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## AB 1556 – Fair Employment and Housing Act Clarification

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Sponsor: Equality California

### In Brief

AB 1556 clarifies the Fair Employment and Housing Act (FEHA), removing gendered terms such as “female,” “she,” and “her” from statutory provisions for pregnancy-related employment protections and replaces them with gender-neutral terms such as “person” or “employee.” These changes ensure that transgender, nonbinary, and gender nonconforming people are reflected in these protections and know that they can rely on them to meet their health needs if they become pregnant or experience related medical conditions during the course of their employment.

### Background

FEHA prohibits employment discrimination on the basis of race, religion, creed, color, national origin, ancestry, physical disability, mental disability or condition, marital status, sex, age, and sexual orientation. Under FEHA, “sex” includes, but is not limited to, pregnancy or medical conditions related to pregnancy, childbirth or medical conditions related to childbirth, breastfeeding or medical conditions related to breastfeeding, gender, gender identity and gender expression.

### The Issues

Under FEHA, an employer is prohibited from preventing an employee from taking leave for pregnancy, childbirth, or a related medical condition, and then returning to work. Under many of these pregnancy-related employment protections, there are statutory references to terms like “female,” “she,” and “her,” even when gender-neutral terms such as “person” or “employee,” are more appropriate.

### The Solution

AB 1556 would remove gendered terms such as “female,” “she,” and “her” from FEHA and replace them with gender-neutral terms such as “person” or “employee.” Statutory provisions in California’s code should be inclusive so that all residents of our state know they are protected. Changing statutory references in FEHA to gender-neutral terms would reflect an important dignity interest of California residents who are intersex, transgender, or gender nonconforming. Given the increasing visibility of transgender, non-binary, and gender nonconforming individuals who are pregnant, it is important to ensure it is clear that these protections are afforded to all persons who become pregnant or experience pregnancy-related medical conditions during the course of their employment.

### Support

Equality California (Sponsor)  
Transgender Law Center

### For More Information

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