



DFEH



News

THIS JUST IN

The 2020 Pay Data results are in. DFEH collects annual data from private employers with 100 or more employees on the pay, hours worked, job category, race/ethnicity, and sex of their California employees. The 2020 findings reflect data on 6.3 million reported people workers from approximately 14 thousand California establishments. Our webpage includes visualizations and data tables of statewide, regional, and industry-level results.



HOT OFF THE PRESS

Emotional Support Animals and Fair Housing Law **FAQ**

The Department of Fair Employment and Housing (DFEH) is California's civil rights agency. Among the laws enforced by DFEH are the Fair Employment and Housing Act and its implementing regulations.¹

These laws protect tenants and residents from discrimination on the basis of disability, as well as require landlords, property management companies, homeowner associations, and other housing providers to reasonably accommodate people with disabilities so that they may use and enjoy a housing opportunity. When a housing provider disallows pets or limits the kind, size, or number of pets that someone can have, California law generally requires the housing provider to provide a reasonable accommodation to a person with a disability in order to allow them to live with an emotional support animal (ESA) that assists that person in managing their disability.

To assist housing providers, tenants, residents, and others understand and comply with California law, DFEH is providing answers to frequently asked questions about ESAs.

- 1 | Is an ESA a pet?**
No. An ESA is an animal that provides emotional, cognitive, or other similar support to a person with a disability to assist them in managing the symptoms of their disability. ESAs are also referred to as comfort animals or support animals.²
- 2 | Is an ESA a service animal?**
No. An ESA is different from a service animal. A service animal refers to an animal trained to perform specific tasks to assist an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. For example, guide dogs are service animals that assist people who are blind or have low vision with navigation, and signal dogs are service animals that alert individuals who are deaf or hard-of-hearing to sounds. An ESA is not a service animal because the ESA is not specifically trained to assist a person with a disability.³ For the rules applicable to service animals, which are not covered by these FAQs, review California Code of Regulations, title 2, section 12185.

1. Gov. Code § 12900 et seq.; Cal Code Regs., tit. 2, § 11000 et seq.
2. Cal. Code Regs., tit. 2, § 12005(f).
3. Cal. Code Regs., tit. 2, § 12005(g).

DFEH#12PENG / April 2022

Small Employer Family Leave Mediation Program **FAQ**

The Department of Fair Employment and Housing (DFEH) is California's civil rights agency. Among the laws enforced by DFEH is the Fair Employment and Housing Act, which protects employees and job applicants from discrimination and harassment based on a protected characteristic. The Fair Employment and Housing Act guarantees eligible employees a certain amount of job-protected leave when the employee needs to care for their own serious health condition or a family member's serious health condition, or to bond with a new child.¹ These leave provisions, which apply to California employers with 5 or more employees, are known as the California Family Rights Act (CFRA).

Through DFEH's "small employer family leave mediation program," small employers (of between 5 and 19 employees) and their employees have the right to mediate with DFEH – free of charge – a dispute involving CFRA leave before the employee may go to court. For more information about this mediation program, please review the following frequently asked questions (FAQs).

- 1 | What is the small employer family leave mediation program?**
California laws passed in 2020 and 2021 created a new, small employer mediation program at DFEH.² The program gives small employers (of 5 to 19 employees) and their current or former employees (collectively, "employees" in this document) the right to mediate certain disputes before the employee can file a court case. Specifically, employers and employees covered by the program are able to – at no cost to the parties – mediate disputes about the employee's right to medical or family care leave under the California Family Rights Act (CFRA). Unless it is extended, the program will end on January 1, 2024. The last page of this document includes a flowchart of the small employer family leave mediation program process, which is also described below.
- 2 | What is mediation? Are DFEH mediations free?**
Mediation is a confidential process facilitated by a neutral third party to help parties in dispute resolve conflict. DFEH employs a staff of experienced neutrals, whose exclusive role at the department is to mediate complaints. DFEH provides free, voluntary mediation services for discrimination complaints submitted to DFEH for investigation by the department. In addition, as part of the small employer family leave mediation program, DFEH's free mediation services are available for those disputes covered by this program, even though DFEH is not investigating the complaint. Engaging in mediation does not guarantee or require that a dispute will be settled.

1. Gov. Code § 12900 et seq.
2. Gov. Code § 12945.2
3. Gov. Code § 12945.3

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Emotional Support Animals and Fair Housing Law FAQ

Small Employer Family Leave Mediation Pilot Program FAQ

NOTE: Additional languages are available on our [Posters, Guides and Fact Sheets](#) webpage

	MAY 5 2022	Southern California Employment Round Table: Essential Update From California Department of Fair Employment and Housing
	MAY 12 2022	Department of Fair Employment and Housing and U.S. Equal Employment Opportunity Commission: Pregnancy and Your Job
	MAY 17 2022	California Association of REALTORS: Fair Housing Day
	MAY 19 2022	CA State Council on Developmental Disabilities: Fair Housing Rights for Californians with Disabilities, Part I
	MAY 26 2022	CA State Council on Developmental Disabilities: Fair Housing Rights for Californians with Disabilities, Part II
	JUN 23 2022	Resources for Independence Central Valley (RICV): California Fair Employment and Housing Act Event

NOTE: outreach event information is hyperlinked when available

CASE FILINGS, SETTLEMENTS, & NEWS



DFEH Launches Portal For State Bar Disciplinary Charge Notices

April 27, 2022

View Press Release

