



FAQs

California Civil Rights Department (formerly Dept. of Fair Employment & Housing) v. California Department of Corrections and Rehabilitation

Case No. **20STCV46485** (Los Angeles County Superior Court)

1. What is the California Civil Rights Department (“CRD”)?

CRD, formerly known as the California Department of Fair Employment and Housing (“DFEH”), is a California state agency tasked with investigating and prosecuting a range of civil rights actions. The types of claims that CRD may pursue on behalf of aggrieved workers include employment discrimination and retaliation claims.

2. Who is the Defendant?

The California Department of Corrections and Rehabilitation (“CDCR”) is the penal law enforcement agency of the government of California responsible for the operation of the California state prison and parole systems.

3. When did CRD file its lawsuit against CDCR?

CRD filed its lawsuit against CDCR in Los Angeles Superior Court on December 4, 2020.

4. What is the litigation about?

CRD’s lawsuit challenges a CDCR policy that was in effect from approximately June 2015 until June 2020. CRD alleges that the policy, and CDCR’s application of the policy, did not satisfy CDCR’s obligations to make reasonable accommodations to pregnant employees during their pregnancies.

5. What relief is CRD trying to obtain through its litigation against CDCR?

CRD seeks money for CDCR employees who requested and were denied reasonable accommodations for pregnancy-related conditions. CRD also seeks affirmative relief to ensure that pregnant workers’ rights are protected going forward.

6. Am I included in the lawsuit’s claims?

CRD seeks money for all CDCR employees who requested and were denied a reasonable accommodation request for any pregnancy-related condition between June 15, 2015, to present. However, the court has not determined the time frame for CRD’s lawsuit yet. More broadly, the affirmative relief that CRD seeks, such as changes to pregnancy accommodation practices, would benefit all employees, current and future, who may experience pregnancy and require pregnancy-related accommodation while working for CDCR.

7. Are there other lawsuits against CDCR based on its policies and practices for accommodating pregnant workers?

Yes. CRD is aware of two additional lawsuits that may affect workers who experienced pregnancy during their employment at CDCR. Those cases are:

CARREON v. CDCR: Los Angeles Superior Court Case No. 19STCV09935

BAGUBE v. CDCR: Los Angeles Superior Court Case No. 20STCV10154

8. Who is included in the Carreon/Bagube lawsuit?

On March 26, 2024, counsel for the plaintiffs in the *Carreon/Bagube* cases filed a motion for preliminary approval of a proposed classwide settlement. The proposed settlement would settle and release the claims of all current and former CDCR employees, in any job classification at CDCR, who were pregnant one or more times, between June 15, 2015, and May 31, 2020.

Before the *Carreon/Bagube* settlement is final, the trial court must first decide whether to grant preliminary approval. If the court grants preliminary approval, then the workers who may be covered by the settlement will receive notice and have a set period of time in which to choose to exclude themselves from (“opt out of”) the settlement or object to the settlement. Then, the court will hold a final approval hearing.

9. What is the difference between CRD’s case against CDCR and *Carreon/Bagube*?

There are several differences between CRD’s litigation and the private *Carreon/Bagube* actions.

CRD brings its lawsuit in its own name, seeking relief in the public interest for impacted workers who requested and were denied an accommodation for a pregnancy-related condition. The *Carreon/Bagube* matters were brought by several private plaintiffs who seek to represent the interests of all CDCR workers who experienced pregnancy during a set time period.

CRD’s action and the *Carreon/Bagube* matters challenge the same policy. However CRD’s lawsuit seeks relief for a more narrowly defined group of people. CRD seeks monetary relief for all current and former CDCR employees, regardless of job classification, who requested and were denied a reasonable accommodation for a pregnancy-related condition between June 15, 2015 to present. The proposed settlement in the *Carreon/Bagube* matters would cover all CDCR workers who experienced a pregnancy between June 15, 2015 and May 31, 2020, regardless of whether they requested, or were granted or denied, an accommodation.

CRD’s action also seeks affirmative relief to prevent future violations, like policy modifications and training. The proposed settlement in *Carreon/Bagube* does not provide for affirmative relief.

CRD has not settled its lawsuit against CDCR. There is a temporary pause of the lawsuit by the court (called a stay of proceedings) until the preliminary approval hearing in the *Carreon/Bagube* cases which is scheduled for October 21, 2024.

CRD cannot provide legal advice. If you have questions about how your rights and interests may be addressed in the different legal actions, please consult an attorney.

10. Whom can I contact to provide information or ask questions about CRD’s lawsuit?

You can call CRD at 1-800-725-9082 or email PregnancyCase@calcivilrights.ca.gov.

If you were denied accommodation for pregnancy-related condition between January 2015 to present you may be an aggrieved employee within the group for which CRD is seeking monetary relief.

If you were denied accommodation for pregnancy-related condition, you may also be able to file a complaint with CRD. You can view the steps to file a complaint [here](#).