



SB 238 – Diversity of Thought Act

Senator Melissa Melendez

Background

On January 20th the United States inaugurated our 46th President, Joe Biden. His rise to leadership comes at a time of great turmoil in the nation, as we attempt to stabilize the economy, address a pandemic and heal the growing political division. The crux of President Biden’s speech focused on unification. He vowed to “restore the soul of America” suggesting that “[t]o make progress, we must stop treating our opponents as our enemy.” He continued to say that “[t]he refusal of Democrats and Republicans to cooperate with one another is not due to some mysterious force beyond our control” but is instead a choice we make. The President also importantly emphasized that America “must make the promise of the country real for everybody — no matter their race, their ethnicity, their faith, their identity, or their disability.”

The President speaks true words. In order to lessen division, Americans need to encourage acceptance of one another. This includes the diversity of thought, which is a foundational element of our democracy.

Problem Being Addressed

In November, a sitting congresswoman tweeted about blacklisting those who were in support of President Trump, asking if anyone was “archiving these Trump sycophants for when they try to downplay or deny their complicity in the future?”

The Trump Accountability Project agreed with her and promoted this on their website: “Remember what they did. We should not allow the following groups of people to profit from their experience: Those who elected him. Those who staffed his government. Those who funded him.”

While the Trump Accountability Project has been declared no longer active, it brings concern that an elected official would even consider throwing weight behind keeping track of Americans who have different political beliefs.

SB 238 would address the concerns of blacklisting individuals by providing additional protections against discrimination.

Which code section is affected?

SB 238 will amend the Fair Employment and Housing Act in the Government Code by adding political affiliation to the list of protections for residents in the state of California.

Additionally, the measure will explicitly state in the Unruh Civil Rights Act that it is prohibited to discriminate against someone based on their political affiliation or belief.

Finally, the bill amends the labor code to ensure there is no adverse employment action taken against an employee based on their political affiliation or lack thereof.

Summary

This bill is a simple step to affirming that Californians are supportive of an open dialogue and diversity of thought. We lead the nation in many policy areas and it is essential that we answer President Biden’s call for unity. We must repair the division between Americans, and it starts with ensuring that Californians are protected against discrimination connected to their political affiliations.

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