
SENATE COMMITTEE ON LABOR, PUBLIC EMPLOYMENT AND RETIREMENT
Senator Lola Smallwood-Cuevas, Chair
2025 - 2026 Regular

Bill No:	AB 1883	Hearing Date:	July 1, 2026
Author:	Bryan		
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Urgency:	No	Fiscal:	Yes
Consultant:	Alma Perez-Schwab		

SUBJECT: Workplace surveillance tools

KEY ISSUE

This bill regulates the use of workplace surveillance tools, as defined, by both public and private employers by prohibiting their use on workers to carry out certain actions or make certain inferences.

ANALYSIS

Existing law:

- 1) States that the “right to privacy is a personal and fundamental right protected by Section 1 of Article I of the Constitution of California and by the United States Constitution and that all individuals have a right of privacy in information pertaining to them.” Further states these findings of the Legislature:
 - a) The right to privacy is being threatened by the indiscriminate collection, maintenance, and dissemination of personal information and the lack of effective laws and legal remedies.
 - b) The increasing use of computers and other sophisticated information technology has greatly magnified the potential risk to individual privacy that can occur from the maintenance of personal information.
 - c) In order to protect the privacy of individuals, it is necessary that the maintenance and dissemination of personal information be subject to strict limits.
(Civil Code §1798.1)
- 2) States that advances in science and technology have led to the development of new devices and techniques for the purpose of eavesdropping upon private communications and that the invasion of privacy resulting from the continual and increasing use of such devices and techniques has created a serious threat to the free exercise of personal liberties that cannot be tolerated in a free and civilized society. (Penal Code §630)
- 3) Prohibits a person from intentionally, and without the consent of all parties to a confidential communication, using an electronic amplifying or recording device to eavesdrop upon or record the confidential communication. For purposes of these provisions, defines a “person” to mean an individual, business association, partnership, corporation, limited liability company, or other legal entity. (Penal Code §632)
- 4) Defines the following terms:

- a) “Artificial intelligence” or “AI” means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.
 - b) “Automated decision system” means a computational process derived from machine learning, statistical modeling, data analytics, or artificial intelligence that issues simplified output, including a score, classification, or recommendation, that is used to assist or replace human discretionary decisionmaking and materially impacts natural persons. “Automated decision system” does not include a spam email filter, firewall, antivirus software, identity and access management tools, calculator, database, dataset, or other compilation of data.
 - c) “Generative artificial intelligence” or “GenAI” to mean an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system’s training data.
(Government Code §11546.45.5 & §11549.64)
- 5) Requires the Office of Emergency Services to, as appropriate, perform a risk analysis of potential threats posed by GenAI to California’s critical infrastructure, including risks that could lead to mass casualty events. Among other things, requires the analysis to include recommendations reflecting changes to AI technology, its applications, and risk management such as further private actions, administrative actions, and collaboration with the Legislature to protect against potential threats and vulnerabilities. (Government Code §11549.65)
- 6) Establishes the California Consumer Privacy Act (CCPA), which grants consumers certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to deletion; the right to restrict the sale of information; and protection from discrimination for exercising these rights. It places attendant obligations on businesses to respect those rights. (Civil Code §1798.100 et seq.)
- 7) Grants a consumer the right to request that a business that collects personal information about the consumer disclose to the consumer the following:
- a) the categories of personal information it has collected about that consumer;
 - b) the categories of sources from which the personal information is collected;
 - c) the business or commercial purpose for collecting, selling, or sharing personal information;
 - d) the categories of third parties with whom the business shares personal information; and
 - e) the specific pieces of personal information it has collected about that consumer. (Civ. Code § 1798.110.)
- 8) Establishes the Consumer Privacy Rights Act (CPRa), which amends the CCPA and creates the California Privacy Protection Agency (PPA), which is charged with implementing these privacy laws, promulgating regulations, and carrying out enforcement actions. (Civil Code §1798.100 et seq.; Proposition 24 (2020))
- 9) Establishes the Department of Industrial Relations (DIR) in the Labor and Workforce Development Agency (LWDA), and vests it with various powers and duties to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. (Labor Code §50.5)

- 10) Establishes within the DIR, various entities including the Division of Labor Standards Enforcement (DLSE) under the direction of the Labor Commissioner (LC), and empowers the LC with ensuring a just day's pay in every workplace and promotes economic justice through robust enforcement of labor laws. (Labor Code §79-107)
- 11) Requires employers to provide to each employee, upon hire, a written description of each quota to which the employee is subject, as specified, and prohibits an employer from requiring an employee to meet a quota that prevents compliance with meal or rest periods, use of bathroom facilities, including reasonable travel time to and from bathroom facilities, or occupational health and safety laws. Additionally, prohibits an employer from taking adverse employment actions against an employee for failure to meet a quota that does not allow a worker access to these rights. (Labor Code §2101)
- 12) Prohibits an employer from causing an audio or video recording to be made of an employee in a restroom, locker room, or room designated by an employer for changing clothes, unless authorized by court order. No recording made in violation of this prohibition may be used by an employer for any purpose. A violation of this section constitutes an infraction. (Labor Code §435)
- 13) Authorizes, until January 1, 2029, a public prosecutor to prosecute an action, either civil or criminal, for a violation of certain provisions of the labor code or to enforce those provisions independently. (Labor Code §181)
- 14) Establishes the Fair Employment and Housing Act (FEHA), which makes it an unlawful employment practice for an employer, on the basis of a person's protected characteristics, to refuse to hire, employ, bar or discharge the person or refuse to select the person for a training program leading to employment, or to discriminate against the person in compensation or in terms, conditions, or privileges of employment. [Government Code §12940(a)]
- 15) Provides that the protected characteristics under FEHA are: race, religious creed, color, national origin, ancestry, physical disability, mental disability, reproductive health decisionmaking, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status. (Government Code §12940)

This bill:

- 1) Defines, among other terms, the following:
 - a. "Employer" means a person or governmental entity that directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, benefits, other compensation, hours, working conditions, access to work or job opportunities, or other terms or conditions of employment, of any worker, including all branches of state government, and all cities, counties, cities and counties, charter cities, charter counties, special districts, including transit districts, the University of California, the California State University, community college districts, school districts, or any other state or local governmental entity. This includes an employer's labor contractor.
 - b. "Worker" means a natural person, an employee of, or an independent contractor providing service to, or through, a business or a state or local governmental entity in a workplace.

- c. “Workplace surveillance tool” as any system, application, instrument, or device that collects or facilitates the collection of worker data, activities, communications, actions, biometrics, or behaviors by means other than direct observation by a person, including video or audio surveillance, continuous incremental time-tracking tools, geolocation, electromagnetic tracking, photoelectronic tracking, or that utilizes a photo-optical system or other means.
 - d. “Neural data” means information that is generated by measuring the activity of a worker’s central or peripheral nervous system, and that is not inferred from nonneural information.
- 2) Prohibits an employer from using a “workplace surveillance tool” on workers to do any of the following:
- a. Prevent compliance with or violate any federal, state, or local labor, occupational health and safety, employment, or civil rights laws or regulations.
 - b. Infer information about workers engaging in activity protected by state or federal law.
 - c. Make inferences about an individual’s emotional state.
 - d. Make inferences about an individual based on their gait.
 - e. Collect neural data.
 - f. Infer a worker’s protected status under the Fair Employment and Housing Act (FEHA).
- 3) Prohibits an employer from using facial recognition technology to make inferences about a worker for firing, deactivation, or disciplinary purposes.
- 4) Provides that these provisions do not prohibit an employer from using workplace surveillance tool to ensure safety, provided that the tool does not incorporate AI that makes inferences or predictions based on a worker’s emotional, gait, neural data, protected status under FEHA, or about activity protected by state or federal law.
- 5) Provides for civil enforcement by the Labor Commissioner, public prosecutors, and a worker or their representative, who has suffered a violation. Such petitioners may bring a civil action seeking appropriate temporary or preliminary injunctive relief, including punitive damages, and reasonable attorney’s fees and costs. Public enforcers may additionally seek civil penalties.
- 6) Authorizes the Labor Commissioner, in addition to the above civil action, to further enforce this part, including by investigating an alleged violation, and ordering appropriate temporary relief to mitigate a violation or maintain the status quo pending the completion of a full investigation or hearing, including issuing a citation against an employer in violation, as specified.
- 7) Clarifies that these provisions do not apply to the use of a workplace AI tool or a workplace surveillance tool to the extent that use of the tool is required by, or reasonably necessary to comply with, a federal statute, federal regulation, or binding federal contract relating to any of the following:
- a. The development of aircraft for use in the national airspace.
 - b. The development of products or services for national security, military, space, or defense purposes.

- 8) Provides that the above exemption applies only to the operations covered by a federal statute, federal regulation, or binding federal contract as outlined.

COMMENTS

1. Background:

Artificial Intelligence and Workplace Surveillance Tools

Until recently, advancements in technology often automated physical tasks, such as those performed on factory floors or self-checkouts, but AI functions more like human brainpower. AI can use algorithms to accomplish tasks faster and sometimes at a lower cost than human workers can. Generative AI is a subfield of AI that creates content in response to inputs or prompts learned from underlying patterns and structures of data. Outputs of GenAI can include content like text, images, audio, software code, or even predictions, recommendations, or decisions.

As this technology develops, so do fears of worker displacement in more areas and industries. Beyond replacing workers, GenAI tools like ChatGPT, Gemini or Claude are being used to complement the duties of employees in astonishing numbers. A June 2026 report by the California Policy Lab tracking AI-related job loss using unemployment insurance claims data in California found that by 2025, hundreds of millions of people were using generative AI tools and more than a third of U S workers reported using generative AI to enhance productivity in their jobs.¹ The report notes that, “While these technologies may deliver large productivity gains and complement human labor, they may also result in workers being displaced. Given the speed and potential scale of this transformation, policymakers need timely data to identify emerging trends of AI-related job losses and to inform safety-net and workforce development policies to support these workers.”²

In the context of workplace surveillance, employers are deploying AI-powered tools to monitor, collect and analyze employee data that can be used to manage workers. This can include: keylogging and screen monitoring; automated facial recognition; voice and tone analysis during calls; wearables and biometric sensors tracking movement or health data, including the monitoring of eye movements, body shifts and facial expressions; and predictive analytics identifying “unproductive” behavior, among others. As highlighted in a 2021 UC Berkeley study, AI-powered tools are being used in examples such as:

- Hiring software by the company HireVue generates scores of job applicants based on their tone of voice and word choices captured during video interviews.
- Algorithms are being used to predict whether workers will quit, become pregnant, or try to organize a union, which influence employers’ decisions about job assignment and promotion.

¹ Hyman, B., Von Wachter, T., Herrera, D., Moghadam, R., Morris, J., Motghare, S., Segal, K. (June 2026) *Tracking AI-Related Job Loss Using Unemployment Insurance Claims Data in California*. California Policy Lab. <https://capolicylab.org/wp-content/uploads/2026/06/Tracking-AI-Related-Job-Loss-Using-Unemployment-Insurance-Claims-Data-in-California.pdf>

² Ibid.

- Call center technologies are analyzing customer calls and nudging workers in real time to adjust their behavior, such as coaching them to express more empathy, pace the call more efficiently, or exude more confidence and professionalism.³

Employee monitoring and surveillance is not a new phenomenon, unfortunately, the technological advancements of the last few years are putting into question just how far is too far? Amazon is an extreme example of the extent that AI and workplace monitoring and surveillance has taken us. According to various sources, including a claim filed with the National Labor Relations Board by employees, Amazon tracks every minute that workers spend off their tasks.⁴ Workers claim they get written warnings for every 30 minutes of time off-task and can be fired if they accumulate 120 minutes of time off-task in a single day or if they have accumulated 30 minutes of time off-task on three separate days in a one-year period.⁵ Activities that amount to “time off task” include going to the bathroom, talking to another worker, or going to the wrong work station. Workers reported that they were afraid to go to the bathroom or get a drink of water for fear of being disciplined.⁶ In addition to tracking time off-task, Amazon also uses AI cameras at workstations to catalog worker mistakes.⁷ Monitoring the workers’ activities non-stop also helps improve the AI computer system, which learns from the responses of Amazon’s video reviewers and becomes more accurate over time.⁸

California Consumer Privacy Act (CCPA) and Worker Rights:

Existing law establishes the California Consumer Privacy Act of 2018 (CCPA), giving consumers more control over the personal information that businesses collect about them. As of January 1, 2023, the CCPA covers employees of specified large employers by granting them certain rights and protections with regards to their privacy at work.

Specifically, the CCPA grants workers, among other things, the right to know when their employers are collecting data on them, the right to access that data, the right to correct and delete data, and grants employees protections from retaliation for exercising these rights. The CCPA applies to a worker’s personal information, such as their IDs, demographics, employment-related data, biometric data, social media data, geolocation data, audio data, and any inferences about the worker’s characteristics and abilities, personal information like religious beliefs and sexual orientation, among other information.

Unfortunately, the CCPA only applies to employees at for-profit companies doing business in the State that meet one or more of the following qualifications⁹:

- Have more than \$25 million in gross annual revenue;

³ Bernhardt, A., Kresge, L., Suleiman, R. (2021) UC Berkeley Labor Center. “Data and Algorithms at Work: The Case for Worker Technology Rights.” <https://laborcenter.berkeley.edu/data-algorithms-at-work/>

⁴ The Guardian, Michael Sainato, May 21, 2024. “You feel like you’re in prison”: workers claim Amazon’s surveillance violates labor law.” <https://www.com/us-news/article/2024/may/21/amazon-surveillance-lawsuit-union>

⁵ Lauren Kaori Gurley, “Internal Documents Show Amazon’s Dystopian System for Tracking Workers Every Minute of Their Shifts” *Vice* (Jun. 2, 2022) <https://www.vice.com/en/article/internal-documents-show-amazons-dystopian-system-for-tracking-workers-every-minute-of-their-shifts/>

⁶ *Ibid.*

⁷ Niamh McIntyre and Rosie Bradbury, *The eyes of Amazon: a hidden workforce driving a vast surveillance system*, The Bureau of Investigative Journalism (Nov. 21, 2022) <https://www.thebureauinvestigates.com/stories/2022-11-21/the-eyes-of-amazon-a-hidden-workforce-driving-a-vast-surveillance-system/>

⁸ *Ibid.*

⁹ UC Berkeley Labor Center, Kung Feng, December 6, 2023. “Overview of New Rights for Workers under the California Consumer Privacy Act.” <https://laborcenter.berkeley.edu/overview-of-new-rights-for-workers-under-the-california-consumer-privacy-act/>

- Buy, sell, or share the personal information of 100,000 + consumers or households;
- Derive 50 percent or more of their annual revenue from selling or sharing consumers' personal information;

In terms of enforcement, the CCPA applies to independent contractors, job applicants, former employees, and third parties that control the collection of an employer's worker data, as specified. The California Privacy Protection Agency (CPPA) was created to enforce the CCPA and is able to investigate alleged violations and impose administrative fines. California's AG is also authorized to enforce the CCPA. There is no private right of action except in cases of data breaches.¹⁰

This bill:

This bill would regulate the use of "workplace surveillance tools" by prohibiting employers from using a workplace surveillance tool on workers to carry out certain actions or make certain inferences. Specifically, employers would be prohibited from using a workplace surveillance tool that: prevents compliance with existing laws or regulations; inferring information about workers engaging in protected activity including based on protected characteristics under FEHA; making inferences about an individual's emotional state or based on their gait; and collecting neural data.

2. Double Referral and Amendments:

This bill has been double referred to the Senate Committee on Privacy, Digital Technologies, and Consumer Protection and this committee (second). It is scheduled for hearing in the first committee on June 29, 2026 and in this committee on July 1, 2026.

In response to concerns raised, the author agreed to a series of amendments in the Senate Privacy, Digital Technologies and Consumer Protection Committee that dramatically narrow the bill. As agreed to be amended, the bill would prohibit an employer from using a workplace surveillance tool that uses AI on workers that is capable of recognizing or making inferences or predictions about an individual's emotional state or of collecting neural data.

The amendments remove the provisions that would have prohibit an employer from:

- Using a workplace surveillance tool to prevent compliance with or violate any federal, state, or local labor, occupational health and safety, employment, or civil rights laws or regulations.
- Inferring information about workers engaging in activity protected by state or federal law.
- Making inferences about an individual based on their gait.
- Using facial recognition technology to make inferences about a worker for firing, deactivation, or disciplinary purposes.
- Using a workplace surveillance tool to infer a worker's protected status under the Fair Employment and Housing Act.

Due to the double referral and the short turnaround for this committee's hearing, the Senate Privacy, Digital Technologies and Consumer Protection Committee was unable to process the agreed upon amendments. The amendments will be taken in this committee.

¹⁰ *Ibid.*

3. Need for this bill?

According to the author:

“Employers’ pursuit of productivity combined with high-tech surveillance tools can increase violations of basic labor laws, like breaks, health and safety, access to bathrooms, and others as workers are tethered to electronic leashes that maximize productivity, eliminating downtime and making it harder to slow down or take breaks. Work driven by machines forces humans to work like machines. As a result, workers are prone to increased injuries, accidents, stress, and burnout. A U.S. Senate committee report found that Amazon workers are subject to algorithmic quotas that cause them to move in unsafe ways at unsustainable speeds. Unsurprisingly, Amazon warehouses have injury rates 30% higher than other warehouses.

Increasingly, employers are using sophisticated tools to monitor worker sentiment to prevent workers from unionizing or advocating for their rights. Perceptyx, a company that collects and analyzes employee surveys, digital focus groups, and other information, said it could create a “union vulnerability index” so employers can see which group of workers is at highest risk of unionizing. Whole Foods used predictive analytics to track store locations considered at high risk of union activity. According to reports, Google has a surveillance system that sends an alert to management if there are internal meetings scheduled with 100 or more employees, “partially to weed out employee organizing.”

The power, scope, and scale of current surveillance tools surpass anything employers have had in the past. Yet, our laws have not caught up with the advances of technology and give workers scant protection from the most invasive, discriminatory, or harmful surveillance tools on the market.”

4. Proponent Arguments:

According to proponents, including the California Federation of Labor Unions and Teamsters California, co-sponsors of the measure:

“Employers have used surveillance to monitor, manage, and control workers for decades. However, today’s employers now have access to a plethora of AI enabled surveillance tools capable of analyzing a worker’s gait, neural activity, emotional state, and face. AI enabled surveillance differs from traditional video and audio monitoring in several ways. For one, these tools strip workers of their biometric data, essentially committing a full-scale invasion of workers’ physical, mental, and emotional space at all hours of the day. Rather than requiring a human to monitor live surveillance feeds, today’s tools utilize active AI monitoring that are capable of monitoring workers with zero interruptions. Heart rate, perspiration, facial expressions, and eye movements are tracked and used as data points to target “unproductive” workers and to “minimize risk” in the workplace.

AI tools rely on black-box algorithms to surveil workers. Data from emotion recognition, neural sensors, and facial and gait sensors are not just observations, but analysis of the data collected. Not only is that data potentially unreliable, but it can have bias built in, further exacerbating discrimination and inequities. For example, tools that utilize emotion recognition technology may very well fail to understand cultural nuances of expression and may be trained on biased information that inaccurately tags certain forms of speech as

“aggressive” or “inappropriate.” Similarly, facial recognition has a long history of failing to accurately recognize people of color, thus automating discrimination on a massive scale.

In order to protect workers from unregulated forms of military grade surveillance technology, AB 1883 prohibits employers from deploying gait, emotional, and neural recognition technologies in the workplace. AB 1883 also sets guardrails on the use of facial recognition technology by prohibiting employers from using the technology to make inferences to fire, discipline, or deactivate a worker.”

5. Opponent Arguments:

A coalition of employer organizations, including the California Chamber of Commerce, are opposed to the measure and argue, among other things, that:

“Proposed Section 1581(a) prohibits any use of tools to determine emotional state. Again, while we appreciate the intent, there are certain legitimate uses that should be allowed, including:

- In-vehicle tools that may detect unsafe driving behavior
- Logistics tools that assess employees’ gait for purposes of evaluating the most efficient way to organize a warehouse or employee job duties
- Tools designed to identify theft or suspicious personnel on premises that would also capture employees or contractors on the premises
- Tools that flag inappropriate behavior during customer interactions

We understand there are scenarios where there should be guardrails about how the tools should be used or when they can be used for an adverse employment action, but a blanket prohibition would impact legitimate uses of certain technologies.”

Additional points of concern from this private sector employer coalition are:

- The bill’s definition of “worker” includes independent contractors, which should be removed from the bill. Contractors are often limited-term workers who are performing a specific job for a company. By definition they are very different from an employee. Their contract will dictate the terms of that job and any job-specific requirements. This trend of treating them the same as employees in every new bill is at odds with prior legislation and court decisions. Further, their inclusion in such a broad bill compounds the bill’s administrative burden on businesses and state and local governments.
- AB 1883 creates a private right of action where any misstep in interpreting or implementing AB 1883’s broad requirements would subject a business of any size to a private right of action, including penalties.
- AB 1883 should preempt local ordinances because, they argue, varying requirements across different cities and counties are often a compliance nightmare. If certain restrictions on technologies are implemented, there should be a statewide rule.
- AB 1883 designates the Labor Commissioner as the primary enforcement authority, requiring the Division of Labor Standards Enforcement to investigate violations, issue citations, and file civil actions. These duties would likely necessitate additional staffing and resources within the Department of Industrial Relations, increasing state operational costs.

Additional opposition from a large coalition of associations representing public employers, including the California State Association of Counties, writes in opposition:

“We have fundamental concerns with this and other bills that aim to restrict how public agencies can use the tools defined as “workplace surveillance tools,” which we believe are essential and, in many cases, routine tools used for security.

- We oppose any legislation that will compromise health, safety, and security for our employees, the public we serve, and our officials.
- We oppose any legislation that compromises our ability to conduct investigations into fraud, waste, or abuse.
- We do not believe it is appropriate to regulate tools used for security and basic operations in response to private sector labor concerns. State law has protected the right of public employees to bargain and most public employees have a property interest in their position that is protected by due process.

AB 1883 would impose several rules on how public agencies may use surveillance tools – a term that is vast in its application, including video cameras, ID badge or key fob access, digital workplace messaging collaboration platforms (e.g. Microsoft Teams or Slack), and a wide array of tools used to keep workplaces safe, conduct essential government services, and protect against abuse, fraud, and waste of public resources.

We understand the reasonable concerns one could have about the rapid integration of surveillance tools into every aspect of daily life, particularly as new technologies emerge. However, we are concerned that this bill and others aimed at limiting workplace technology are too broad, too expensive, and too dangerous for public agencies and those we serve.”

6. Prior/Related Legislation:

AB 1898 (Schultz, 2026) would, among other things, require employers to give workers at least 90 days’ advance written notice to an employee before deploying any workplace AI tool, as defined, used to assist the employer in making employment-related decisions or to surveil workers in the workplace. The bill allows enforcement by the Labor Commissioner, public prosecutors, and workers themselves, with civil penalties of up to \$500 per violation. *AB 1898 was held under submission in the Assembly Appropriations Committee.*

AB 2027 (Ward, 2026) would, among other things, prohibit an employer from using a worker’s personal information, as defined, to train an AI system to replicate, automate, or replace a worker’s job, and would prohibit an employer from selling, disclosing, or otherwise providing access to a worker’s personal information to a third party for the purpose of training an AI system, as specified. *AB 2027 was held under submission in the Assembly Appropriations Committee.*

AB 2545 (Schiavo, 2026) would create the CA AI Worker Impact Data Assessment Project within the Employment Development Department to, among other things, establish an advisory panel consisting of labor, technology experts and employers to study and report to the Legislature on the existing data collection systems and gaps in data collection related to

the use and impact of AI on the labor force, as specified. *AB 2545 is pending before the Senate Privacy, Digital Technologies & Consumer Protection Committee.*

AB 2575 (Ortega, 2026) would, among other things, require a health facility and other specified health providers that use or deploy a clinical decision support system for patient care to make available, upon the request, an inventory of all clinical decision support systems in use or deployed for patient care and prohibits an employer from retaliating or discriminating against a worker based solely on the worker's override of, or reliance on, the output of a clinical decision support system, as specified. *AB 2575 is pending before the Senate Privacy, Digital Technologies & Consumer Protection Committee.*

AB 2656 (Petrie-Norris, 2026) would require certain public employers to provide a recognized employee organization with no less than 45 days' written notice before developing, purchasing, implementing, or utilizing any GenAI to perform a service that is within the scope of work of the job classification represented by the recognized employee organization. *AB 2656 is pending before this Committee.*

SB 947 (McNerney, 2026) would, among other things, prohibit an employer from using an automated decision system (ADS) that does certain functions and would limit the purposes and manner in which an ADS may be used to make disciplinary, termination, or deactivation decisions. The bill includes worker anti-retaliation provisions for exercising these rights and specifies enforcement provisions including specified penalties and relief for violations. *SB 947 is pending before the Assembly Judiciary Committee.*

SB 951 (Reyes, 2026) would, among other things, establish the California Worker Technological Displacement Act requiring a covered employer to provide at least a 60-day advanced written notice before any technological displacement affecting 50 or more workers during any 30-day period. *SB 951 is pending before the Assembly Privacy & Consumer Protection Committee.*

Several other bills have been introduced in 2026 addressing AI related issues including: SB 813 (McNerney), SB 906 (Padilla), SB 1248 (Cabaldon), AB 1979 (Bonta), AB 2653 (Lee)

AB 1221 (Bryan, 2025) would have required an employer, at least 30 days before introducing a workplace surveillance tool, as defined, to provide a worker who will be affected with a written notice. The bill would have also prohibited an employer from using certain tools, including one that incorporates facial, gait, or emotion recognition technology. The bill would have required the LC to enforce these provisions, authorized an employee to bring a civil action for violations, and authorized a public prosecutor to also enforce these provisions. *AB 1221 was held under submission in the Assembly Appropriations Committee.*

AB 1331 (Elhawary, 2025) would limit the use of workplace surveillance tools, as defined, by employers, including by prohibiting an employer from monitoring or surveilling workers in employee-only, employer-designated areas, as specified. The bill also includes anti-discrimination provisions protecting workers' exercise of these rights and includes penalties for violations. *AB 1331 is pending on the Senate Floor.*

Several other bills in 2025 addressed AI related issues including: SB 7 (McNerney, Vetoed), 238 (Smallwood-Cuevas), SB 503 (Pierson), AB 489 (Bonta), AB 1018 (Bauer-Kahan)

SUPPORT

California Federation of Labor Unions (Co-sponsor)
Teamsters California (Co-sponsor)
Alameda Labor Council
American Federation of Musicians, Local 7
American Federation of State, County and Municipal Employees, California
California Alliance for Retired Americans
California Conference Board of the Amalgamated Transit Union
California Conference of Machinists
California Employment Lawyers Association
California Faculty Association
California Federation of Teachers
California Nurses Association
California Professional Firefighters
California School Employees Association
California State Legislative Board of the SMART - Transportation Division
California State University Employees Union, SEIU Local 2579
California Teachers Association
Center on Policy Initiatives
Central Coast Labor Council
Communications Workers of America, District 9
Engineers and Scientists of California, IFPTE Local 20
Fresno-Madera-Tulare-Kings Central Labor Council
Inland Empire Labor Council, AFL-CIO
Kapor Center Advocacy
North Bay Labor Council
North Valley Labor Federation
Oakland Privacy
Orange County Employees Association
Orange County Labor Federation, AFL-CIO
Privacy Rights Clearinghouse
San Mateo County Central Labor Council
Service Employees International Union, California State Council
State Building and Construction Trades Council of California
Tech Equity
UNITE HERE
Utility Workers Union of America
What We Will

OPPOSITION

Affairs + Public Policy
American Petroleum and Convenience Store Association
Associated General Contractors California
Associated General Contractors San Diego
Association of California Healthcare Districts

Association of California School Administrators
Building Owners and Managers Association of California
California Airports Council
California Apartment Association
California Assisted Living Association
California Association of Joint Powers Authorities
California Association of Recreation & Park Districts
California Association of School Business Officials
California Association of Sheet Metal & Air Conditioning Contractors National
California Association of Winegrape Growers
California Attractions and Parks Association
California Automatic Vendors Council
California Business Properties Association
California Chamber of Commerce
California Craft Brewers Association
California's Credit Union
California Distributors Association
California Farm Bureau
California Grocers Association
California Hospital Association
California Landscape Contractors Association
California League of Food Producers
California Legislative Conference of the Plumbing, Heating & Piping Industry
California Manufacturers & Technology Association
California Moving and Storage Association
California Restaurant Association
California Retailers Association
California Sheet Metal & Air Conditioning Contractors' National Association
California Special Districts Association
California State Association of Counties
California Transit Association
California Trucking Association
City of San Marcos
Civil Justice Association of California
Construction Employers Association
County Health Executives Association of California
County of Fresno
County of Kern
County of Riverside
Electronic Security Association
Family Business Association of California
Finishing Contractors Association of Southern California
Greater Coachella Valley Chamber of Commerce
Insights Association
League of California Cities
Los Angeles Area Chamber of Commerce
National Association of Independent Property Owners
National Automatic Merchandising Association
National Electrical Contractors Association
Northern California Allied Trades

Protect App-Based Drivers & Services Coalition
Public Risk Innovation, Solutions, and Management
Resource Recovery Coalition of California
Rural County Representatives of California
Security Industry Association
Self-Storage Association
SHRM California
Southern California Glass Management Association
Southwest California Legislative Council
TechNet
Tri-County Chamber Alliance
United Contractors
Urban Counties of California
Valley Industry and Commerce Association
Wall and Ceiling Alliance
Western Growers Association
Western Line Constructors Chapter
Western Painting and Coating Contractors Association
Western Wall and Ceiling Contractors Association
Wine Institute

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