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Developments

## GOVERNOR DAVIS SIGNS LEGISLATION TO PROTECT CITIZENS FROM SEXUAL ORIENTATION DISCRIMINATION

(October 6, 1999)

With only one week left to enact new laws in 1999, Governor Davis continued his administration's "citizen's rights" trend last weekend by signing a bill outlawing sexual orientation discrimination in the workplace. Specifically, [AB 1001](#) amends the Fair Employment and Housing Act ("FEHA") to include a prohibition against sexual orientation discrimination.

**WHAT THIS MEANS:** This new bill does not really change current employment law because sexual orientation discrimination has been prohibited by Labor Code § 1102.1 since 1992. While previous claims were brought through the Labor Commissioner, the new law will funnel these claims through the Department of Fair Employment and Housing, a civil rights agency. This shift could actually benefit employers because it will now require complainants to file a charge with the Department of Fair Employment and Housing, and receive a Right to Sue Notice, before filing a claim under this statute. Keep in mind, however, that employees can still bring a wrongful termination in violation of public policy claim without any authorization from any agency.

**ALSO:** Please don't forget our "Getting Your Employment Practices Ready for the Year 2000" workshop on October 20, 1999. If you would like to attend but haven't yet responded, please contact [seminar@paulplevin.com](mailto:seminar@paulplevin.com) to reserve your spot.

If you would like any further information about California law regarding sexual orientation discrimination, please feel free to call or e-mail Joe Connaughton ([jconnaughton@paulplevin.com](mailto:jconnaughton@paulplevin.com)) (619) 744-3645) or any of our other attorneys at (619) 237-5200.

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