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California Law Does Not Apply To Remote Worker

California Employment Law on **September 22, 2026**

Saberin v. Alation, Inc., 122 Cal. App. 5th 165 (2026)

Pejman Saberin who lived in Utah and worked remotely for a California-based software company sued the employer under California law after his employment was terminated following his arrest while he was vacationing in Florida. An arbitrator concluded that FEHA (Cal. Gov't Code § 12952) and Cal. Lab. Code § 432.7 — California statutes restricting employment action based on an arrest without a conviction — did not apply because the employee, the arrest, and the decisionmakers involved in the termination were all outside the jurisdiction of California. The Court of Appeal affirmed the order in favor of the employer. The fact that the employer's headquarters was located in California and an inventions agreement Saberin had signed applied California law were not enough to overcome the presumption against extraterritorial application of California law where the employee performs his work and the termination decision is made out of state.

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