



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

AB 465 passes state Senate committee

Bill requires employees' consent for waiver of rights

SACRAMENTO (June 10, 2015) – A Consumer Attorneys of California-supported bill to protect the legal rights of California workers was approved by the state Senate Labor and Industrial Relations committee today with unanimous Democratic support.

AB 465, authored by Assemblyman Roger Hernandez (D-West Covina), will ensure that important employment rights and procedures can be waived only by the voluntary consent of employees in writing. These waivers, including waiving the right to trial by jury and requiring the use of arbitration to settle disputes, eliminate significant guarantees of fairness and due process that are cornerstones of the American civil justice system.

Employers frequently require agreement to such waivers, including mandatory arbitration, as a condition of employment, meaning Californians will not be hired unless they give up their right to resolve employment claims in a court of law. AB 465 would ensure these waivers of rights cannot be made a condition of employment.

“No worker should be forced to choose between getting a job and giving up core labor rights,” Asm. Hernandez said in presenting the bill to the committee. “That’s exactly what is happening today. Let’s not fool ourselves – there is not equal bargaining power between a employer and a worker desperate for a job. There is nothing voluntary about these agreements when they are forced upon workers.”

Committee member Sen. Hannah-Beth Jackson (D-Santa Barbara) added, “This [arbitration] system is so inherently unfair and weighted against the employee, you cannot with a straight face say this is a mutually-considered agreement. It has to be a level playing field, and clearly [arbitration] is not level.”

AB 465 is sponsored by the California Labor Federation, AFL-CIO. It now goes to the Senate Judiciary Committee for consideration.

Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

For more information:

**J.G. Preston, CAOC Press Secretary, 916-669-7126, jgpreston@caoc.org
Eric Bailey, CAOC Communications Director, 916-669-7122, e Bailey@caoc.org**