

What are our obligations under the California Employee Literacy Education Assistance Act?

Q. An employee recently disclosed that he is illiterate and asked for our help in finding an adult literacy education program. What are our obligations toward this employee under California law?

A. The California Employee Literacy Education Assistance Act, which is codified in the California Labor Code, requires private employers with 25 or more employees to “reasonably accommodate and assist any employee who reveals a problem of illiteracy and requests employer assistance in enrolling in an adult literacy education program.”

Employer assistance may include providing the employee with information on literacy education programs in the area or arranging for a literacy education provider to visit the worksite. An employer would not be required to provide these reasonable accommodations if it would create an undue hardship for the employer.

Furthermore, an employer must take reasonable efforts to safeguard the illiterate employee’s privacy and confidentiality with regard to his or her illiteracy. An employer is also prohibited from discharging an employee for revealing that he or she is illiterate.

Note that an employer is not obligated to provide paid time off for an employee to enroll and participate in an adult literacy education program.