

Date of Hearing: March 18, 2026

ASSEMBLY COMMITTEE ON LABOR AND EMPLOYMENT

Liz Ortega, Chair

AB 1940 (Calderon) – As Introduced February 13, 2026

**SUBJECT:** Unlawful practices: discrimination: menopause

**SUMMARY:** Expands the definition of “sex,” as a protected category under the Fair Employment and Housing Act (FEHA), to include perimenopause, menopause, or postmenopause or medical conditions related to perimenopause, menopause, and postmenopause.

- 1) Requires, on or before July 1, 2027, the Governor’s Office of Community Partnerships and Strategic Engagement (Office) to raise awareness of the employment rights of women experiencing perimenopause, menopause, or postmenopause by doing all of the following:
  - a. Developing and distributing public education materials that clearly explain employment rights and workplace protections applicable to employees experiencing menopause-related symptoms, including, but not limited to, rights related to reasonable accommodations, medical leave, disability discrimination, and retaliation under state and federal law.
  - b. Ensuring culturally competent and linguistically appropriate outreach by making all public education materials available in the languages required by state law, as described, and tailoring messaging to reach diverse communities, including women of color, low-income workers, immigrant workers, older workers, and workers in industries with historically limited access to workplace protections information.
  - c. Coordinating with relevant state agencies, as specified, to ensure accuracy, consistency, and clarity of information regarding menopause-related employment rights and resources.
  - d. Partnering with community-based organizations, labor organizations, employer associations, and health advocacy organizations to expand the reach of outreach efforts and ensure materials are distributed through trusted messengers and accessible community channels.
  - e. Conducting statewide public awareness campaigns, including digital, print, and media outreach, to educate both employees and employers about menopause in the workplace, with an emphasis on reducing stigma, promoting understanding, and encouraging compliance with existing employment laws.
  - f. Providing referrals to enforcement and support resources, including information on how employees may file complaints, seek accommodations, or access legal, medical, or workplace support for menopause-related employment issues.
  - g. Periodically evaluating the effectiveness of outreach efforts, using available data and community feedback, and updating strategies and materials as necessary to address identified gaps and emerging needs.

- 2) Expands the definition of “sex” as a protected category under FEHA, to include perimenopause, menopause, or postmenopause or medical conditions related to perimenopause, menopause, and postmenopause.
- 3) Requires, on or before July 1, 2027, the Civil Rights Department (CRD) to update its discrimination in employment poster to notify women of their rights and protections in regard to perimenopause, menopause, or postmenopause or medical conditions related to perimenopause, menopause, and postmenopause.

**EXISTING LAW:**

- 1) Establishes the Office as an office within the Governor’s Office of Service and Community Engagement. Gov. Code §8419(a).
- 2) States that the Office shall serve as the manager of the state’s highest priority public awareness and community outreach efforts. In this role, the responsibilities of the Office shall include, among other things,
  - a. Working with local community-based organizations and other partners statewide to engage Californians, including those experiencing the greatest health and social inequities, with culturally competent and relevant information with the goal of improving the quality of their lives and livelihoods. Similarly, working with media, including smaller outlets and platforms that reach these audiences.
  - b. Working in partnership with select state entities to develop and execute multiple public awareness and outreach efforts simultaneously.
  - c. Developing and supporting a network of community-based organizations, philanthropic organizations, and other partners to support the Office’s core mission and goals.
  - d. Serving as a key informational resource to assist community-based organizations, local governments, philanthropic organizations, and other partners in obtaining relevant information from state entities as well as to share community insights and information with state partners related to campaigns overseen by the Office. Gov. Code §8419(a).
- 3) Establishes the CRD to, among other things, enforce California’s civil rights laws and protect Californians from discrimination in employment, housing, businesses, state-funded programs, and from bias-motivated violence, and from human trafficking. Gov. Code §12930 et seq.
- 4) Establishes the FEHA, which protects 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. Gov. Code § 12921 (a).
- 5) Prohibits, under the provisions of FEHA, various forms of employment discrimination, including discharging or refusing to hire or to select for training programs any person based on his or her protected status. Gov. Code § 12940 et seq.

- 6) Defines employer under FEHA to mean any person regularly employing five or more persons, or any person acting as an agent of an employer, directly or indirectly, the state or any political or civil subdivision of the state, and cities except a religious organization or a corporation not organized for private profit. Gov. Code § 12926 (d).
- 7) Requires the CRD to develop a poster on discrimination in employment to include information relating to the illegality of sexual harassment. One copy of the poster shall be provided by the department to an employer or a member of the public upon request. Gov. Code § 12950 (a)(1).

**FISCAL EFFECT:** Unknown.

**COMMENTS:** This bill is double referred to the Assembly Judiciary Committee upon passage from this Committee.

Menopause is generally defined as occurring when a woman’s menstrual period stops permanently for at least 12 months. For some women, menopause can last for up to a decade. Common symptoms include hot flashes, night sweats, mood changes, cognitive changes, and insomnia.<sup>1</sup> The many symptoms of menopause can make participating in the workforce difficult for women. By adding menopause and the related before and after stages of menopause to protection under FEHA, this bill provides an avenue for women experiencing these transitions to receive accommodations at work. According to the CDC, “Workplaces can support women who may be experiencing menopause by offering flexible working arrangements, adjustable room temperatures, non-restrictive and breathable uniforms, and adequate access to restrooms.”<sup>2</sup>

According to the author, “For too long, workers experiencing menopause have navigated the workplace without a clear understanding of their rights. AB 1940 makes it clear that no one should face discrimination or harassment because of a natural biological transition, and it ensures employees know the protections available to them. With women representing roughly half of the population, and approximately 57.3% participating in the workforce, menopause will impact a significant portion of employees during their careers. Supporting women during this stage of life helps ensure they can navigate this transition with dignity, stability, and the resources they need to continue thriving professionally.

This bill directly affects women in the workplace and promotes economic equity by recognizing the challenges associated with a significant biological transition. Women often experience physical, emotional, and cognitive changes during menopause while still being expected to meet workplace standards that were historically designed without these realities in mind. Too often, women are not provided with reasonable accommodations, and many are unaware that they have rights that allow them to request support. By increasing awareness and encouraging workplace protections, this bill helps ensure that women can continue to contribute fully and fairly in their professional roles. When workers understand their rights and businesses understand their responsibilities, we create healthier workplaces and retain experienced employees who are vital to our economy.”

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<sup>1</sup> Menopause: The Journal of The Menopause Society, Vol. 31, No. 9, p. 741.

<sup>2</sup> The Center for Disease Control, “Menopause, Women’s Health, and Work,” November 14, 2024. May be accessed at: [Menopause, Women’s Health, and Work | Women’s Health | CDC](#).

The author continues, “According to United Way, discrimination based on race, ethnicity, gender, sexual orientation, and other marginalized identities contributes directly to health disparities by creating bias in health care delivery, lowering the quality of care, and limiting access to essential resources. Systemic racism, embedded in historical and ongoing societal structures, continues to shape unequal health outcomes for many communities.

Similarly, the National Library of Medicine notes that menopause experiences and care vary widely due to biological, sociodemographic, and sociocultural factors. Treatments for symptoms are not uniformly available or accessed, and intersectional factors further influence how individuals experience menopause. These disparities underscore the need for equitable, patient-centered care, education, and policy reform.

Together, these findings highlight how systemic inequities in health care extend to menopause care and workplace experiences. AB 1940 addresses this gap by promoting equity and protecting underserved communities, ensuring that women are aware of their workplace rights and protections when experiencing menopause symptoms. By fostering awareness and legal safeguards, the bill would help women feel supported, reduce stigma, and empower them to advocate for their health and well-being without fear of discrimination.”

### **Committee Comments**

This bill, as currently drafted, does not define the terms “perimenopause,” “menopause,” and “postmenopause.” In the future, the author may wish to include these definitions, provided that definitions with a scientific consensus exist. Having these key terms defined in the bill would give more guidance to employees and employers regarding their rights and obligations under the bill.

### **Arguments in Support**

According to the California Commission on the Status of Women and Girls, a sponsor to the bill, “39 million women in the U.S. workforce currently experience or will soon experience menopause and related conditions. While current law prohibits discrimination on the basis of sex, the lack of specific protections for women experiencing these conditions can leave women in the workforce inadequately informed about their workplace rights. This can keep them from disclosing and discussing symptoms with employers, as well as, keep them from requesting reasonable accommodations.”

### **Arguments in Opposition**

None on file.

### **Prior Legislation**

AB 360 (Papan) of 2025 would have required the Department of Health Care Access and Information to work with the Medical Board of California, the Osteopathic Medical Board of California, and state higher education entities to assess, among other things, physicians and surgeons’ education and training, as specified, relating to menopause diagnosis and treatment. This bill died in the Assembly Appropriations Committee.

AB 432 (Bauer- Kahan) of 2025 would have required, among other things, a health care service plan contract or health insurance policy that covers outpatient prescription drugs, except as specified, that is issued, amended, or renewed on or after January 1, 2026, to include coverage for evaluation and treatment options for symptoms of perimenopause and menopause. This bill was vetoed by Governor Newsom.

AB 2467 (Bauer- Kahan) of 2023 was virtually identical to AB 432 and was vetoed by Governor Newsom.

AB 2270 (Maienschein) Statutes of 2024, Chapter 636 requires a number of medical boards, in determining their continuing education requirements, to consider including a course in menopausal mental or physical health.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Commission on the Status of Women and Girls (Co-Sponsor)  
Wisepause Wellness (Co-Sponsor)

**Opposition**

California Apartment Association  
California Chamber of Commerce  
California Restaurant Association  
National Federation of Independent Business

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