



## CALIFORNIA CIVIL RIGHTS DEPARTMENT 2025 LEGISLATIVE UPDATE

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In 2025, the following bills were passed by the California Legislature, signed by Governor Gavin Newsom, and chaptered into law. Each becomes effective on January 1, 2026, unless stated otherwise. The appendix provides additional information about these bills.

## **Statutes Enforced or Implemented by the Civil Rights Department (CRD)**

### **EMPLOYMENT**

#### **Technical Amendments to Protections for Victims of Violence (AB 406)**

AB 406 makes technical amendments related to AB 2499 (Schiavo, Chapter 967, Statutes of 2024). AB 2499 moved and expanded employment leave and reasonable accommodation protections for victims of violence from the Labor Code to the Fair Employment and Housing Act (FEHA), thus moving enforcement authority for these protections from the Division of Labor Standards Enforcement (DLSE) within the Department of Industrial Relations to the Civil Rights Department (CRD). To implement the bill, new Government Code section 12945.8, which transitions these protections to FEHA, became effective on January 1, 2025. On the same date, Labor Code sections 230 and 230.1, which previously included these protections, were repealed. This repeal left unclear which department had the authority to enforce claims that had accrued before AB 2499 became operative but that had not been filed or fully investigated before the Labor Code sections including these protections were repealed. AB 406 reinstates Labor Code sections 230 and 230.1 for the limited purpose of enabling DLSE to investigate and enforce such claims. This clarification became effective as of October 1, 2025.

AB 406 also moves related employment leave protections for victims of specified crimes and their family members from the Labor Code sections 230.2 and 230.5 to FEHA. Commencing January 1, 2026, Government Code section 12945.8 entitles employees who are victims of specified crimes and their family members to job-protected leave to attend judicial proceedings related to the crime, including a delinquency proceeding, post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding in which a right of the victim is at issue. AB 406 authorizes CRD to enforce these protections.

In addition, AB 406 expands Labor Code section 246.5, the paid sick leave statute, to include leave taken under these protections. This expansion also becomes effective on January 1, 2026.

#### **California Workplace Outreach Program (SB 578)**

Senate Bill 578 codifies the California Workplace Outreach Program (CWOP) within the Labor Code. Since 2021, the Department of Industrial Relations (DIR) has implemented CWOP, which educates low-wage workers of their rights through community partnerships. SB 578 requires DIR to continue to implement this program. Specifically, SB 578 requires DIR to award grants to qualified organizations to, through worker outreach and education, promote awareness of and compliance with workplace protections. SB 578 requires DIR to consult with the Civil Rights Department (CRD) on outreach and education materials that address laws within CRD's jurisdiction. SB 578 states that this addition to the Labor Code will be repealed on January 1, 2031.

#### **Personal Bias in Bias Mitigation Trainings (SB 303)**

Senate Bill 303 states that an employee's personal bias, when assessed, admitted or acknowledged in good faith and required for bias mitigation training, does not by itself constitute unlawful discrimination under the Fair Employment and Housing Act (FEHA). SB 303 defines "bias mitigation training" as training provided to help employees understand, recognize and address the effects of conscious and unconscious

biases. The training aims to mitigate the impact of such biases through specific strategies such as testing and assessments, workshops, and toolkits.

### **Equal Pay Act Reforms (SB 642)**

Senate Bill 642 amends the California Equal Pay Act to provide plaintiffs with a three-year statute of limitations to file a civil action for “alleged unlawful compensation decision or practices.” It also provides for a six-year lookback period to recover backpay and other remedies. The bill further aligns the definition of “sex” with the Fair Employment and Housing Act (FEHA) clarifying that the definition of “sex” under the Equal Pay Act includes pregnant, breastfeeding, transgender and nonbinary individuals. SB 642 also requires employers, when providing “pay scale” information, to provide a good faith estimate of the salary or wage they expect to pay upon hire.

## **ENFORCEMENT PROCEDURES**

### **Technical Amendments to FEHA (group or class complaints, voluntary tolling, administrative complaints and civil actions, and venue) (SB 477)**

Senate Bill 477 clarifies: (1) that the term “group or class complaint” includes a complaint alleging a pattern or practice; (2) the deadlines for the Civil Rights Department (CRD) to file a civil action or issue a right-to-sue notice shall take into account voluntary tolling agreements with respondents, petitions to compel investigative discovery, and administrative appeals; (3) CRD may keep open individual administrative complaints related to a group/class or director’s complaint that CRD is prosecuting or investigating; and (4) the venue in which CRD may file a civil action for housing discrimination. SB 477 clarified that the venue provision for civil actions enforcing housing protections mirrors the venue provision for civil actions enforcing employment discrimination and other protections enforced by CRD: CRD may file a civil action in any county where the department has an office, where the alleged unlawful practices were committed, where records relevant to the alleged unlawful practices are maintained; where the defendant has a residence or principal office; or in any county in the state if the civil action includes class or group allegation.

## **COMMISSION ON THE STATE OF HATE**

### **Commission on the State of Hate Extended Through 2030 (AB 822)**

Assembly Bill 822 extends the Commission on the State of Hate’s sunset date to January 1, 2031. The Commission’s original sunset date was January 1, 2027.

## **PAY DATA REPORTING PROGRAM**

### **Changes to Job Categories, Penalties, and Record Collection and Storage (SB 464)**

Senate Bill 464 amends the California Pay Data Reporting Program administered by the Civil Rights Department (CRD). The Pay Data Reporting Program requires private employers with at least one hundred employees or workers hired through labor contractors to annually submit employee pay, demographic, and job category information to CRD. SB 464 (1) requires private employers and labor contractors to collect and store demographic data gathered pursuant to the Pay Data Reporting Program separately from employees’ personnel records; (2) requires a court to impose penalties, upon CRD’s

request, on a private employer who fails to file the required pay data report<sup>1</sup> with CRD; and (3) changes the job categories that private employers must use to group and report employees in a pay data report to more detailed and updated categories that facilitate comparison with federal data. As of January 1, 2027, the bill replaces the ten EEO-1 job categories currently specified in the statute with twenty-three job categories based on the “major groups” in the Standard Occupational Classification system. The Standard Occupational Classification system is used by all federal agencies that publish occupational data for statistical purposes.

## **REPARATIONS**

### **Bureau for Descendants of American Slavery (SB 518)**

Senate Bill 518 establishes, upon appropriation, the Bureau for Descendants of American Slavery (bureau) within the Civil Rights Department. The bureau is led by a deputy director and includes three divisions. An Outreach and Education Division will develop and implement a public education campaign regarding the history and impact of discriminatory housing policies and practices in California. The Legal Affairs Division will provide legal advice and services to the bureau, ensure that the bureau’s programs are administered according to legislative authority, and act as external liaison with other state agencies and departments regarding the bureau’s work.

The Genealogy Division will be implemented after the completion of California State University (CSU) research that is required by a separate bill, SB 437. Senate Bill 437 directs CSU to research and establish a process for conducting genealogical research and confirm whether applicants are a descendant, as defined.<sup>2</sup> Once the CSU completes this work, the bureau will establish the genealogy division, including procedures for applicants to request descendant certification.

The bureau will be required to maintain the privacy of personal and genetic information collected to determine lineage. SB 518 also allows the bureau to receive outside funds from federal, state, local, and private grants; donors and grantors will not be allowed to direct, control or influence the bureau’s programs, operations or policies.

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<sup>1</sup> The civil penalty shall be \$100 per employee for an initial failure to file the report, and \$200 per employee for subsequent failures to file.

<sup>2</sup> SB 518 defines “descendants” as those who can trace direct ancestry to a person who was enslaved in the U.S. before 1900 and experienced one of the following:

- (1) Was emancipated through legal or extralegal means, such as buying their own freedom, being freed by an owner, legislative action, military service, or judicial ruling.
- (2) Obtained freedom through gradual abolition statutes or constitutional amendments (including the Thirteenth Amendment)
- (3) Was classified as a fugitive from slavery under federal or state law.
- (4) Was deemed contraband by military authorities.
- (5) Served in the military or in civic roles while subject to legal restrictions based on ancestry historically associated with slavery.

## **DEMOGRAPHIC DATA COLLECTION**

### **Demographic Data on Middle Eastern and North African Groups (AB 91)**

Assembly Bill 91 requires a state or local agency that collects demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for major Middle Eastern or North African groups. The following three separate collection categories required by AB 91 are as follows: one collection category for a major Middle Eastern group, one for a Major North African group, and one for a transnational Middle Eastern or North African group. Beginning on January 1, 2029, state and local agencies must include the aggregate data they collect when publishing demographic data in reports or on websites.

### **Complaint Demographic Data (AB 935)**

Assembly Bill 935 requires the Superintendent of Public Instruction and the Civil Rights Department (CRD) to collect and publish information relating to complaints of prohibited discrimination. As relevant to CRD, the bill requires CRD to collect certain demographic information (to the extent it is reported by the complainant), the final action CRD takes in response to the complaint, and the timeline between the filing of the complaint and the final action taken by CRD. AB 935 also requires CRD, beginning on July 1, 2027, to create and publish on its website by no later than October 1 of each year, a summary report of the information it received in the previous year. The summary report must not contain personally identifying information, and the collection, publication, and transmission of all data under the bill is subject to all state and federal laws, including privacy laws.

## **Related Statutes Not Enforced or Implemented by CRD**

### **Worker Debt Contracts (AB 692)**

Assembly Bill 692 prohibits employers from requiring a worker to pay their employer a debt, fee, or other penalty if the worker's employment terminates, which are commonly referred to as Debt Training Repayment Agreement Provisions (TRAP) or "stay-or-pay" contracts. "Stay-or-pay" contracts may require workers to agree to repay the employer for job orientation and on-the-job training costs if the worker leaves the position before a specific time period has elapsed. AB 692 authorizes a worker who has been subject to a contract that violates AB 692 or a worker representative to bring a civil action on behalf of that worker and/or others similarly situated.

AB 692 includes multiple exceptions. Among other exceptions, it does not prohibit contracts related to enrollment in an apprenticeship program; contracts entered into under a loan repayment assistance program or forgiveness program provided by a government agency; contracts for the receipt of an unearned monetary payment at the start of employment if certain requirements are met; contracts related to the lease, financing or purchasing of residential property; and certain other types of contracts.

### **Workplace Know Your Rights Act (SB 294)**

Senate Bill 294 requires employers to annually provide notice to employees of their rights. The notice must include the right to worker's compensation benefits, right to notice of inspection by immigration agencies, protection against unfair immigration-related practices against a person exercising protected rights, right to organize a union, and constitutional rights when interacting with law enforcement at the workplace, including rights to be free from unreasonable searches and seizures and rights to due process.

and against self-incrimination. The notice must also include a description of new legal developments related to laws enforced by the Labor and Workforce Development Agency and a list of the enforcement agencies that may enforce the underlying rights in the notice. SB 294 requires the Labor Commissioner to annually develop and post online a template notice that employers can use to satisfy the notice requirement. SB 294 also requires employers to allow employees to designate an emergency contact that the employer must contact in the event that the employee is arrested or detained at the worksite. The Labor Commissioner, the Attorney General, a local public prosecutor, or employee may enforce SB 294.

#### **Paid Family Leave – Amended Definition of “Family” (SB 590)**

Senate Bill 590 creates a more inclusive definition of “family” in the Paid Family Leave program. Currently, benefits may be used by employees to bond with a child following birth, foster care placement, or adoption; to care for a seriously ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or domestic partner; or to attend to a qualified exigency related to the active duty of a spouse, domestic partner, child, or parent in the United States military. Beginning on January 1, 2028, Paid Family Leave will also be available to those caring for a seriously ill “designated person”: someone related by blood or someone with whom there is a family-like relationship. When applying for Paid Family Leave benefits for the first time to care for a “designated person,” the individual must name the designated person and provide a statement under penalty of perjury explaining how they are related by blood or how their bond is like that of a family member.

#### **Judicial Council to Create a New Unlawful Detainer Summons Forms (AB 863)**

Assembly Bill 863 requires the Judicial Council to create, by January 1, 2027, a single summons form for mandatory use in a residential unlawful detainer action. The form must include specific information in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean and be published on the Judicial Council website.

#### **California State University Genealogical Verification Process Study (SB 437)**

Senate Bill 437 appropriates up to \$6,000,000 for the California State University (CSU) to conduct research supporting the recommendations of the Task Force to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States (Task Force). The bill would also require CSU to explore methods for confirming an individual’s status as a descendant of an enslaved person and establish a genealogical verification process by the start of the 2029–2030 academic year, beginning development no later than the 2026–2027 academic year. CRD will utilize this research and, as appropriate, incorporate CSU’s recommendations as it implements the Genealogy Division under SB 518.

## APPENDIX: ENROLLED BILLS OF 2025

### STATUTES ENFORCED BY OR INVOLVING CRD

Bill Number	Title	Author	Statutes of 2025 Chapter	Code Sections Amended, Added, or Repealed
AB 91	State and local agencies: demographic data.	Harabedian	357	Adds Government Code section 8310.4
AB 406	Employment: unlawful discrimination; victims of violence.	Schiavo	148	Amends Government Code section 12945.8; Labor Code sections 230.2, 230.5, 246.5 Reinstates Labor Code sections 230, 230.1
AB 822	Commission on the State of Hate.	Elhawary	714	Amends Government Code sections 8010, 8011
AB 935	State agencies: complaints: demographic data.	Ransom	717	Adds Education Code section 33315.5; Government Code section 8310.10
SB 303	Employment: bias mitigation training: unlawful discrimination.	Smallwood-Cuevas	216	Adds Government Code section 12940.2
SB 578	California Workplace Outreach Program.	Smallwood-Cuevas	771	Adds Labor Code section 11000 - 11005
SB 464	Employer pay data.	Smallwood-Cuevas	760	Amends Government Code section 12999
SB 477	California Fair Employment and Housing Act: enforcement procedures.	Blakespear	321	Amends Government Code sections 12926, 12960, 12965, 12981
SB 518	Descendants of enslaved persons: reparations.	Weber Pierson	586	Adds Government Code 12910 - 12919
SB 642	Employment: payment of wages.	Limón	468	Amends Labor Code sections 432.3, 1197.5

**RELATED STATUTES NOT ENFORCED BY CRD**

<b>Bill Number</b>	<b>Title</b>	<b>Author</b>	<b>Statues of 2025 Chapter</b>	<b>Code Sections Amended, Added or Repealed</b>
AB 692	Employment: contracts in restraint of trade.	Kalra	703	Add Business and Professions Code section 16608; Labor Code section 926
AB 863	Residential rental properties: language requirements.	Kalra	344	Amends Code of Civil Procedure section 412.20
SB 294	The Workplace Know Your Rights Act.	Reyes	667	Adds Labor Code sections 1550 - 1558
SB 437	California State University: claim eligibility: genealogy and descendency.	Weber Pierson	755	Adds Government Code section 8308
SB 590	Paid family leave: eligibility; care for designated persons.	Durazo	772	Amends Unemployment Insurance Code sections 3301, 3302, 3303 (these sections have been amended to expire and be replaced as of January 1, 2028)