

ASSEMBLY THIRD READING

AB 2495 (Kalra)

As Amended April 20, 2026

Majority vote

SUMMARY

Expands the prohibition of an employer retaliating against a person for exercising their rights by engaging in, or directing another to engage in, an unfair immigration-related practice.

Major Provisions

- 1) Expands the prohibition on an employer or any other person engaging in, or directing another person to engage in, an unfair immigration-related practice against a person for the purpose of, or with the intent of, retaliating against any person for exercising a right protected under the Labor Code or by any local ordinance applicable to employees, by:
 - a) Additionally prohibiting retaliating against any person for exercising a right protected under *any local, state, or federal statute or regulation applicable to employees*.
 - b) Additionally prohibiting retaliating against a person for *attempting to exercise* such a right.
- 2) Makes it unlawful for an employer or any other person to engage in any other conduct, related to any person's real or perceived immigration status, that would dissuade a reasonable person from engaging in conduct that the person has a legal right to engage in under any local, state, or federal statute or regulation applicable to employees, or to induce a reasonable person to engage in conduct that the person has a legal right to abstain from under any local, state, or federal statute or regulation applicable to employees.
- 3) Provides that an employer or any other person in violation is liable for a civil penalty not exceeding \$10,000 per employee or person for each violation to be awarded to the employee or person who suffered the violation.
- 4) Provides that the protections, prohibitions and remedies provided in this bill are in addition to, and do not diminish, any other protections, prohibitions, or remedies provided under any other local, state or federal law.
- 5) Make related findings and declarations.
- 6) Makes technical and conforming changes.

COMMENTS

Studies have repeatedly shown that immigrant workers are far less likely than other workers to report workplace issues, due to fear of deportation and retaliation, language barriers, and lack of awareness regarding their rights. In many cases, immigrant workers do not report abuses because their employers actively threaten to report them to the authorities. This results in the loss of essential rights, including minimum wage, overtime pay, meal and rest breaks, workplace safety, and more. Amidst the Trump Administration's focus on immigration enforcement, there is concern that this problem has only been exacerbated.

California labor laws protect workers regardless of immigration status. Workers who file claims or complaints, or exercise other rights under California labor laws are not required to disclose their immigration status to the Department of Industrial Relations or its entities, nor do those entities inquire about immigration status. The only limits to this are those established under federal law.

Furthermore, California law prohibits employers from retaliating against employees by using unfair immigration-related practices, including threatening to report a person to immigration authorities. However, current law offers explicit retaliation protections only after a worker engages in protected activities, leaving a gap that allows employers to use threats to deter workers from acting.

Given that retaliation laws are intended to protect workers' ability to assert their workplace rights, the author argues that the prohibition on retaliation using unfair immigration-related practices should also extend to behavior that prevents workers from exercising their rights in the first place.

According to the Author

"AB 2495 amends existing labor protections to make it explicit that all immigration-related threats are unlawful. California must make it clear — employers cannot create a climate of fear with immigration-related threats to prevent workers from reporting violations of workplace rights."

The author adds that the bill promotes equity solutions, per H.R. 39 (Gipson, 2021), in that "protecting vulnerable workers from coercion can make all workplaces safer as workers can feel empowered to come forward when facing the loss of essential rights, including minimum wage, overtime pay, rest breaks, workplace safety, and protection from harassment."

Arguments in Support

A coalition of worker and labor organizations, including the California Federation of Labor Unions, state in support that "immigrant workers are uniquely vulnerable to workplace exploitation given employers can weaponize workers' immigration status to violate their rights. The current national climate has emboldened bad-faith employers to increasingly coerce immigrant workers into never asserting their rights by making veiled threats, chilling statements, or implicit warnings about immigration consequences. When coercion succeeds, unlawful conduct goes unreported, workplace standards erode, and law-abiding employers are undercut."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee: Ongoing cost pressures of an unknown amount to the courts in additional workload by expanding an existing prohibition for which a civil action may be filed to recover equitable relief, damages, or penalties, and enacting a new employer penalty for a violation of the existing and new prohibitions (General Fund (GF) or Trial Court Trust Fund (TCTF)). It is unclear how many civil actions may be filed statewide and how much court time may be needed to resolve each case, but it generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court

funding from the GF. The state budget provides annual GF backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in fiscal year 2025-26.

The Legislative Analyst's Office recently warned of GF structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

VOTES

ASM LABOR AND EMPLOYMENT: 5-1-1

YES: Ortega, Elhawary, Kalra, Lee, Ward

NO: Lackey

ABS, ABST OR NV: Chen

ASM JUDICIARY: 9-3-0

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Papan, Lee, Zbur

NO: Dixon, Johnson, Sanchez

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Ta, Tangipa

UPDATED

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