

*Liz Morris Testimony: AB 524*  
*Senate Labor Committee Hearing July 12, 2023*

- Liz Morris; Deputy Director; CWLL at Univ of California Law, SF
- Employment discrimination against family caregivers is well-documented, harmful, and pervasive. It jeopardizes the economic security of families, and it weakens our economy, especially by driving women out of the workforce.
- The question is what to do about it. AB 524 offers a viable solution that has already been tested in four other states and hundreds of local jurisdictions around the country. What we've seen in New York, Minnesota, Alaska, and Delaware is that these laws work for employees and businesses alike.
- Why is this true? Unfortunately many employers are not attuned to the fact that acting on biases against caregivers often violates other *existing* employment laws – like prohibitions against sex and race discrimination.
- AB 524 would provide *clarity* that discrimination against caregivers is unlawful. It would incentivize employers to recognize and weed out this form of bias, and by doing so, would help employers to avoid not only caregiver discrimination, but also other employment actions that are already unlawful in California. We've learned from other states that the impact of caregiver anti-discrimination laws is that employers retain valuable employees, reduce gender inequities, *and* avoid litigation.
- I want to be clear - the idea that these laws will not increase litigation is not just wishful thinking. It is the documented experience of businesses in the four other states. A rigorous 2021 analysis conducted by the Center for WorkLife Law found the likelihood a company will be sued under one of these laws is essentially zero. In the states that already prohibit caregiver discrimination, there was less than one lawsuit per state per year filed on average.
- The reality is that directing employer awareness to caregiver discrimination and explicitly prohibiting it would provide clarity to employers that acting on caregiver bias is illegal. In many cases, litigation would be *avoided* under AB 524 due to increased awareness.