

California Expands Immigration-related Employment Protections

On Sept. 29, 2026, California enacted [Assembly Bill \(AB\) 2495](#), which amends California Labor Code Section 1019 to prohibit employers from retaliating against individuals for exercising any workplace right under federal, state or local law, or engaging in conduct tied to a person's immigration status that would reasonably tend to discourage the person from exercising a legal right. The amended law takes effect on **Jan. 1, 2027**.

Background

California Labor Code Section 1019 prohibits employers from engaging in, or directing another person to engage in, unfair immigration-related practices for the purpose of retaliating against a person for exercising any right protected by state employment laws or local ordinances applicable to employees. **Unfair immigration-related practices** include:

- Requesting more or different documents than federal law requires;
- Refusing to honor documents that reasonably appear genuine;
- Using the federal E-Verify system to check a person's employment authorization status at a time or in a manner that federal law does not require or authorize;
- Threatening to file or filing a false police report or a false report or complaint with a state or federal agency; and
- Threatening to contact or contacting immigration authorities.

Engaging in one of these practices within 90 days after a person exercises a protected right creates a rebuttable presumption of retaliation. Aggrieved individuals may bring a civil action for equitable relief, damages or penalties, and attorney fees and costs.

Overview

AB 2495 extends immigration-related employment protections to any person who exercises or attempts to exercise a right under any applicable local, state or federal statute or regulation. Protected activity includes making a good-faith complaint, asking about legal compliance, telling another person about potential rights and remedies, and helping another person assert those rights. The amended law excludes conduct undertaken by an employer at the express and specific direction or request of the federal government.

Highlights

Sept. 28, 2026

California enacts AB 2495, which expands immigration-related employment protections.

Jan. 1, 2027

AB 2495 takes effect.

In addition, AB 2495 makes it unlawful for an employer or any other person to engage in any conduct related to a person's perceived immigration status that would reasonably tend to dissuade an employee from doing something the employee has a legal right to do. The same prohibition applies to conduct that would induce an employee to do something the employee has a legal right to refuse.

The amended law's definition of "**employee**" includes applicants, current employees and former employees. Under the law, a person's actual immigration status is irrelevant in determining liability.

In addition to other available remedies, employers that violate AB 2495 are liable for a civil penalty of **up to \$10,000 per employee or person for each violation**, awarded to the person who suffered the violation. The amended law also states that protections and remedies under Section 1019 add to and do not reduce protections under any other local, state or federal law.

Next Steps for Employers

California employers should update their workplace policies and procedures to comply with the amended law's immigration-related employment protection requirements by the compliance deadline. Employers should also train managers and HR staff about the new employment protections to avoid potential lawsuits and fines.