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June 8, 2019

Assembly Member Eloise Reyes
California State Assembly
State Capitol
Sacramento, CA 95814
melissa.cosio@asm.ca.gov

RE: AB 9 (REYES, FRIEDMAN, WALDRON) – SUPPORT

I write on behalf of the Santa Barbara Women's Political Committee (SBWPC) in support of AB 9, which would extend the deadline for filing harassment and discrimination complaints under California's Fair Employment and Housing Act (FEHA) with the Department of Fair Employment and Housing from one to three years.

The FEHA is designed to protect employees from workplace harassment, discrimination, and retaliation due to protected characteristics such as sex and gender, sexual orientation, gender identity, race, age, religion, disability, and more. Under current law, an employee who has experienced discrimination at work, must file a pre-litigation complaint with the DFEH within one year of the unlawful act, or she will face an absolute time bar and will be unable to seek administrative or civil redress in court.

Employees - in particular, low-wage workers – are harmed by the short filing deadline. Many low-wage workers who have suffered harassment or other forms of discrimination are not aware of their legal rights and do not know that that they are time-barred if they do not file with the DFEH within a year. By the time they realize harassment is against the law, they are often past the time to file or close to having their statute expire. Furthermore, many employees fail to immediately report discrimination and harassment due to fear of retaliation and/or due to the trauma they endured.

Most other types of harm have longer filing deadlines. For example, the time for filing an action for personal injury in California is two years; actions for fraud are three years; and contract disputes have a four-year time window.

Victims of harassment and discrimination should have time to file their claims with the DFEH commensurate with other types of civil actions, especially in light of the common barriers that exist, including trauma and a lack of awareness of their rights.

For these reasons SBWPC is proud to support AB 9.

Sincerely,

Luz Reyes Martín
President SBWPC

CC: Email: timothy.griffiths@sen.ca.gov
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