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SB-294 The Workplace Know Your Rights Act. (2025-2026)

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Senate Bill No. 294

CHAPTER 667

An act to add Part 5.6 (commencing with Section 1550) to Division 2 of the Labor Code, relating to employment.

[Approved by Governor October 12, 2025. Filed with Secretary of State October 12, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 294, Reyes. The Workplace Know Your Rights Act.

Existing law establishes the Division of Labor Standards Enforcement, headed by the Labor Commissioner, within the Department of Industrial Relations, for the purpose of enforcing labor laws. Existing law prescribes the duties and rights of employers and employees relating to specified labor laws, including, among other things, workers' compensation and notice requirements related to inspections conducted by an immigration agency.

This bill would establish the Workplace Know Your Rights Act. The bill would require an employer, on or before February 1, 2026, and annually thereafter, to provide a stand-alone written notice to each current employee of specified workers' rights, including, among other things, the categories described above, as well as constitutional rights of an employee when interacting with law enforcement at the workplace, as specified. The bill would also require the employer to provide the written notice to each new employee upon hire and to provide the written notice annually to an employee's authorized representative, if any.

This bill would require the Labor Commissioner to develop a template notice that an employer may use to comply with the notice requirement described above. The bill would require the Labor Commissioner to post the template notice on its internet website on or before January 1, 2026, and to post an updated template notice annually thereafter. The bill would also require the Labor Commissioner, on or before July 1, 2026, to develop a video for employees advising them of their rights under the areas described above and to develop a video for employers advising them of their rights and requirements under those areas, as provided. The bill would require the Agricultural Labor Relations Board, the Public Employment Relations Board, and the Attorney General's office to provide specified input for the template notice and the videos.

This bill would require an employer, if an employee has designated an emergency contact for this purpose, to notify the designated emergency contact if the employee is arrested or detained on their worksite. If the arrest or detention occurs during work hours, or during the performance of the employee's job duties, but not on the worksite, the bill would require the employer to notify the employee's designated emergency contact only if the employer has actual knowledge of the arrest or detention of the employee. The bill would require an employer to provide an employee the opportunity to name an emergency contact on or before March 30, 2026, for an existing employee, and at the time of hiring for a new employee hired after March 30, 2026.

This bill would prohibit an employer from discharging, threatening to discharge, demoting, suspending, or in any manner discriminating or retaliating against an employee for exercising or attempting to exercise their rights under the bill, as provided.

This bill would require the Labor Commissioner to enforce the bill, as specified, and would also alternatively authorize enforcement by a public prosecutor. The bill would provide that an employer who violates the bill may be subject to a penalty of up to \$500 per employee for each violation, except that the penalty for a violation of the provisions relating to emergency contacts would be an amount up to \$500 per employee for each day the violation occurs, up to a maximum of \$10,000 per employee.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Part 5.6 (commencing with Section 1550) is added to Division 2 of the Labor Code, to read:

PART 5.6. WORKPLACE KNOW YOUR RIGHTS

1550. This part shall be known, and may be cited, as the Workplace Know Your Rights Act.

1551. (a) It is the intent of the Legislature that California workers have a strong understanding of their rights as workers, as well as their constitutional rights.

(b) It is further the intent of the Legislature to equip workers with knowledge of their rights that they can also use to protect their families, neighbors, and communities at a time of potential disruption, dislocation, and fear for many Californians.

1552. For purposes of this part, "authorized representative" means an exclusive collective bargaining representative.

1553. (a) On or before February 1, 2026, and annually thereafter, an employer shall provide a stand-alone written notice to each current employee pursuant to this section in a manner the employer normally uses to communicate employment-related information. The notice may include, but is not limited to, personal service, email, or text message, if it can reasonably be anticipated to be received by the employee within one business day of sending. The written notice shall also be provided to each new employee upon hire. Written notice shall also be annually provided to the employee's authorized representative, if any, by either electronic or regular mail. The notice shall contain a description of workers' rights in the following areas:

(1) The right to workers' compensation benefits, including disability pay and medical care for work-related injuries or illness, as well as the contact information for the Division of Workers' Compensation.

(2) The right to notice of inspection by immigration agencies pursuant to subdivision (a) of Section 90.2.

(3) Protection against unfair immigration-related practices against a person exercising protected rights.

(4) The right to organize a union or engage in concerted activity in the workplace.

(5) Constitutional rights when interacting with law enforcement at the workplace, including an employee's right under the Fourth Amendment to the United States Constitution to be free from unreasonable searches and seizures and rights under the Fifth Amendment to the United States Constitution to due process and against self-incrimination.

(b) The notice shall also contain both of the following:

(1) A description of new legal developments pertaining to laws enforced by the Labor and Workforce Development Agency that the Labor Commissioner deems material and necessary. The Labor Commissioner shall include a list of those developments, if any, in the template notice described in paragraph (a) of Section 1554.

(2) A list, developed by the Labor Commissioner, of the enforcement agencies that may enforce the underlying rights in the notice. The Labor Commissioner shall include this list in the template notice described in paragraph (a) of Section 1554.

(c) The written notice shall be provided to an employee in the language the employer normally uses to communicate employment-related information to the employee and which the employee understands if the template notice is available in that language on the Labor Commissioner's internet website. If the template notice is not available in that language, then the written notice may be provided in English.

(d) An employer may, in addition to the required written notice, choose to provide a link to, or show, the video developed by the Labor Commissioner's office pursuant to subdivision (b) of Section 1554.

(e) An employer shall keep records of compliance with the requirements of this section for three years, including the date that each written notice is provided or sent.

1554. (a) The Labor Commissioner shall develop a template notice that an employer may use to comply with the requirements of Section 1553. On or before January 1, 2026, the Labor Commissioner shall post the template notice on its internet website so that it is accessible to an employer. The Labor Commissioner shall post an updated template notice annually thereafter. The template notice shall be written in plain terminology that is easily understood by a worker. The Labor Commissioner shall make the template notice available in different languages, including English, Spanish, Chinese, Tagalog, Vietnamese, Korean, Hindi, Urdu, and Punjabi. The Labor Commissioner may also provide the template notice in additional languages.

(b) On or before July 1, 2026, the Labor Commissioner shall develop a video for employees advising them of their rights under the areas listed in Section 1553. The Labor Commissioner shall make the video available in English and Spanish and may also make the video available in other languages.

(c) On or before July 1, 2026, the Labor Commissioner shall develop a video for employers advising them of their rights and requirements under the areas listed in Section 1553, including constitutional rights when interacting with law enforcement at the workplace.

(d) The Labor Commissioner shall post the videos developed pursuant to subdivisions (b) and (c) on the Labor Commissioner's internet website.

(e) (1) The Labor Commissioner shall consult with the Agricultural Labor Relations Board and the Public Employment Relations Board in developing the template notice described in subdivision (a) and the videos described in subdivisions (b) and (c). The Agricultural Labor Relations Board and the Public Employment Relations Board shall provide suggested language for the template notice described in subdivision (a) and a suggested script for the videos described in subdivisions (b) and (c) to the Labor Commissioner regarding workers' rights to organize, form, join, or assist a union, engage in collective bargaining, and participate in concerted activities for mutual aid or protection.

(2) The Labor Commissioner shall consult with the Attorney General's office to develop suggested language for the template notice described in subdivision (a) and a suggested script for the videos described in subdivisions (b) and (c) regarding workers' and employers' constitutional rights when interacting with law enforcement at the workplace.

1555. (a) If an employee has notified their employer that they would like their designated emergency contact to be notified in the event the employee is arrested or detained, the employer shall notify the designated emergency contact if the employee is arrested or detained on their worksite. If the arrest or detention occurs during work hours, or during the performance of the employee's job duties, but not on the worksite, the employer shall notify the employee's designated emergency contact only if the employer has actual knowledge of the arrest or detention of the employee.

(b) An employer shall provide an employee the opportunity to name an emergency contact no later than March 30, 2026, for an existing employee, and at the time of hiring for a new employee hired after March 30, 2026. The employer shall also allow an employee to provide updated emergency contact information through the duration of employment. The employer shall allow the employee to indicate whether the emergency contact should be notified if the employee is arrested or detained on their worksite, or during work hours or during the performance of the employee's job duties, but not on the worksite, if the employer has actual knowledge of the arrest or detention of the employee.

1556. Parties subject to this part may provide, by collective bargaining agreement, that the agreement supersedes the requirements of this part, in whole or in part, if the waiver is explicitly set forth in the agreement in clear and unambiguous terms.

1557. An employer shall not discharge, threaten to discharge, demote, suspend, or in any manner discriminate or retaliate against an employee for exercising or attempting to exercise their rights under this part, filing a complaint with the Labor Commissioner alleging a violation of this part, cooperating in an investigation or prosecution of an alleged violation of this part, or for any action taken by an employee to invoke, or assist in any manner in, the enforcement of this part.

1558. (a) The Labor Commissioner shall enforce this part, including investigating an alleged violation, and ordering appropriate temporary relief to mitigate a violation or maintain the status quo pending the completion of a full investigation or hearing through the procedures set forth in Section 98, 98.3, 98.7, 98.74, or 1197.1, including issuing a citation against an employer who violates this section and filing a civil action. If a citation is issued, the procedures for issuing, contesting, and enforcing judgments for citations and civil penalties issued by the Labor Commissioner shall be the same as those set out in Section 98.74 or 1197.1, as applicable.

(b) This part may also alternatively be enforced by a public prosecutor pursuant to Chapter 8 (commencing with Section 180) of Division 1.

(c) In any civil action brought pursuant to subdivision (a) or (b), the petitioner may seek appropriate temporary or preliminary injunctive relief, including punitive damages, and reasonable attorney's fees and costs.

(d) (1) Except as provided in paragraph (2), in addition to any other remedy, an employer who violates this part may be subject to a penalty of up to five hundred dollars (\$500) per employee for each violation.

(2) The penalty for a violation of Section 1555 shall be an amount up to five hundred dollars (\$500) per employee for each day the violation occurs, up to a maximum of ten thousand dollars (\$10,000) per employee.

(3) An employee, the Labor Commissioner, or a public prosecutor may recover a penalty under this part as a statutory penalty paid to the employee or a civil penalty, but not both, for the same violation.

(e) An action brought pursuant to this section may be brought in the superior court in any county in which the violation in question is alleged to have occurred or in which the employer resides or transacts business.

1559. This part does not preempt any city, county, or city and county ordinance that provides equal or greater protection to employees who are covered by this part.