
UNFINISHED BUSINESS

Bill No: SB 294
Author: Reyes (D), et al.
Amended: 9/4/25
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 4-1, 4/23/25
AYES: Smallwood-Cuevas, Cortese, Durazo, Laird
NOES: Strickland

SENATE JUDICIARY COMMITTEE: 11-2, 4/29/25
AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener
NOES: Niello, Valladares

SENATE APPROPRIATIONS COMMITTEE: 5-1, 5/23/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto
NO VOTE RECORDED: Dahle

SENATE FLOOR: 28-10, 5/28/25
AYES: 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
NOES: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto,
Strickland, Valladares
NO VOTE RECORDED: Limón, Reyes

ASSEMBLY FLOOR: 62-7, 9/12/25 – Roll call vote not available

SUBJECT: The Workplace Know Your Rights Act

SOURCE: California Federation of Labor Unions
Central American Resource Center

Service Employees International Union, California State Council

DIGEST: This bill (1) requires employers to provide a stand-alone written notice annually to each employee informing them of their rights under state and federal law, as specified; (2) 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; (3) 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 (4) authorizes various penalties for noncompliant employers.

Assembly Amendments 1) add deadlines for the LC to develop and post a template notice and for employers to provide a stand-alone written notice to their employees; 2) narrow the topics covered in the notice; 3) authorize employers to provide the notice via email or text, among others, as specified; 4) require employers to maintain records of compliance; 5) require the LC to consult with the Agricultural Labor Relations Board, the Public Employee Relations Board, and the Attorney General's office in developing a template notice and videos, as specified; 6) modify the penalties for noncompliance.

ANALYSIS:

Existing law:

- 1) Requires, under the California Occupational Safety and Health Act, an employer to:
 - a) Furnish employment and a place of employment that is safe and healthful.
 - b) Furnish and use safety devices and safeguards, as well as adopt and use practices, means, methods, operations, and processes that are reasonably adequate to render employment and the place of employment safe and healthful.
 - c) Do everything reasonably necessary to protect the life, safety, and health of employees. (Labor Code §6300 et seq.)
- 2) Establishes within the Department of Industrial Relations (DIR), various entities including the Division of Labor Standards Enforcement under the direction of the Labor Commissioner (LC), and empowers the LC with ensuring a just day's pay in every workplace and promoting economic justice through robust enforcement of labor laws. (Labor Code §79-107)

- 3) Requires employers, at the time of hire, to provide each employee with a written notice, in the language the employer normally uses to communicate employment-related information, containing the following:
 - a) The rate(s) of pay and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or otherwise, including any applicable overtime.
 - b) Allowances, if any, including meal or lodging.
 - c) The regular payday designated by the employer.
 - d) The name of the employer, including any “doing business as” names used.
 - e) The physical address of the employer’s main office or principal place of business, a mailing address, if different, and the telephone number.
 - f) The name, address, and telephone number of the employer’s workers’ compensation insurance carrier.
 - g) The right to accrue and use sick leave and file a complaint against an employer that retaliates for the use of sick leave.
 - h) Any other information the Labor Commissioner deems material and necessary. (Labor Code §2810.5)
- 4) Requires the LC to develop a template notice for 3), above, and make it available to employers. (Labor Code §2810.5)
- 5) Requires every employer who is subject to an order of the Industrial Welfare Commission, regulating wages hours and working conditions, to post a copy of the order and keep it posted in a conspicuous location frequented by employees during the hours of the workday. (Labor Code §1183(d))
- 6) Requires in each workplace of the employer, the employer to display a poster in a conspicuous place containing information on paid sick leave entitlement and usage, as specified. (Labor Code §247)
- 7) Requires eligible employers to keep posted conspicuously at the place of work a notice on family care and medical leave, as specified. (California Code of Regulations §7297.9)
- 8) Requires every employer to keep posted conspicuously at the place of work, if practicable, or otherwise where it can be seen as employees come and go to their places of work, or at the office or nearest agency for payment kept by the employer, a notice specifying the regular pay days and the time and place of payment. (Labor Code §207)

- 9) Requires every employer subject to the compensation provisions of Division 4 of the Labor Code to post and keep posted in a conspicuous location frequented by employees, and where the notice may be easily read by employees during the hours of the workday, a notice that states the name of the current compensation insurance carrier of the employer, or when appropriate, that the employer is self-insured, and who is responsible for claims adjustment. (Labor Code §3550)
- 10) Requires an employer to provide a notice to each current employee, by posting in the language the employer normally uses to communicate employment-related information to the employee, of any inspections of I-9 Employment Eligibility Verification forms or other employment records conducted by an immigration agency within 72 hours of receiving notice of the inspection. Written notice shall also be given within 72 hours to the employee's authorized representative, if any. (Labor Code §90.2)
- 11) Requires an employer to provide to each current affected employee, and to the employee's authorized representative, if any, a copy of the written immigration agency notice that provides the results of the inspection of I-9 Employment Eligibility Verification forms or other employment records within 72 hours of its receipt of the notice, as specified. (Labor Code §90.2)
- 12) Requires all employers to display a poster on workplace discrimination and harassment. (Government Code §12900 et seq.)

This bill:

- 1) Provides that it is the intent of the Legislature that California workers have a strong understanding of their rights as workers, as well as their civil rights under state and federal law.
- 2) Defines "authorized representative" as an exclusive collective bargaining representative.
- 3) Requires, on or before February 1, 2026, and annually thereafter, an employer to provide a stand-alone written notice of workers' rights to each current employee, and to each new employee upon hire. Employers must provide the notice in a manner normally used to communicate employment-related information, as specified. The notice shall also be annually provided to the employee's authorized representative, if any.

- 4) Requires the notice to contain a description of workers' rights in the following areas:
 - a) The rights to disability pay and medical care for work-related injuries or illness, as workers' compensation benefits, including 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 United States Constitution to be free from unreasonable searches and seizures and rights under the Fifth Amendment to the United States Constitution to due process and against self-incrimination.
- 5) Requires the notice to also contain 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 9), below.
- 6) 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 internet website. If the template notice is not available in that language, then the written notice shall be provided in English.
- 7) Authorizes an employer to, in addition to the written notice, choose to provide a link to, or show, the video developed by the LC pursuant to 11), below.
- 8) Requires an employer to maintain records of compliance with the above requirements for three years, including the date that each written notice is provided or sent.
- 9) Requires, on or before January 1, 2026, the LC to develop and post a template notice on its internet website that an employer may use to comply with the

notice requirement in 3), above. The LC shall post an update template notice annually thereafter.

- 10) Requires the template notice to be written in plain terminology that is easily understood by a worker. The LC shall make the template notice available in different languages, including, but not limited to, English, Spanish, Chinese, Tagalog, Vietnamese, and Korean.
- 11) Requires, on or before July 1, 2026, the LC to develop a video for employees advising them of their rights under the areas included in the notice. The LC shall make the video available in English and Spanish and may 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 included in the notice.
- 13) Requires the LC to post both of the above videos on its internet 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 these provisions 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 these provisions, as specified, or alternatively authorizes a public prosecutor to enforce these provisions, 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 these provisions do not preempt any city, county, or city and county ordinance that provides equal or greater protection to employees who are covered by this bill.

Background

Workplace Notices and Postings. In California, all employers must meet specified workplace notice and posting obligations. At the time of hiring, employers are required to provide each nonexempt employee a written notice with, among other things, the following information: 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. Employees admitted under the H-2A agricultural visa program receive the above notification as well as a separate and distinct section containing non-duplicative information that succinctly describes an agricultural employee's additional rights and protections under California law and regulations. Employers are able to use template notices prepared by the LC to fulfill the above requirements.

Additionally, newly hired employees must receive pamphlets on a variety of topics. Pamphlets provide further information on workers' compensation, unemployment insurance, disability insurance, paid family leave, sexual harassment, and the rights of victims of domestic violence, sexual assault, and stalking. Employers can access required pamphlets on DIR's and the Civil Rights Department's websites.

Employers are also required to comply with workplace posting requirements. DIR requires employers to post information related to wages, hours, and working conditions in an area frequented by employees where the posting can be easily read during the workday. Workplace postings are usually available at no cost from the requiring agency. When posting content changes occur, DIR announces them on its website. In the absence of any changes, employers do not need to replace postings annually. Additional posting requirements may apply to some workplaces, depending on the industry. The existing law section of this analysis provides a sample of the different types of postings required under the Labor Code, Government Code, and Code of Regulations.

Despite the above notification and posting requirements, many workers struggle to assert their rights in the workplace and navigate government assistance programs.

Workplace Immigration Raids. According to the latest statistics available from the Pew Research Center, businesses employed some 8.3 million workers without legal status in 2022, just under 5 percent of U.S. workers and an increase from three years prior. Many of these 8.3 million workers are in the agriculture and food production, construction, hospitality, and manufacturing industries. They are a vital part of the economy and communities across the country. On the campaign trail, President Trump pledged to conduct mass deportations; thus far, his administration has taken steps to implement this pledge.

The Trump Administration's aggressive efforts to target immigrant communities have led to widespread fear, panic, and confusion. In California's Central Valley, workers have stayed home, school attendance has dropped, Catholic mass attendance is down, and community events have decreased. Adding to the uncertainty, a new Department of Homeland Security policy authorizes immigration authorities to enter schools, healthcare facilities, and places of worship to conduct arrests. A January 7, 2025 immigration raid in Kern County, one day after Congress certified President Trump's election win, targeted farmworkers. Border Patrol reported arresting 78 people from a "predetermined list of targets, many of whom had criminal records." A subsequent CalMatters investigation found that Border Patrol misrepresented their actions and had no prior knowledge of criminal or immigration history for 77 of the 78 people arrested. Once someone has been detained, it can be difficult for their family members to track them down. Immigration authorities shuffle people around and hold them in rural areas far from where they were arrested or living.

In response to increased immigration raids, volunteer groups and nonprofits have ramped up efforts to educate people on their rights. The nonprofit Immigrant Legal Resource Center distributes red, pocket-sized, know your rights cards to immigrants in California and across the country. The cards come in nineteen languages and highlight certain protections under the Constitution that are particularly relevant to immigrants. This includes the Fifth Amendment right to remain silent and the Fourth Amendment right to refuse entry to the home unless an agent has a warrant signed by a judge. Although the cards have been around for almost two decades, interest in them has exploded under the second Trump Administration.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

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.

SUPPORT: (Verified 9/11/25)

California Federation of Labor Unions (Co-source)
Central American Resource Center (Co-Source)
Service Employees International Union, California State Council (Co-source)
Attorney General Rob Bonta
Actors Equity Association
California Alliance for Retired Americans
California Association of Psychiatric Technicians
California Coalition for Worker Power
California Conference of Machinists
California Employment Lawyers Association
California Faculty Association
California Federation of Teachers
California Immigrant Policy Center
California Latino Legislative Caucus
California Professional Firefighters
California Rural Legal Assistance Foundation
California Safety and Legislative Board of Smart – Transportation Division
California School Employees Association
Church State Council
Communications Workers of America, District 9
Consumer Attorneys of California
Courage California
Friends Committee on Legislation of California
Inland Empire Labor Council
International Association of Machinists and Aerospace Workers

International Federation of Professional and Technical Engineers, Local 21
International Union of Painters and Allied Trades, District Council 36
Latino Legislative Caucus
National Employment Law Project
National Union of Healthcare Workers
Orange County Employees Association
SAG-AFTRA
San Diego Building and Construction Trades Council
San Mateo Central Labor Council
SEIU, Local 1000
SMART, Sheet Metal Workers' Union, Local 104
SMART Transportation Division
State Building and Construction Trades Council of California
UAW Region 6
United Food and Commercial Workers, Local 770
United Food and Commercial Workers, Western States Council
United Teachers of Los Angeles, AFT, Local 1021
Worksafe

OPPOSITION: (Verified 9/11/25)

None received

ARGUMENTS IN SUPPORT:

The sponsors of the measure, the California Federation of Labor Unions, Central American Resource Center, and SEIU California State Council, argue:

“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...

SB 294, as amended, will give employers and workers the information they need to avoid violations and secure their rights in the workplace by educating them on labor and civil rights under state and federal law. The bill will require employers to provide workers with a stand-alone written notice that describes workers’ rights...The bill will also require the Labor Commissioner’s Office to develop a template available in the most frequently spoken languages to ensure

comprehension, and to develop a video for workers and employers to know and understand their right.”

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9/12/25 20:39:35

****** END ******