

## **2018 CWLC Legislative Support List**

(Updated March 2019)

### **1. Senate Bill 820 (Leyva) – Stand Together Against Non-Disclosures (STAND) Act**

SB 820 will bar confidentiality provisions in settlement agreements related to certain sexual offenses unless the claimant requests the inclusion of such a provision. The bill will reform the civil process for sexual assault and harassment, making it unlawful to prevent a victim from disclosing factual information related to these causes of action unless they request it. These provisions are routinely included in settlement agreements and silence victims from speaking about their experience and their perpetrator. Incidents of sexual harassment and discrimination are already very likely to go unreported. SB 820 will place the power to decide the level of confidentiality back into the hands of the victim.

SB 820 was approved by the Governor on September 30, 2018.

### **2. Assembly Bill 60 (Santiago)**

AB 60 will ensure that families receiving child care through CalWORKs have continuity and stability in care by streamlining the process between the various application stages. The bill guaranteed at least 12 months of continuous affordable child care for eligible families and has provided stability for many families, eliminating the burdensome paperwork requirements that caused families to lose their care. But working families still face unnecessary disruptions in child care as they transition through the CalWORKs child care stages, forcing them to forego work, limit their work hours, or struggle to pay for child care they cannot afford.

The updated AB 60 ensures that families will not experience an unnecessary break in services by requiring counties to share their data via a limited access to the county level Statewide Automated Welfare System database. Consistency in child care is critical to a parent's ability to work and improve their job prospects and earning potential. Continuity of care creates the stability necessary for a child's healthy development. AB 60's technological solution will ensure that working parents' child care is not interrupted during the CalWORKs child care transfer process.

AB 60 was vetoed by the Governor on September 30, 2018.

### **3. Assembly Bill 1810 (Mitchell and Ting)**

AB 1810 makes pre-trial diversion available for all defendants with mental illness. The law permits, but does not require, a judge to divert a defendant into mental health treatment in certain situations. Of course, a judge still retains absolute discretion to deny diversion if they believe it is unsafe or not in the interest of the community.

AB 1810 was approved by the Governor on June 27, 2018.

### **4. Assembly Bill 1870 (Reyes, Friedman, and Waldron)**

AB 1870 will extend the time limit for filing harassment and discrimination claims under California's Fair Employment and Housing Act (FEHA). Currently, a harassment victim must file a pre-litigation claim with the Department of Fair Employment and Housing (DFEH) within one year of the unlawful act, or they face an absolute time bar and are unable to seek any redress. AB 1870 extends the time limit to three years, allowing victims additional time to seek redress and making it more consistent with the filing limits for other actions.

Low wage earners are harmed most by the short filing time because many are not aware of their legal rights if they do not file with DFEH within a year. Extending the time to file a claim with DFEH will also allow the parties additional time to resolve grievances outside court, which will likely result in fewer cases being filed to meet the short time limitation.

AB 1870 was vetoed by the Governor on September 30, 2018.

### **5. Assembly Bill 2023 (Caballero)**

AB 2023 will provide low and moderate income working families with a refundable tax credit to help defray the cost of child care. Currently, the state tax credit for child care expenses only provides benefits to families that owe state income

tax, which means low and moderate income families are excluded even though they face rising child care expenses. Families with income below \$50,000 receive no benefit from the current credit.

Many families dedicate an average of 20% of their income to child care and child care is the second highest expense behind housing. AB 2023 will help address this issue by making the child care tax credit refundable so that low and moderate income families who do not owe state income taxes, but who do pay other taxes like sales and property tax, can benefit from the tax refund to offset some of their child care expenses. A refundable credit will help low-income families by putting money back in their pockets for food, housing and medical care.

AB 2023 was introduced on February 5, 2018, and was held under submission on August 16, 2018.

#### **6. Assembly Bill 2282 (Eggman)**

AB 2282 will help close the race and gender wage gap in California by clarifying that prior salary cannot be used on its own or in combination with another lawful factor to justify a wage differential under the California Equal Pay Act. In California, women who are employed full-time, year-round would collectively earn \$79 billion more per year if they were paid equally to their male colleagues. The disparity is largest for women of color. African American women are paid 63 cents and Latinas are paid 43 cents on the dollar. Mothers are the primary breadwinners in nearly 40 percent of California's families. These lost wages mean families have less money to spend on basic necessities as well as goods and services that drive economic growth.

AB 2282 takes an important step in the fight for wage equality in California by clarifying that employers may only rely on legitimate, non sex-based factors to justify paying an employee less for equal work.

AB 2282 was approved by the Governor on July 18, 2018.

#### **7. Assembly Bill 2289 (Weber and Gonzalez Fletcher) – Young Parents' Right to Education Act**

AB 2289 will promote gender equity in education by ensuring that pregnant and parenting students in California receive consistent and adequate parental leave. Unfortunately, very few of California's school districts are consistently complying with the requirements of Title IX with regard to pregnant and parenting students. District policies for student family leave are inconsistent and generally insufficient. Consequently, pregnant and parenting students often struggle to continue their education while pregnant or caring for their children.

AB 2289 will mandate leave for pregnant or parenting students and will provide guidelines for make-up plans or work study to ensure students can return to their school and classes with minimal academic interruption. Under AB 2289, students must be allowed 6 weeks of leave if they are the birthing parent, with an extra two weeks for complications or a cesarean, and 4 weeks of leave if they are the parenting partner.

AB 2289 was approved by the Governor on September 30, 2018.

#### **8. Assembly Bill 2314 (Ting and Gonzalez Fletcher) – Domestic Enforcement Pilot Program**

AB 2314 will create the Domestic Work Enforcement Pilot Program at the Division of Labor Standards Enforcement. The Pilot Program would increase awareness and enforcement of existing laws while promoting higher standards in the domestic work industry. AB 2314 will help protect domestic workers against retaliation by unfair employers. Additionally, the Pilot Program would improve the economic security of domestic workers and their families by protecting basic worker rights and increasing the likelihood that workers receive fair wages.

AB 2314 was vetoed by the Governor on September 22, 2018.

#### **9. Assembly Bill 2337 (Gipson) – Extended Foster Care**

AB 2337 will remove administrative barriers to ensure that foster youth in need of transitional services are able to access the extended foster care program. In 2012, the extended foster care program gave foster youth the ability to remain in foster care until they turned 21. Many foster youth rely on this program to provide support and services from

the ages of 18 to 21. However, unintended administrative hurdles are preventing certain foster youth from being able to access these services.

AB 2337 will address these barriers by allowing a non-minor who has been found in need of temporary foster care and was in that placement on their 18th birthday to be eligible to be formally “declared” a foster youth after turning 18. This bill also allows a foster youth to appeal a juvenile court’s dismissal of their dependency petition after their 18th birthday. In addition, AB 2337 ensures foster youth are not delayed in exercising their existing right to re-enter foster care in the event their guardian or adoptive parent ceases to provide support and allows foster youth to petition the court for re-entry in cases where the Adoption Assistance Payment (AAP) or Kinship Guardianship Assistance (Kin-GAP funding) has not yet been terminated by the county.

AB 2337 was approved by the Governor on September 19, 2018.

#### **10. Assembly Bill 2354 (Rubio)**

AB 2354 will require court reporters be provided in child custody and domestic violence proceedings without charge to the parties. In response to the recession and budget crisis, many state courts eliminated court reporters in family law proceedings. Thus, parties who wish to have an official record of the proceedings must hire and pay the substantial cost of providing their own private court reporter. Family law litigants are overwhelmingly unrepresented at the trial level, particularly in domestic violence cases. Even if their litigants are aware that they could provide a court reporter for their case, many are unlikely to be able to afford one.

Access to a verbatim transcript is critically important, as it enables litigants to craft accurate post-hearing orders that law enforcement may be called upon to enforce. A record is equally important when a case is appealed because in many cases it will be denied without a reporter’s transcript. AB 2354 addresses the devastating effect that the absence of a verbatim record may have in custody and family violence cases impacting the most vulnerable litigants who frequently are experiencing some of the most traumatic moments in their life.

AB 2354 was introduced on February 13, 2018, and was held under submission on August 16, 2018.

#### **11. Assembly Bill 2366 (Bonta)**

AB 2366 provides greater workplace protections to survivors of sexual harassment, sexual assault and domestic violence. This bill would also expand to include victims’ families by allowing family members to take time off from work to support the family member who has been victimized. AB 2366 would make safety accommodations and job-protected leave available to victims of harassment and would remove the requirement of seeing a medical professional before securing workplace changes. By simplifying the path to a safer workplace, AB 2366 enables more women to keep their jobs and source of income throughout these difficult circumstances.

Another situation addressed by this bill is that at present family members of victims have no protection against retaliation or discrimination by employers and there is no legal guarantee that these individuals will have a job to return to if they take time off to keep a victim family member safe. AB 2366 recognizes the crucial role of families as a victim’s support system and acknowledges that such hardships affect the entire family, not just the individual victim.

AB 2366 was introduced on February 14, 2018, and was held under submission on May 25, 2018.

#### **12. Assembly Bill 2413 (Chiu) – The Right to a Safe Home Act**

AB 2413 will allow every Californian to call for help without fear of eviction. Current law provides protections for survivors of domestic violence, sexual assault, stalking, human trafficking, and elder and dependent adult abuse from nuisance ordinance related evictions. However, the protections are only implemented when survivors produce a restraining order or police report. Further, current protections omit survivors of other trauma-related events and individuals who are seeking emergency assistance.

AB 2413 expands the list of protected tenants to include victims of crime and individuals experiencing an emergency. The bill offers survivors the option to provide documentation from a trusted and qualified third party, such as a counselor, caseworker, or doctor, rather than only a police report or order of protection.

AB 2413 was approved by the Governor on August 24, 2018.

### **13. Assembly Bill 2500 (Kalra) – The Safe Consumer Lending Act**

AB 2500 provides strong protections for consumer loans. Many families across California are living paycheck to paycheck. Stagnant wages, high cost housing, childcare costs, and other financial strains are contributing to this problem. Unfortunately, some lenders see this despair as an opportunity to trap borrowers into high cost loans, with exorbitant interest rates that far too often lead them into financial ruin. This type of abuse leads to damaged credit, repossession of car, closure of bank accounts, law suits, wage garnishment, and even bankruptcy. These lenders deliberately target Latino and African American borrowers by setting up stores in minority and low-income neighborhoods around California.

AB 2500 will extend California's current interest rate cap for consumer loans from \$2,500 to \$10,000. Under this law, a \$10,000 loan with a 12 month repayment plan would carry a maximum interest rate of 20%. Putting a limit on APRs would level the playing field for lenders that are providing access to safe and affordable loans.

AB 2500 was introduced on February 14, 2018, and failed to pass through the Assembly on May 31, 2018.

### **14. Assembly Bill 2601 (Weber) – Sexual Health Education in Charter Schools**

AB 2601 will make the California Healthy Youth Act (CHYA) applicable to charter schools across the state. The bill will ensure that the guidelines for sexual health education in public schools established by CHYA also apply in charter schools while maintaining significant flexibility for charter schools to decide what curriculum they adopt and which grades to provide instruction for.

Research shows that sexual health education addressing issues of gender and power leads to better youth health outcomes. More than half of California students are sexually active in the 12th grade, California's growing STI rates are highest in young people ages 15-24, and nearly 12% and 10% of California high school students experience sexual dating violence and physical dating violence, respectively. A recent study found that between 2015 (when CHYA was enacted) and 2017, the percentage of sexually active California students who used birth control increased, and the percentage of students who engaged in sexual activity with multiple partners decreased. AB 2601 will ensure the positive effects of CHYA will extend to students attending charter schools in California.

AB 2601 was approved by the Governor on September 19, 2018.

### **15. Assembly Bill 2841 (Gonzalez Fletcher) – 5 Paid Sick Days**

AB 2841 reduces the impact that unexpected illnesses have on California's working families. It requires employers to allow employees to use five or more paid sick days without wage loss or retaliation. Research shows that common illnesses like the flu require at least one week to recover, which prevents many workers from being compensated for the time needed to stay home from work to get better. When employees do not have enough paid sick days, they are forced to choose between going to work sick or staying home without pay. This bill would ease the burden on workers who depend on every single day's work and the income that it brings.

AB 2841 will increase economic security for workers and families, improve productivity among employees, and reduce contagious contact in the workplace.

AB 273 was introduced on February 16, 2018, and was held under submission on May 25, 2018.

**16. Assembly Bill 3080 (Gonzales Fletcher)**

AB 3080 ensures workers are not forced to waive their right to make harassment, discrimination or labor claims against their employer as a condition of their employment. Currently, an employer may, as a condition of employment, force a prospective employee to waive their right to make a claim to a court or state agency and instead force them to submit any such claims to an arbitrator. Forced arbitration of workplace sexual harassment, discrimination and labor violation claims enables abuse and allows serial violators to go undetected. A recent study found that the share of workers subject to mandatory arbitration has doubled since 2000 and now exceeds 55%.

AB 3080 would bar employers from requiring an employee to waive their right to make certain claims including sexual assault, harassment, discrimination and pay equity, before a court or state agency. AB 3030 also prohibits employers from threatening, retaliating, discriminating against or terminating workers because they refuse to consent to such a waiver.

AB 3080 was vetoed by the Governor on September 30, 2018.

**17. Assembly Bill 3081 (Gonzalez Fletcher and Bonta)**

AB 3081 will ensure that all workers have sufficient protection and resources to prevent and address sexual harassment in the workplace. Women make up three-quarters of the low wage work force, and workers in low-wage jobs are especially vulnerable to harassment. Many of these workers are more susceptible to abuse due to their immigration status, isolated working conditions, financial hardship, and lack of education about their rights. Sixty percent of workers who experience sexual harassment in the workplace do not report it. Often, this is because workers are afraid they will be retaliated against and potentially lose their job and ability to provide for their family if they report the harassment.

AB 3081 addresses these issues by establishing a rebuttable presumption of unlawful retaliation if an employer discriminates or retaliates against an employee in any way within 90 days after a sexual harassment complaint is filed. It also requires employers to provide sexual harassment training to their employees, notify employees on a regular basis of their rights related to sexual harassment, and establish a means for reporting sexual harassment anonymously.

AB 3081 was vetoed by the Governor on September 30, 2018.

**18. Senate Bill 224 (Jackson) – Personal Rights: Sexual Harassment**

SB 224 will address the unique relationship between investors and entrepreneurs by clarifying these relationships within the provisions of the Unruh Civil Rights Act. Currently, the Unruh Civil Rights Act establishes liability for sexual harassment when the aggrieved party proves, among other things, that a business, service, or professional relationship exists between the parties, that the offending party has made sexual advances, solicitations, sexual requests, demands for sexual compliance, or engaged in other verbal, visual, or physical conduct of a sexual nature or of a hostile nature based on gender, that these actions were unwelcome and pervasive or severe, and that the aggrieved party is not able to easily terminate the relationship and has suffered or will suffer economic loss or disadvantage or personal injury as a result of the inappropriate conduct. This statutory language has let many women particularly vulnerable to predatory behavior of investors and others possessing a substantial influence over their livelihoods.

SB 224 seeks to amend the Unruh Civil Rights Act to add investors, elected officials, lobbyists, directors and producers to the list of examples of relationships that are covered by the Act. This bill will provide more expansive protection for all women. For these reasons, the California Women's Law Center is pleased to support Senate Bill 224.

SB 224 was approved by the Governor on September 30, 2018.

**19. Senate Bill 320 (Leyva) – College Student Right to Access Act**

SB 320 will secure students' access to reproductive health services at public universities by providing medication abortion at student health centers. Currently, none of the student health centers at California's public universities provide medication abortion services, despite how clinically simple the service is to offer. Therefore, students must go off campus to access abortion care—often facing significant logistical and financial barriers. Access to complete reproductive care is critical for first-generation, low-income, and parenting students, and those struggling with debt and rising tuition. For these students, paying out-of-pocket at a clinic, securing reliable transportation, missing school and work are substantial obstacles.

SB 320 will address these barriers by requiring on-campus health centers at public universities to stock FDA-approved medications for medication abortion.

SB 320 was vetoed by the Governor on September 30, 2018.

#### **20. Senate Bill 926 (Skinner)**

SB 926 will ensure that low-income workers who leave their job because of a violation of their workplace rights are not subject to "voluntary quit" rules in the CalFresh or CalWORKS program. Remedies for workplace violations can be difficult for low-income workers to access due to legal, financial, and language barriers. Meanwhile, current state law allows a county to deny a person from receiving CalFresh or CalWORKs aid for three months if they voluntarily leave employment. There is no specific exemption from this rule if a worker left their job because their rights were violated.

SB 926 will require counties to exempt people from the "voluntary quit" limitation on aid if they left their job due to workers' rights violations. This bill would also require counties provide information to low-income workers about how to file a complaint for workplace violations.

SB 926 was vetoed by the Governor on September 29, 2018.

#### **21. Senate Bill 937 (Wiener)**

SB 937 will create a more equitable workplace for women in California by requiring employers to support lactating mothers. Breastfeeding is recommended by every major health care organization and produces long and short-term health benefits for infants and families. Mothers are the fastest growing segment of the United States workforce, yet only 52% of mothers have workplace lactation support. Women with adequate break time and private space are more than two times as likely to be breastfeeding exclusively at six months, as recommended by the American Academy of Pediatrics.

Existing law requires employers to provide a reasonable amount of break time to employees to express milk and requires employers to provide a room or other location other than a bathroom stall. However, lower income women and women of color still face severe disparities in lactation support. SB 937 establishes minimum standards for lactation accommodation spaces, requires newly constructed or renovated buildings to include lactation spaces and requires that the Department of Labor Standards Enforcement provide a set of lactation accommodation best practices in a model policy for employers. SB 937 eases the transition of mothers who return to work and supports mothers by educating employees on their right to a lactation space.

SB 937 was vetoed by the Governor on September 30, 2018.

#### **22. Senate Bill 945 (Atkins)**

SB 945 ensures that low-income women in California with breast or cervical cancer receive the medical treatment they need by repealing arbitrary treatment caps in the Breast and Cervical Cancer Treatment Program (BCCTP). The BCCTP provides necessary cancer treatment to low-income, uninsured or underinsured individuals diagnosed with breast or cervical cancer. Currently, the state funded BCCTP is not aligned with the federally-funded BCCTP, causing gaps in treatment for women that are treated through the state-funded program. Under the state BCCTP, treatment coverage is limited to 18 months for breast cancer and 24 months for cervical cancer. Approximately one in every eight women will

have breast cancer during their lifetime. SB 945 allows women to receive the necessary treatment regardless of their income level.

SB 945 was introduced on January 29, 2018, passed in the Senate and died in the Assembly.

**23. Senate Bill 982 (Mitchell)**

SB 982 will address child poverty in the CalWORKs program by increasing CalWORKs grants. CalWORKs grants are too low to support the healthy growth and development of California's poorest children. The current average CalWORKs grant is \$556 for a family of three, 33% of the Federal Poverty Line. The CalWORKs program serves 1.1 million individuals in California, 80% of whom are children. When children live in deep poverty, they endure hardships that impair their ability to thrive. The poverty they experience also impacts their capacity to learn and develop throughout their life.

SB 982 endeavors to help address deep poverty in the CalWORKs program. By doing so, it will protect children from the worst harms of chronically unmet basic needs and better enable the CalWORKs program to achieve its goals.

SB 982 was introduced on February 1, 2018, passed in the Senate and died in the Assembly.

**24. Senate Bill 990 (Wiener)**

SB 990 ensures the dignity, identity and gender of LGBTQ people are honored in incarceration. SB 990 will allow LGBTQ people and others at high risk of sexual assault and harassment the equal opportunity to access rehabilitative, educational and work programs that will help them succeed upon release. Due to circumstances outside of their control, LGBTQ people in custody are typically at much greater risk for sexual victimization and other forms of assault or harassment. Because of this, prison and jail staff often remove LGBTQ people from the general population and house them separately with limited or no access to rehabilitative programming, educational programming, religious programming and work opportunities that are critical for successful rehabilitation and earning credits towards release

SB 990 will allow incarcerated individuals housed outside of the general population for more than five days to receive the same programming opportunities as individuals housed in the general population. It will also allow anyone to designate their gender identity, preferred first name, gender pronoun, and honorific during the intake process and requires all staff and contractors to honor those preferences in written and verbal communication with the incarcerated person.

SB 990 was introduced on February 5, 2018, passed in the Senate and died in the Assembly.

**25. Senate Bill 1023 (Hernandez)**

SB 1023 will expand access to sexual and reproductive health services including contraception and STD testing, prevention and treatment, by ensuring coverage for those services via telehealth. California's unintended pregnancy rates remain nearly double those of other developed countries. Even though California has made significant gains in reducing these rates, many barriers to accessing reproductive health care remain. Unintended pregnancies are costly to both the state and federal governments. The most effective way to prevent unintended pregnancies is the use of hormonal contraceptives. SB 1023 focuses on technology known as telehealth that helps eliminate geographic barriers and will improve access to health care in rural and low-income communities.

SB 1023 was introduced on February 7, 2018. SB 1023 was ordered to the inactive file on August 31, 2018.

**26. Senate Bill 1038 (Leyva) – Protect Victims from Retaliation Act**

SB 1038 clarifies that individual employees can be held personally liable for retaliating against another employee for exercising his or her legal rights against discrimination and harassment under state law. Under current law, individual employees may be held personally liable for harassment under the Fair Employment and Housing Act (FEHA). However, the California Supreme Court's decision in *Jones v. The Lodge at Torrey Pines Partnership* (2008) 42 Cal.4th 1158 rendered the issue of whether individual employees may be held personally liable for retaliation in the workplace unclear. Despite the fact that the FEHA explicitly makes it unlawful for any "person" to retaliate against another person

for complaining about discrimination, the Court in Jones held that “person” here specifically means a person acting as an agent of the employer, and thus only the employer could be held liable, and not the individual employee.

By statutorily clarifying that individual workers can be held personally liable for retaliating against another employee in the workplace, SB 1038 will protect current and future victims of harassment.

SB 1038 was introduced on February 8, 2018. SB 1038 was ordered to the inactive file on August 27, 2018.

**27. Senate Bill 1123 (Jackson)**

SB 1123 will expand California’s Paid Family Leave Program to allow partial wage replacement for critical needs arising as a result of a spouse, domestic partner, parent or child’s deployment overseas as a member of the Armed Forces. Recognizing the significant needs of military families during the stressful time leading up to, during and following a family member’s deployment, in 2010 the federal Family Medical Leave Act (FMLA) was expanded to allow up to 12 weeks of unpaid, job protected leave following a family member’s deployment.

Known as “qualifying exigency leave,” federal law allows family members time off to arrange for alternative childcare for a military member’s child, update financial and legal arrangements, attend briefings or military events, and address issues that arise as the result of short-notice deployment or the death of a family member. However, while the leave provided by the FMLA is job-protected, it is unpaid. SB 1123 would allow 6 weeks of partial wage replacement for this leave under California’s Paid Family Leave Program, providing critical financial support during this difficult time.

SB 1123 was approved by the Governor on September 27, 2018.

**28. Senate Bill 1284 (Jackson)**

SB 1284 helps close the gender and race-based wage gaps in California by requiring large employers to submit an annual pay data report to the Department of Industrial Relations outlining data regarding employee compensation and hours worked by gender, race, ethnicity and job category. SB 1284 will ensure that, despite setbacks at the federal level, this important pay data will continue to be compiled and aggregated in California. Requiring employers to conduct internal pay audits allows them to identify and self-correct wage gaps of which they were previously unaware.

SB 1284 was introduced on February 16, 2018, and was held in committee and under submission on August 16, 2018.

**29. Senate Bill 1292 (Hueso)**

SB 1292 will declare the intent of the Legislature to enact legislation requiring the State Department of Public Health conduct a study to examine the impact of Alzheimer’s disease on minorities and women. Current law requires the State Department of Public Health to provide public and professional education on Alzheimer’s disease to educate consumers, caregivers, and health care providers, and to increase public awareness. SB 1292 requires the Department’s Office of Health Equity (OHE) to conduct a study to determine the burden and economic cost of Alzheimer’s disease in California on African Americans, Latinos, and women, and to submit a report to the Legislature, by January 1, 2020, summarizing the study’s findings.

Over the next 20 years, the number of Californians living with Alzheimer’s disease will double. Alzheimer’s is often underreported and diagnosed at a later stage in the disease among people of color. About 1.1 million Californians currently provide unpaid care for a person with Alzheimer’s disease or dementia. This number is also expected to double, and women account for 75 percent of all caretakers.

SB 1292 was approved by the Governor on September 23, 2018.

**30. Senate Bill 1300 (Jackson) – FEHA Harassment and Discrimination**

SB 1300 will help combat harassment and discrimination in the workplace by closing legal loopholes and strengthening protections under the Fair Employment and Housing Act (FEHA). SB 1300 will provide guidance on the application of the “severe or pervasive” standard for sexual harassment claims, to ensure that the standard is consistent and fair. The bill



also makes clear that employers must take the steps necessary to prevent the harassment from occurring in the first place. It also clarifies that if the employer knew or should have known that the conduct was unwelcome to the plaintiff, the employer must take all reasonable steps to prevent the same or similar conduct from occurring again.

SB 1300 will make it an unlawful employment practice for an employer to require an employee to sign a release of a claim or right under FEHA in exchange for a raise or bonus, or as a condition of employment or continued employment. The bill will prohibit an employer from requiring an employee to sign a non-disparagement agreement or other document that purports to deny the employee the right to disclose information about unlawful acts in the workplace. SB 1300 will also require that all employers covered under FEHA provide sexual harassment training to all employees, not just supervisory employees. The training must include practical guidance on how bystanders can recognize potentially problematic behaviors and take action.

SB 1300 was approved by the Governor on September 30, 2018.