

ASSEMBLY BILL

No. 2261

Introduced by Assembly Member Roger Hernández

February 18, 2016

An act to add Section 98.74 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2261, as introduced, Roger Hernández. Division of Labor Standards Enforcement: duties.

Existing law authorizes any person who believes that he or she has been discharged or otherwise discriminated against in violation of any law under the jurisdiction of the Labor Commissioner to file a complaint, as specified, with the Division of Labor Standards Enforcement, which is within the Department of Industrial Relations, and requires the commissioner to establish procedures for the investigation of discrimination complaints.

This bill would authorize the division to, with or without receiving a complaint from an employee, commence an investigation, issue a citation, or bring an action against an employer who discharges or otherwise discriminates against an individual in violation of any law under the jurisdiction of the Labor Commissioner.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 98.74 is added to the Labor Code,
- 2 immediately following Section 98.7, to read:

1 98.74. In addition to receiving employee complaints pursuant
2 to Section 98.7, the division may, with or without receiving a
3 complaint from an employee, commence an investigation, issue a
4 citation, or bring an action against an employer who discharges or
5 otherwise discriminates against an individual in violation of any
6 law under the jurisdiction of the Labor Commissioner.

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