

Hi. This is Chris Micheli, a principal at the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law. Today's podcast is on the enactment of Assembly Bill 9 in the 2019 legislative session.

Basically, California is extending the limitations period for employment discrimination claims. AB 9 was enacted as Chapter 709 and signed on October the 10th. This bill extends to three years the statute of limitations for complaints alleging employment discrimination, and it specifies the operative date of the verified complaint is to be the date that the intake form was filed with the Labor Commissioner.

The bill also makes conforming changes to current provisions that grant a person allegedly aggrieved by an unlawful practice, who first obtains knowledge of the facts of the alleged unlawful practice after the expiration of the limitation period. AB 9 provides that complaints alleging a violation of the Unruh Civil Rights Act shall not be filed after the expiration of one year from the date upon which the alleged unlawful practice or refusal to cooperate occurred.

However, a complaint alleging any other violation of Article One of Chapter Six shall not be filed after the expiration of three years from the date upon which the unlawful practice or refusal to cooperate had occurred. Also, the bill states legislative intent that its provisions are not to be interpreted as reviving lapsed claims.