



THIS JUST IN

DFEH is proud to have partnered with other state agencies and UC Irvine Law School to create a new interactive app to teach tenants and landlords about eviction protections and ways they can work together to navigate the COVID-19 pandemic.

The California COVID-19 Information App for Tenants & Landlords


>

An interactive tool to your rights & options under The Tenant, Homeowner and Small Landlord Relief and Stabilization Act of 2020

Click here



Our free online trainings against sexual harassment at work are now available in Spanish!

HOT OFF THE PRESS

FAIR HOUSING FACT SHEET

YOU ARE PROTECTED UNDER CALIFORNIA LAW

Laws enforced by the Department of Fair Employment and Housing (DFEH) protect you from illegal discrimination and harassment in housing based on:

- Race
- Color
- National origin (including language use restrictions)
- Ancestry
- Religion
- Sex
- Gender
- Gender identity
- Gender expression
- Sexual orientation
- Marital status
- Military or veteran status
- Familial status (households with children under age 18 or individuals who are pregnant)
- Source of income
- Disability (mental and physical)
- Genetic information
- Age*
- Citizenship*
- Primary language*
- Immigration status*

*Covered under the Unruh Civil Rights Act, which applies to most housing accommodations in California. All other characteristics are covered under the Fair Employment and Housing Act.

WHAT DFEH DOES

1. Enforce the Fair Employment and Housing Act (FEHA), the Unruh Civil Rights Act, the Ralph Civil Rights Act, the Disabled Person's Act, and the California Trafficking Victims Protection Act
2. Investigate harassment, discrimination, retaliation, bias-motivated violence, and human trafficking complaints
3. Help landlords and tenants resolve complaints involving alleged violations of the laws enforced by DFEH
4. Prosecute in court violations of California's civil rights laws
5. Educate Californians about their civil rights

WHO MUST COMPLY WITH CALIFORNIA'S FAIR HOUSING LAWS

- Landlords
- Property management companies
- Homeowners associations
- Public housing authorities
- Real estate agents
- Home sellers
- Property insurers
- Builders
- Mortgage lenders
- Tenant screening companies
- Consumer reporting agencies
- Others

Fair Housing Fact Sheet

Fair Chance Act: Criminal History and Employment FAQ

1. **What is the Fair Chance Act?**
The Fair Chance Act, which went into effect on January 1, 2018, is a California law that generally prohibits employers with five or more employees from asking about your conviction history before making you a job offer. This type of law is also known as a "Ban the Box" law. California enacted the Fair Chance Act to reduce barriers to employment for individuals with conviction histories because gainful employment is essential to these individuals supporting themselves and their families, and to improving their community ties and mental health – all of which reduce recidivism. The Fair Chance Act is part of California's employment anti-discrimination statute called the Fair Employment and Housing Act (FEHA), which is enforced by the Department of Fair Employment and Housing (DFEH). The Fair Chance Act is codified at Government Code section 12952.
2. **How does the law work?**
The law generally prohibits employers from:
 - Including on a job application any questions about conviction history before a conditional job offer has been made
 - Asking about or considering your criminal history before a conditional job offer has been made
 - Considering information about arrests not followed by conviction, participation in pretrial or posttrial diversion programs that have been completed and the underlying pending charges or conviction dismissed, sealed, or expunged, or convictions that have been sealed, dismissed, expunged, or statutorily eradicated

After offering you a job, employers are allowed to conduct a criminal history check, but the law requires an individualized assessment about your conviction history. That means that an employer can't take back the job offer without considering the nature and gravity of the criminal history, the time that has passed since the conviction, and the nature of the job you are seeking. If the employer decides to take back the job offer based on your criminal history, they must tell you so in writing, provide a copy of any conviction history report they relied on, and give you at least five business days to respond.
3. **Which employers are covered by the law?**
Public and private employers with five or more employees are covered by the law. This includes union hiring halls, labor contractors, temporary employment agencies, and client employers. The law does not apply to certain positions at health care facilities, farm labor contractors, or positions with state criminal justice agencies. It also does not apply to any position where an employer is required by another law to conduct background checks or restrict employment based on criminal history. However, while employers do not have to comply with the requirements of the Fair Chance Act when hiring for such positions, their use of criminal history may still be challenged as discriminatory if it has an adverse impact on individuals in a protected basis (such as race). In such cases, the employer must show that the consideration of criminal history is job-related and consistent with business necessity. Even if the consideration of criminal history is job-related and consistent with business necessity, it will be unlawful if there is a less discriminatory way to meet the business necessity.

DFEH-123P-ENH / September 2020

Fair Chance Act Criminal History and Employment

DFEH Employment Information on COVID-19 FAQ

A pandemic of respiratory illness caused by the new coronavirus (COVID-19) currently exists in California and beyond. Governor Newsom declared a state of emergency in California on March 4, 2020.

Workers and employers should adhere to the latest government guidance on how to reduce transmission of COVID-19 in the workplace, including guidance from the Centers for Disease Control and Prevention (CDC), the California Department of Public Health, and the California Division of Occupational Safety and Health (Cal/OSHA).

At the same time, employers must adhere to state and federal civil rights laws, including the Fair Employment and Housing Act (FEHA). For employers with 5 or more employees, the FEHA prohibits employment discrimination and harassment on the basis of race, national origin, disability, age (over 40), and other characteristics. The FEHA also requires employers to reasonably accommodate employees with a disability, unless an employer shows undue hardship after engaging in the interactive process.

DFEH is providing this guidance to assist employers and employees with frequently asked questions about how to keep workplaces safe during the COVID-19 pandemic while also upholding civil rights. This guidance is based on current public health information and may be updated from time to time, and replaces previous guidance issued on March 20, 2020. This guidance is for informational purposes only and does not create any rights or obligations separate from those imposed by the FEHA and other laws.

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DFEH Employment Information on COVID-19

HEARING ON HATE VIOLENCE IN CALIFORNIA

MONDAY, SEPTEMBER 21, 2020
10:30 a.m. – 3:00 p.m.

Hate violence is violence or threats of violence motivated by someone's disability, gender identity, race, religion, sex, sexual orientation, where they are originally from, or other personal characteristics. Hate violence is an especially potent form of violence that persists in California despite being unlawful under criminal and civil laws.

The California Fair Employment and Housing Council invites the public to a free, virtual hearing about hate violence in California. The Council will receive expert testimony and public comment. The Council has statutory authority to promulgate regulations and to hold hearings and issue reports to advance civil rights in California.

The Council is part of the Department of Fair Employment and Housing (DFEH), which is the state agency charged with enforcing California's civil rights laws. The mission of DFEH is to protect the people of California from hate violence, human trafficking, and discrimination in employment, housing, businesses of every kind, and state-funded programs and activities. www.dfeh.ca.gov

TO JOIN

<https://us02web.zoom.us/j/88119584638>
and/or by phone at:
1-669-900-6833
Meeting ID: 88119584638

Session 1: Current Trends, Targeted Communities, and Causes
10:30 a.m. – 12:15 p.m.
Break
12:15 p.m. – 1:00 p.m.
Session 2: Reducing Hate Violence: Legal, Policy, and Community Interventions
1:00 p.m. – 2:30 p.m.
Public Comment
2:30 p.m. – 3:00 p.m.

FEATURING EXPERTS FROM:

- Anti-Defamation League
- Asian Pacific Policy Planning Council
- California Department of Fair Employment and Housing
- California Department of Justice
- California Rural Legal Assistance
- Center for the Study of Hate and Extremism, CSU San Bernardino
- Contra Costa County District Attorney's Office
- Equal Justice Society
- Lambda Legal
- Rebirth Homes
- Riverside County Sheriff's Department
- Riverside Police Department
- Sahaba Initiative
- Stanford Law School
- TODEC Legal Center

Public comment provided orally during the hearing will be limited to 3 minutes each. Written public comment may be emailed to: fehccouncil@dfeh.ca.gov. Requests for accommodations may be made via fehccouncil@dfeh.ca.gov, 844-541-2877, or 711.

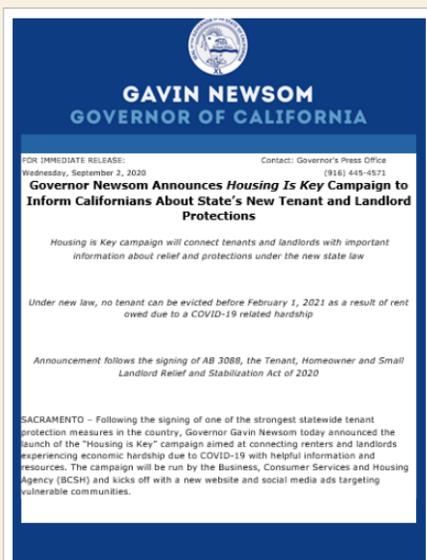
Hearing on Hate Violence in California

NOTE: Additional languages are available on our [Posters, Guides and Fact Sheets](#) webpage

UPCOMING EVENTS

	SEP 21 2020	Fair Employment and Housing Council: Hate Violence Hearing
	SEP 21 2020	Oaksterdam University Employment Series: Employment and COVID-19
	SEP 22 2020	Los Angeles District Office and San Francisco District Office: Virtual EEO Seminar "Meeting the Moment"
	SEP 24 2020	Alameda County Bar Association (ACBA): Employment Law from Plaintiff, Defense & Government Perspectives
	SEP 25 2020	Fair Employment and Housing Council: Remote Teleconference
	SEP 28 2020	Oaksterdam University Employment Series: Equity Panel
	SEP 28 2020	Shaw Law Group: Workplace Insights with DFEH
	SEP 29 2020	Swords and Plowshares: Fair Housing Presentation
	OCT 06 2020	NCERT Event: Harassment Prevention: Resources & Strategies For A Changing World
	OCT 07 2020	California Association of Realtors: Property Management Legal Open Forum (PMLOF)

CASE FILINGS, SETTLEMENTS, & NEWS



Governor Newsom Announces Housing Is Key Campaign to Inform Californians About State's New Tenant and Landlord Protections

View Press Release

September 2, 2020

