication and compliance; it will be distributed soon. Departments should direct questions to their Human Resources Business Partner.