

Introduced by Senator Mitchell
(Principal coauthor: Assembly Member Chiu)
(Coauthor: Senator Vidak)
(Coauthors: Assembly Members Eggman and Thurmond)

February 10, 2016

An act to add Section 12952 to the Government Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1001, as introduced, Mitchell. Employment: unfair practices.

Existing provisions of the California Fair Employment and Housing Act define and prohibit various discriminatory employment practices to protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination, abridgment, or harassment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

Existing law prohibits an employer or any other person from engaging in, or directing another person to engage in, an unfair immigration-related practice against a person for the purpose of or intent to retaliate against any person for exercising a protected right, as specified.

This bill would make it an unlawful employment practice for an employer to request more or different documents than are required under federal law relating to verification that an individual is not an unauthorized alien, or to refuse to honor documents tendered that on their face reasonably appear to be genuine, or to discriminate against an immigrant with authorization to work based upon the specific status

or term of status that accompanies the authorization to work, or to attempt to reinvestigate or reverify an incumbent employee’s authorization to work unless required to do so by federal law or authority.

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 12952 is added to the Government Code,
2 to read:
3 12952. It is an unlawful employment practice for an employer
4 to request more or different documents than are required under
5 Section 1324a(b) of Title 8 of the United States Code, or to refuse
6 to honor documents tendered that on their face reasonably appear
7 to be genuine, or to discriminate against an immigrant with
8 authorization to work based upon the specific status or term of
9 status that accompanies the authorization to work, or to attempt
10 to reinvestigate or reverify an incumbent employee’s authorization
11 to work unless required to do so by federal law or authority.

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