

Assembly Bill No. 1554

CHAPTER 195

An act to add Section 2810.7 to the Labor Code, relating to employment.

[Approved by Governor August 30, 2019. Filed with Secretary
of State August 30, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1554, Gonzalez. Employers: dependent care assistance program: notice to employees.

Existing law relating to the obligations of an employer requires an employer to notify employees of prescribed information relating to employment and benefits.

This bill would require an employer to notify, in a prescribed manner, an employee who participates in a flexible spending account of any deadline to withdraw funds before the end of the plan year.

The people of the State of California do enact as follows:

SECTION 1. Section 2810.7 is added to the Labor Code, to read:

2810.7. (a) An employer shall notify an employee who participates in a flexible spending account, including, but not limited to, a dependent care flexible spending account, a health flexible spending account, or adoption assistance flexible spending account, of any deadline to withdraw funds before the end of the plan year. Notice shall be by two different forms, one of which may be electronic.

(b) Notices made pursuant to subdivision (a) may include, but are not limited to the following:

- (1) Electronic mail communication.
- (2) Telephone communication.
- (3) Text message notification.
- (4) Postal mail notification.
- (5) In-person notification.