



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Bill protecting worker rights passes Calif. Senate

CAOC-backed AB 465 requires employees' consent for waiver of rights

SACRAMENTO (Aug. 24, 2015) – Despite fierce opposition by the California Chamber of Commerce, a Consumer Attorneys of California-supported bill to protect the legal rights of California workers was approved by the state Senate today. AB 465 becomes one of the few bills to pass both chambers of the California Legislature after receiving the so-called “job killer” designation from CalChamber, although the Chamber has shown no evidence that implementation of the bill would actually eliminate any jobs.

AB 465, sponsored by the California Labor Federation, AFL-CIO and 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, but AB 465 would ensure employment is not conditional on these waivers of rights.

“We all know there is not equal bargaining power between an employer and a worker desperate to find a job to feed his or her family,” said Senator Connie Leyva (D-Chino) in presenting the bill on the Senate floor. “AB 465 brings balance to the equation by making arbitration agreements truly voluntary.”

“Californians should not be forced to surrender their rights under the California Labor Code in order to get a job,” said Consumer Attorneys of California president Brian Chase. “The decision to resolve Labor Code disputes through arbitration rather than through the state Labor Commissioner or the courts should be a free choice made by both parties. AB 465 will ensure no Californian will see a job offer withdrawn simply because he or she does not trust an employer-sponsored arbitration system to fairly judge employer misconduct.”

AB 465 now must return to the Assembly for concurrence before heading to Gov. Jerry Brown’s desk.

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.

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