

Assembly Bill 2499: California Amends Jury, Court, and Victim Time Off Provisions

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On September 29, 2024, the Governor signed [Assembly Bill \(AB\) 2499](#), expanding the list of crimes for which employees can take time off and allowing employees to take protected time off to assist family members who are victims of specified crimes. The new law also permits the use of state paid sick leave for these purposes.

Prior to AB 2499, California law provided protections to employees from discrimination or retaliation for taking time off for jury duty, court appearances, or to employees who were victims of crime or abuse.

Under AB 2499, these protections remain in place, but broaden the definition of “victims” to include a victim of a “qualifying act of violence,” which means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence
- Sexual assault
- Stalking
- An act, conduct, or pattern of conduct that includes:
 - An individual causes bodily injury or death to another
 - An individual exhibits, draws, brandishes, or uses a firearm or other dangerous weapon, with respect to another
 - An individual uses or makes a reasonably perceived or actual threat of use of force against another to cause physical injury or death.

In addition, this law moves the jury, court, and victim time off provisions from the Labor Code (former Labor Code Sections 230 and 230.1) as unlawful employment practices within the California Fair Employment and Housing Act (Government Code Section 12945.8) and, with it, moves the enforcement authority to the California Civil Rights Department.

This law removes the threshold of 25 or more employees from the provisions for victims of crime or abuse, and now requires all employers with at least one employee to comply, except as specified. Employers with five or more employees must not discriminate or retaliate against an employee who is a victim or has a family member who is a victim from taking time off from work for additional reasons

beyond obtaining relief or attempting to obtain relief (temporary restraining order, restraining order, or other injunctive relief) to ensure the health, safety, or welfare of the victim or family member of the victim.

Under the bill employees are permitted to use vacation, personal leave, paid sick leave, or compensatory time off that is available unless otherwise provided in a collective bargaining agreement.

Finally, under the law employers will be required to provide written notice of their rights established under this bill to new hires, to all employees annually, at any time upon request, and any time the employer becomes newly aware that an employee or an employee's family member is a victim.

This bill takes effect **January 1, 2025**.

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