



SB 461 (Wahab): Religious or Cultural Observance



CAIR-CA Position: SPONSOR

Summary

SB 461, authored by Senator Aisha Wahab, will allow a state employee to use eight hours of holiday credit towards the observance of a holiday or ceremony of the state employee's religion, culture, or heritage.

Background & Problem

There are numerous religious holidays that are not recognized as holidays for state employees such as: Eid al-Fitr, Diwali, Rosh Hashanah, Ash Wednesday, and many others. These holidays hold significant meaning within different religious groups and the communities that engage in these celebrations. Currently, many employees are expected to explain the holiday to employers or informally disclose their religion, culture, or heritage, making themselves vulnerable to discrimination, to request time off.

In terms of the American Muslim experience, California has one of the largest Muslim populations of any state in the country with over 1,000,000 Muslims. This diverse population includes African, Arab, Asian American, Pacific Islander, Black, Middle Eastern, and South Asian populations. The most important religious observances for these populations are the two Eid celebrations: Eid al-Fitr and Eid al-Adha.

Despite the growing contributions and influence of American Muslims within the State, Californian Muslims have faced increased instances of hate and employment discrimination. The state has taken the initiative to address some of these issues by adopting *reactive* measures and laws to address occurrences of hate crimes. CAIR-CA has also worked in previous years to advocate for laws to improve religious accommodations in the workplace, but *proactive* measures that include and celebrate the Muslim population have yet to be adopted at the statewide level. Studies have shown that amplifying the authentic narratives of communities and celebrating their diversity is the most effective way to address instances of hate, discrimination, and bullying.

Given the importance of these holidays and the growing Muslim population across the country, many states including Texas, Michigan, and New Jersey have adopted or attempted to adopt religious accommodations at the state or local level to accommodate Eid celebrations. The State of Washington expanded its laws granting public employees a paid floating holiday per year and including two unpaid holidays to accommodate employees with holy days which did not coincide with state legal holidays.

By allowing state employees to receive time off to attend religious, cultural, or heritage-based holidays and gatherings, this bill reinforces California's commitment to diversity and fostering cultural competency.

Solution

This bill ensures religious and ethnic minorities in the California State Service are permitted time off for the observance of significant holidays, allowing their diversity to be celebrated and further protected from discrimination.

These holidays include, but are not limited to: Araw ng Kagitingan, Bandi Chhor Divas, Bonifacio Day, Cinco de Mayo, Día de los Muertos, Diwali, Dasehra, Eid al-Adha, Eid al-Fitr, Hanukkah, Janmashtami, Maha-shivaratri, Maundy Thursday, National Heroes' Day, Navaratri, Nowruz, Passover, Raksha Bandhan, Rosh Hashanah, Têt Nguyên Đán, Vaisakhi, Yom Kippur.

Support

- Council on American-Islamic Relations, California (Sponsor)
- California Teachers Association
- National Association of Social Workers, California Chapter