

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

2015 LEGISLATIVE SUMMARY

The following bills were signed and chaptered into law by Governor Edmund G. Brown, Jr., in 2015 and become effective January 1, 2016.

EMPLOYMENT

Requests for Reasonable Accommodation Based on Religion or Disability

AB 987 amended the Fair Employment and Housing Act to prohibit an employer from retaliating or otherwise discriminating against an employee who makes a request for a reasonable accommodation based on (1) religious belief or observance or (2) physical or mental disability. The bill was introduced in response to *Rope v. Auto-Chlor Sys. of Washington, Inc.* (2013) 220 Cal.App.4th 635, wherein a California Court of Appeal held that requests for accommodation, absent more, do not constitute protected activity sufficient to invoke the Fair Employment and Housing Act's protections against retaliation. While AB 987 does not amend the Act's definition of protected activity in Government Code section 12940(h), it does expressly prohibit retaliating against employees who make requests for reasonable accommodation pursuant to the Act.

Bill Number: AB 987 (Levine) (Stats. 2015, ch. 122.)

Code Section Amended: Government Code section 12940.

Code Section Added: None.

Public Accommodations

Discrimination Based on Citizenship, Language, or Immigration Status

SB 600 amended the Unruh Civil Rights Act to add citizenship, primary language, and immigration status as protected bases. It does not apply to discrimination based on verified immigration status when that verification is required by federal law and does not require the provision of services or documents in a language other than English beyond what is otherwise required by law. This bill was introduced to clarify existing law.

Bill Number: SB 600 (Pan) (Stats. 2015, ch. 282.)

Code Sections Amended: Civil Code section 51.

Code Section Added: None.