



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Bill to defend California workers' rights advances

AB 465 requires employees' consent for waiver of rights

SACRAMENTO (May 6, 2015) – A Consumer Attorneys of California-supported bill to protect the legal rights of California workers was approved by the Assembly Labor and Employment Committee today.

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.

These clauses waiving rights are often buried in the fine print of employment applications and employee handbooks. As a result it is nearly impossible for an employee or prospective employee to evaluate and make an informed choice about how a dispute will be resolved before a dispute exists.

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.

“Companies violating labor laws should not be able to shield their actions from the public by requiring their employees to submit disputes to private and secret proceedings,” said CAOC president Brian Chase. “That’s what happens when claims are settled behind closed doors in arbitration and confidentially swept under the rug, without leaving a shred of case law behind for the next victims seeking justice. AB 465 will ensure that a contract to waive any of the rights of procedures under the California Labor Code is a matter of voluntary consent, not coercion.”

AB 465 is sponsored by the California Labor Federation, AFL-CIO.

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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