



ASSEMBLY FLOOR ALERT

AB 339 (Ortega): Local public employee organizations: notice requirements

As amended 8/29/25 – OPPOSE/NON-CONCURRENCE

The organizations above respectfully urge your “no” vote on AB 339 (Ortega). We continue to have strong concerns about moving this measure forward, even with recent amendments that purport to limit the scope of the bill. AB 339 continues to impose considerable costs to local agencies, including new notification requirements, unclear language that will undoubtedly result in increased conflict and eventual litigation with our labor partners, and significant delays in executing programs and delivering services. **AB 339 will make it harder to provide homeless outreach services, emergency medical care, or conduct solid waste removal, to name just a few of the critical services on which our communities rely.**

Recent amendments exempting certain public works projects is evidence that AB 339 will delay important public programs and services. There would not need to be language that exempts certain public works projects in AB 339 if there was not a common understanding that the bill would delay the provision of public services. As we have repeatedly pointed out, we have seen no evidence that there is a real, widespread, existing problem that AB 339 is attempting to address; instead, the measure provides unwarranted delays and opportunity for disputes.

Employers already have a duty to notify labor organizations before contracting out work. AB 339 applies to **any** contract that is within the scope of work of any job classification represented by a recognized employee organization; for local agencies with represented workforces, this essentially means nearly every contract would be subject to notice. An administrative remedy is already available to recognized employee organizations when they believe that a local agency has neglected to meet existing notification and meet and confer requirements regarding contracting. Failure to adhere to existing requirements under the MMBA and related case law subjects a local agency to a potential unfair labor practice charge at the Public Employment Relations Board (PERB). AB 339’s redundant and impractical approach will expose local agencies to additional costs that result from a new and potentially significant workload increase.

Definition of “emergency” is inconsistent and vague. The lack of definition of emergency or exigent circumstances in AB 339 undermines existing emergency contracting authority. As first responders, local agencies rely on existing statutes that allow for considerable flexibility to ensure the safety and well-being of our communities. This language only adds another opportunity for disagreement with our labor partners when local agencies need to focus available resources on response and recovery during an emergency.

AB 339 could not come at a worse time. With the state and local agencies grappling with a substantial and growing decline in support from the federal government for a variety of programs and services, now is not the time to undermine local agencies’ efforts to continue to provide safety net and quality of life services to their communities. Partnership with local non-profit organizations, who are on the front lines of providing critical local services, is essential to assist local agencies to maximize federal, state, and local resources to ensure that services reach those who need them most.

Vote “NO” on AB 339. There is no evidence that any of these new requirements will improve outcomes, gain efficiencies, or enhance the quality of life in California communities. As a result, local agencies remain opposed to AB 339.