

SENATE THIRD READING

SB 294 (Reyes)

As Amended September 04, 2025

Majority vote

SUMMARY

Requires employers to provide *a written* notice annually to each employee, and upon hire, informing them of their rights under state and federal law, as specified; directs the Labor Commissioner (LC) to develop a template notice, as well *as videos* for employers and employees informing them of their responsibilities and rights, as specified; requires employers, if authorized by an employee, to contact an employee's designated emergency contact if the employee is arrested or detained, as specified; and authorizes penalties for noncompliant employers.

Major Provisions

- 1) Establishes the Workplace Know Your Rights Act *and establishes legislative intent.*
- 2) Requires, *on or before February 1, 2026*, and annually thereafter, an employer to provide a stand-alone written notice to each current employee in a manner that the employer normally uses to communicate employment-related information, *as specified*. Requires the notice to also be provided to each new employee upon hire; as well as annually be provided to the employee's authorized representative, if any. Provides that, for purposes of this bill, "authorized representative" means an exclusive collective bargaining representative.
- 3) Requires the notice to contain a description of workers' rights in the following areas:
 - a. *The right to workers' compensation benefits, including disability pay and medical care for work-related injuries or illness, as well as the contact information for the Division of Workers' Compensation.*
 - b. The right to notice of inspection by immigration agencies pursuant to existing law.
 - c. Protection against unfair immigration-related practices against a person exercising protected rights.
 - d. The right to organize a union *or engage in concerted activity* in the workplace.
 - e. Constitutional rights when interacting with law enforcement at the workplace, including an employee's right under the Fourth Amendment to the US Constitution to be free from unreasonable searches and seizures, and rights under the Fifth Amendment to the US Constitution to due process and against self-incrimination.
- 4) *Requires the notice to also contain both a description of new legal developments pertaining to laws enforced by the Labor and Workforce Development Agency that the LC deems material and necessary; as well as a list, developed by the LC, of the enforcement agencies that may enforce the underlying rights in the notice. Requires the LC to include these in the template notice described in (8) below.*
- 5) Requires the written notice to be provided to an employee in the language the employer normally uses to communicate employment-related information to the employee *and which*

the employee understands, if the template notice is available in that language on the LC's website; authorizes the notice to be provided in English if the template notice is not available in that language.

- 6) Authorizes an employer to, in addition to the required written notice, choose to provide a link to, or show, the video developed by the LC's office pursuant to (11) below.
- 7) *Requires an employer to keep records of compliance with the above requirements for three years, including the date that each written notice is provided or sent.*
- 8) Requires the LC to develop a template notice that an employer may use to comply with the requirements above and, *on or before January 1, 2026*, post it to the LC's website such that it is accessible to an employer. *Requires the LC to post an updated template notice annually thereafter.*
- 9) Requires the template notice to be written in plain terminology that is easily understood by a worker.
- 10) Requires the LC to make the template notice available in different languages, including English, Spanish, Chinese, Tagalog, Vietnamese, *Korean, Hindi, Urdu, and Punjabi*, and authorizes the LC to also provide the template notice in additional languages.
- 11) Requires, on or before July 1, 2026, the LC to develop a video for employees advising them of their rights under the areas listed in (3) above. *Requires the LC to make the video available in English and Spanish and authorizes the LC to also make the video available in other languages.*
- 12) *Requires, on or before July 1, 2026, the LC to develop a video for employers advising them of their rights and requirements under the areas listed in (3) above, including constitutional rights when interacting with law enforcement at the workplace.*
- 13) *Requires the LC to post both of the above videos to its website.*
- 14) *Requires the LC to consult with the Agricultural Labor Relations Board (ALRB) and the Public Employee Relations Board (PERB) in developing the template notice and videos. Requires the ALRB and PERB to provide suggested language for the template notice and a suggested script for the videos to the LC regarding workers' rights to organize, form, join, or assist a union, engage in collective bargaining, and participate in concerted activities for mutual aid or protection.*
- 15) *Requires the LC to consult with the Attorney General's Office to develop suggested language for the template notice and a suggested script for the videos regarding workers' and employers' constitutional rights when interacting with law enforcement at the workplace.*
- 16) Requires, if an employee has notified their employer that they would like their designated emergency contact to be notified in the event the employee is arrested or detained, the employer to notify the designated emergency contact if the employee is arrested or detained on their worksite. *If the arrest or detention occurs during work hours, or during the performance of the employee's job duties, but not on the worksite, the employer must notify*

the employee's designated emergency contact only if the employer has actual knowledge of the arrest or detention of the employee.

- 17) Requires an employer to provide an employee the opportunity to name an emergency contact no later than March 30, 2026, for an existing employee, and at the time of hiring for a new employee hired after that date, as well as to allow an employee to provide updated emergency contact information through the duration of employment. Requires an employer to allow the employee to indicate whether the emergency contact should be notified if either of the situations in (16) above occur.*
- 18) Authorizes parties subject to this bill to provide, by collective bargaining agreement, that the agreement supersedes the requirements of this bill, in whole or in part, if the waiver is explicitly set forth in the agreement in clear and unambiguous terms.
- 19) Prohibits employer retaliation, as specified.
- 20) Requires the LC to enforce this bill, as specified, or alternatively authorizes the bill to be enforced by a public prosecutor, as specified.*
- 21) Authorizes, in any civil action brought pursuant to (20) above, the petitioner to seek appropriate temporary or preliminary injunctive relief, including punitive damages, and reasonable attorney's fees and costs.
- 22) Authorizes, *except as provided in (23) below*, in addition to any other remedy, an employer who violates this bill to be subject to *a penalty* of up to \$500 per employee for each violation.
- 23) Provides that the penalty for a violation of the provisions of (16) to (17) above shall be an amount up to five hundred dollars (\$500) per employee for each day the violation occurs, up to a maximum of ten thousand dollars (\$10,000) per employee.*
- 24) Authorizes an employee, the LC, or a public prosecutor to recover the above penalties as a statutory penalty paid to the employee or a civil penalty, but not both, for the same violation.*
- 25) Authorizes an action to be brought in the superior court in any county in which the violation in question is alleged to have occurred or in which the employer resides or transacts business.
- 26) Provides that this bill does not preempt any city, county, or city and county ordinance that provides equal or greater protection to employees who are covered by this bill.

COMMENTS

California labor laws protect workers regardless of immigration status. Given the Trump Administration's focus on immigration enforcement and recent reports of ICE agents carrying out worksite raids throughout the state, it is ever more important to equip employers and workers with the knowledge and tools to better understand their respective rights and obligations when facing immigration-related issues at work.

In 2017, the Legislature passed AB 450 (Chiu), Chapter 492, which set forth certain requirements for employers regarding worksite inspections by immigration enforcement agents. AB 450, among other things, required that employers provide notification to employees of

immigration enforcement activities at work within 72 hours of receiving the notification of inspection by the immigration agency. Employers must also provide affected employees with the results of the inspection and inform them of their right to representation to address deficiencies.

Other labor laws that protect immigrants include:

- 1) An employer may not retaliate against a worker for filing a complaint with the Labor Commissioner.
- 2) Employers are prohibited from requesting more or different documents than required by federal law, misusing e-verify, threatening to file a false report with a government agency, or threatening to contact or contacting immigration authorities.
- 3) An employer who verifies employment eligibility beyond what federal law requires may face a \$10,000 penalty.

Employers in California must meet numerous workplace notice and posting requirements, including:

- 1) *Providing, upon hiring*, each nonexempt employee a written notice containing, among other things: the rate of pay, the regular payday designated by the employer, the name, address, and telephone of the employer, information on sick leave, and the existence of a federal or state emergency or disaster declaration applicable to the county where the employee will be employed and that was issued within 30 days before the employee's start date.
- 2) Employers must provide newly hired employees with pamphlets on a variety of topics, including further information about workers' compensation, unemployment insurance, disability insurance, paid family leave, sexual harassment, and the rights of victims of domestic violence, sexual assault, and stalking.
- 3) Employers must post information related to wages, hours and working conditions in an area frequented by employees such that they can easily read the postings during the workday.

According to the Author

"Since President Trump's inauguration, the federal government has enacted a wave of Executive Orders that aims to weaken civil and labor protections which muddies the waters for workers and employers alike. This makes it difficult for employers to know how to best comply with existing law, and for workers to understand what their rights are so they feel empowered to speak up when those rights are violated. This confusion over state and federal laws often scares workers into remaining silent and makes them susceptible to civil and labor law violations. As an example, past experiences with worksite raids from the Immigration and Customs Enforcement (ICE), demonstrate the likelihood of raids violating employees' due process. Now, more than ever, it is imperative that workers and employers know their rights under California and federal law. SB 294 will provide notice to workers when they are hired and annually thereafter that informs them of their rights in areas such as their right to organize a union, right to a notice of inspection by immigration agencies, and constitutional rights when interacting with law enforcement in the workplace. It is critical that our workers are equipped with the tools they need to exercise their rights."

Arguments in Support

A coalition of labor unions and workers' rights organizations, including the California Federation of Labor Unions and SEIU California are in support and state that "California workers, unions, and advocates have fought tirelessly to ensure the strongest worker protection laws in the

country. California exceeds the federal floor in minimum wages, meal breaks and overtime pay, health and safety standards, paid sick days, and anti-harassment and anti-discrimination protections, and countless other laws that protect all workers.

The federal administration has enacted a wave of executive orders that weaken civil and labor protections, making it difficult for employers to know how to best comply with existing law and for workers to understand what their rights are under California law versus changes at the federal level. In addition, the federal administration's policies target the most vulnerable workers and confusion over state and federal laws often scares workers into remaining silent."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Annual costs of approximately \$1 million to \$2 million to the LC to develop multilingual template notices, develop videos for employees and employers, and provide enforcement (Labor Enforcement and Compliance Fund). Costs may be minimally offset by penalty revenue.
- 2) Annual cost pressures (General Fund (GF) or Trial Court Trust Fund (TCTF)) of an unknown, but potentially significant amount, to the courts in additional workload by creating a new civil action and authorizing public prosecution to enforce workplace notice rights. It is unclear how many additional civil actions may be filed statewide, but the estimated workload cost of one hour of court time is \$1,000. 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 to perform existing duties. The Budget Act of 2025 provides \$82 million ongoing GF to the TCTF for court operations.

VOTES

SENATE FLOOR: 28-10-2

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Limón, Reyes

ASM LABOR AND EMPLOYMENT: 7-0-0

YES: Ortega, Flora, Chen, Elhawary, Kalra, Lee, Ward

ASM JUDICIARY: 10-1-1

YES: Kalra, Dixon, Hart, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur
NO: Macedo

ABS, ABST OR NV: Sanchez

ASM APPROPRIATIONS: 11-1-3

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache

NO: Dixon

ABS, ABST OR NV: Sanchez, Ta, Tangipa

UPDATED

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