In re: State Personnel Board  
Regulatory Action:  
Title 02, California Code of Regulations  
Adopt sections:  547.60.2  
Amend sections:  
Repeal sections:  

NOTICE OF APPROVAL OF REGULATORY ACTION  
Government Code Section 11349.3  
OAL Matter Number:  2021-0827-04  
OAL Matter Type: Regular (S)  

This action adopts a mandate that state agencies intending to contract for personal services outside of the civil service, under conditions specified within Government Code section 19130, must provide prior written notice to organizations representing state employee bargaining.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2022.

Date: January 27, 2022

Mark Storm  
Senior Attorney  

For: Kenneth J. Pogue  
Director  

Original: Suzanne Ambrose, Executive Officer  
Copy: Lori Gillihan
**A. PUBLICATION OF NOTICE** (Complete for publication in Notice Register)

1. **SUBJECT OF NOTICE**
   - TITLE(S)
   - FIRST SECTION AFFECTED
   - 2. **REQUESTED PUBLICATION DATE**

3. **NOTICE TYPE**
   - Notice re Proposed
   - Regulatory Action
   - Other

4. **AGENCY CONTACT PERSON**
   - TELEPHONE NUMBER
   - FAX NUMBER (Optional)

**OAL USE ONLY**

- Approved as Proposed Notice
- Approved as Modified
- Disapproved/Withdrawn

**NOTICE REGISTER NUMBER**
- **PUBLICATION DATE**

**B. SUBMISSION OF REGULATIONS** (Complete when submitting regulations)

1a. **SUBJECT OF REGULATION(S)**

1b. **SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)**

**SECTION(S) AFFECTED**
-采用
- 修正

**TITLE(S)**
- ADAPT
- REPEAL

**3. TYPE OF FILING**

- Regular Rulemaking (Gov. Code §11346)
- Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
- Emergency (Gov. Code, §11346.1(b))
- Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)

- Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.5 either before the emergency regulation was adopted or within the time period required by statute.

- Emergency Readopt (Gov. Code, §11346.1(h))
- Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- Print Only

**4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE**

**5. EFFECTIVE DATE OF CHANGES**
- Gov. Code, §§11342.4, 11046.1(a); Cal. Code Regs., title 1, §100
- Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- Effective on filing with Secretary of State
- Effective on filing with Fair Political Practices Commission
- Effective other (Specify)

**6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY**

- Department of Finance (Form STD. 399) (SAM §6660)
- Fair Political Practices Commission
- State Fire Marshal
- Other (Specify)

**7. CONTACT PERSON**

- Lori Gillihan
- TELEPHONE NUMBER 916-651-1043
- FAX NUMBER (Optional)
- E-MAIL ADDRESS (Optional) lori.gillihan@spb.ca.gov

**8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

**SIGNATURE OF AGENCY HEAD OR DESIGNEE**

Suzanne M. Ambrose

**DATE** 8/27/2021

**ENDORSED APPROVED**

Office of Administrative Law
§547.60.2. Notice to Employee Organizations

Before a state agency executes a contract or amendment to a contract for personal services under conditions specified within Government Code section 19130, subdivision (b), the agency shall notify all organizations that represent state employees who perform or could perform the type of work that is called for within the contract, unless exempted under Government Code section 19132, subdivision (b)(1). The notice shall include a copy of the full contract and information to enable employee organizations to determine the type of work to be performed under the contract, applicable exemption criteria under Government Code section 19130, subdivision (b), the estimated value of the contract, the term of the contract, and the employee organizations notified of the contract. It is the contracting agency’s responsibility to identify the appropriate employee organization(s) to be notified. If the contracting state agency is unable to determine which employee organization(s) is or are appropriate to be notified, or determines that no represented employees perform or could perform the type of work that is called for within the contract, the contracting state agency shall notify all employee organizations representing each of the bargaining units within state civil service.