**California Gender Identity And Expression**

AB 887 ([pdf](http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0851-0900/ab_887_bill_20111009_chaptered.pdf)) amends the Fair Employment and Housing Act (“FEHA”) and defines “gender” to include both gender identity and “gender expression.” “Gender expression” is a person’s “gender-related appearance and behavior,” “whether or not stereotypically associated” with the sex assigned to the person at birth. AB 887 prohibits discrimination in the workplace both on the basis of one’s gender identity (*i.e.*, how the person sees him or herself) and gender expression (*i.e.*, how other people view the person). Under the new law, an employee must be permitted to dress consistent with the employee’s gender identity and expression.