

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

2013 LEGISLATIVE SUMMARY

The following bills, affecting or related to California's civil rights statutes, were signed and chaptered into law by Governor Edmund G. Brown, Jr., in 2013. Unless otherwise noted, the measures became effective January 1, 2014. They are organized by subject matter.

EMPLOYMENT

Military and Veteran Status

AB 556 expands the Fair Employment and Housing Act's workplace protections by adding military and veteran status to the bases upon which employment discrimination is prohibited in California. The bill is intended to close loopholes in existing federal and state employment law protections for veterans and members of the military.

Bill Number: AB 556 (Salas) (Stats. 2013, ch. 691.)

Code Sections Amended: Government Code sections 12920, 12921, 12926, and 12940.

Code Section Added: None.

Sexual Harassment

The Fair Employment and Housing Act prohibits workplace discrimination and harassment, including harassment on the basis of sex. SB 292 amended the Act to clarify that sexual desire is not required to prove a sexual harassment hostile work environment claim under the Act. The bill was introduced to eliminate a split in court authority, which created confusion about the elements a plaintiff must prove to prevail on a claim of same-sex harassment under the Act.

Bill Number: SB 292 (Corbett) (Stats. 2013, ch. 88.)

Code Section Amended: Government Code section 12940.

Code Section Added: None.

RELATED STATE STATUTES

Residential Tenancy: Victims of Human Trafficking

SB 612 expands existing tenant protections to: (1) allow a tenant who is a victim of human trafficking to terminate his or her lease or rental agreement early; (2) add a standard form document from a "qualified third party," such as a "health practitioner," as defined, or a counselor or caseworker, to the documents a tenant may use to substantiate the need for early termination of a tenancy because of domestic violence, sexual assault, stalking, elder or dependent adult abuse, or human trafficking; (3) prohibit a landlord from disclosing to a third party any substantiating information a

tenant provides, unless disclosure is consented to in writing or is required by law or a court order; and (4) include victims of human trafficking among those eligible to use documentation of victimhood as an affirmative defense to an unlawful detainer action. The bill is intended to help victims of human trafficking escape abuse by allowing them to terminate a lease agreement early without liability.

Bill Number: SB 612 (Leno) (Stats. 2013, ch. 130.)

Code Section Amended: Code of Civil Procedure section 1161.3.

Code Section Amended, Repealed & Added: Civil Code section 1946.7.