

# Most Common Wage Violations 2025



State of California  
**Department of  
Industrial Relations**



State of California  
**Gavin Newsom  
Governor**

# Presented By:

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# The Labor Commissioner's BEP Program

- The Business Engagement Program (BEP) is intended to be an Outreach Program directed towards employers in an effort to help them better understand our California Labor Laws and therefore, help to reduce Wage Claims. Today's presentation will help to:
  - 1. Build Public Awareness
  - 2. Impact Investigations
  - 3. Increase Compliance



# Housekeeping

Questions will be taken after  
the presentation.

# Disclaimer

*This information is provided for general information only. None of the information provided here should be interpreted as providing legal advice or a separate attorney client relationship. Applicability of the information discussed may differ in individual situations. You should not act on the information presented here without consulting an attorney about your particular situation.*

# Commissioner's Office Overview

“The mission of the California Labor Commissioner's Office is to ensure a just day's pay in every workplace in the state and to promote economic justice through robust enforcement of labor laws. By combating wage theft, protecting workers from retaliation, and educating the public, we put earned wages into workers' pockets and help level the playing field for law-abiding employers”.



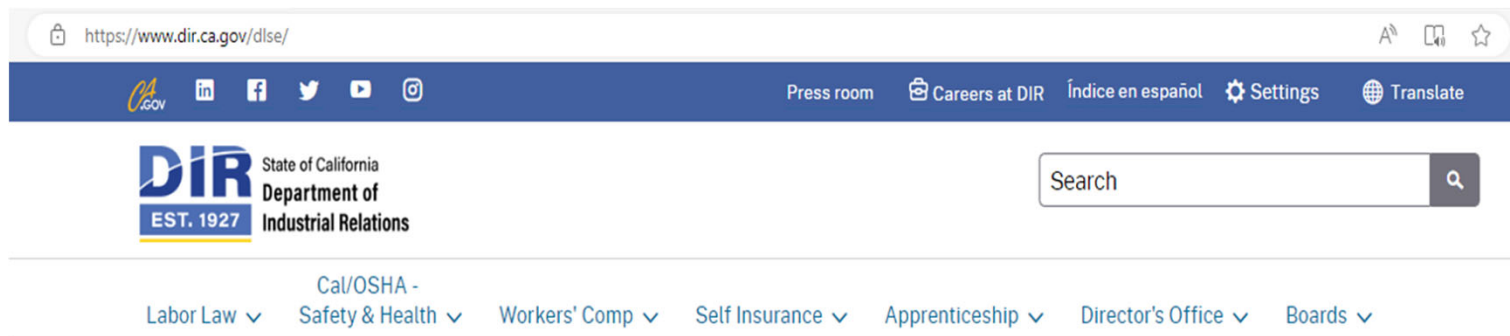
# Trauma Informed Best Practices

- LCO uses Trauma Informed practices when working with the public.
- Trauma informed requires awareness of all traumas, including those within the LCO team. This safety training presents a trauma informed approach that seeks to provide outstanding public service while establishing appropriate boundaries with the public. The public may be in crisis when they engage LCO. As such, we need to be empathetic in the execution of duties yet protective of our wellbeing at the same time by practicing self care.



# DLSE Website

<https://www.dir.ca.gov/dlse/>



## Labor Commissioner's Office

The mission of the California Labor Commissioner's Office is to ensure a just day's pay in every workplace in the State and to promote economic justice through robust enforcement of labor laws. By combating wage theft, protecting workers from retaliation, and educating the public, we put earned wages into workers' pockets and help level the playing field for law-abiding employers. This office is also known as the Division of Labor Standards Enforcement (DLSE).



# All Workers in California Have Rights

Workers in California have the right to file a wage claim when their employers do not pay them the wages or benefits they are owed. A wage claim starts the process for a worker to collect on those unpaid wages or benefits. California's labor laws protect all workers, regardless of immigration status.



# Legal Authority

- The Labor Commissioner, pursuant to the provisions of Labor Code Sections 98 and 98.3, has established procedures for investigating wage complaints, which may include either a conference pursuant to Section 98.3 or a hearing pursuant to Section 98(a), or both.



# If A Claim is Filed Against You and/or Your Company

- You will receive a Notice of Claim Filed from The Labor Commissioner.
- Do Not retaliate against your employee!
- Try to pay or informally resolve the matter as soon as possible.
- If matter is not resolved, you will receive a Notice of Claim and Conference.
- Attend the Settlement Conference – be prepared but these meetings are not evidentiary. Try to settle the matter at the Conference.
- If claim is not resolved (settled) at Conference, then the matter will be scheduled for a hearing.



# Administrative Hearings

- Being in a hearing is a bad time to find out that you didn't know the law.
- Hearings are evidentiary, the parties and witnesses testify under oath, and the proceedings are recorded.
- Each party has the right to be represented by an attorney, present evidence, and cross-examine the opposing party and witnesses.
- If you lose your hearing, a timely appeal can be filed. You will have to post a bond for the amount of the Order, Decision & Award.
- If you appeal, the matter will be heard in Superior Court where The Rules of Evidence Will Apply.
- Interest will accrue on the award, Judgements can be entered & Liens can be filed and recorded against you and/or your company.



# Records Will Help You Defend Your Case

- **NOTE:** It is the **employer's** legal responsibility to keep **accurate** employee time and payroll records, and to provide employees with itemized wage statements each time they are paid (or at least semimonthly). In order to file a claim, employees are not required to keep their own time records or to have the documents above. These documents are being requested only if employees have them because they may help DLSE better understand the claim.

# Wages – Labor Commission's Definition

- All amounts for labor performed by employees of every description.
- **Labor Code § 200:** “Wages” includes all amounts for labor performed by employees of every description, whether the amount is fixed or ascertained by the standard of time, task, piece, commission basis, or other method of calculation.



# Minimum Wage

- If an employee is paid by the piece or unit (sometimes called “by contract”) or paid by the day or week, their wages still must equal at least the minimum wage for EACH and every hour worked.



# Employees Must Be Paid Minimum Wage for All Hours Worked!!!

- Punch out between customers?
- Working “off the clock”?
- Standby Time?
- Staff meetings?
- Mandatory Lunches?
- Blended Wage?
- Per Diem vs. Hourly?



# Blended Wages

- Different pay for different jobs?
- Pay reductions?
- Travel time?
- Requires PRIOR notification?

# Reporting Time Pay?

- Ex 1: If an employee was scheduled for an 8-hour shift and you send them home after only 2 hours of work, they **MUST** be paid 4 hours of Reporting Time Pay (at their regular rate of pay).
- Ex 2: If an employee was scheduled for a 4-hour shift and you send them home after 1 hour of work, they **MUST** be paid 2 hours of Reporting Time Pay (at their regular rate of pay).



# Hours Worked

- On-Call / Standby Time (controlled vs. uncontrolled)
- Travel time
- Training (voluntary vs. mandatory)
- Doffing and Donning (changing into and out of gear or uniform)
- Day of Rest – Labor Code §§ 550, 551 and 552
- Maximum Hours
- Alternative Work Week – IWC, Section 3 and Labor Code § 511
- Election / Repeal
- Filing with Directors Office of Policy, Research & Legislation (OPRL)



# California Minimum Wage Schedule

Fact Sheet: Boosting California's Minimum Wage to \$16.50/Hour

Date	Minimum Wage for Employers with 25 Employees or Less	Minimum Wage for Employers with 26 Employees or More
January 1, 2025	\$16.50/hour	\$16.50/hour

Beware! Local minimum wage rates, if higher than the state rate, will apply.

# Fast Food Minimum Wage

- AB 1228 is a new law in California, which added sections 1474, 1475, and 1476 to the Labor Code and does two main things. First, it increases the minimum wage for “fast food restaurant employees.” Second, it establishes a Fast Food Council, which is empowered both to make future increases to the minimum wage and to adopt other minimum employment standards for fast food restaurants.
- Starting April 1, 2024, all “fast food restaurant employees” who are covered by the new law must be paid at least \$20.00 per hour.



# Counties and Cities with Minimum Wage Ordinances (MWO)

**Sample list** of California cities/counties with minimum wage ordinances:

Alameda, CA  
Belmont, CA  
Berkeley, CA  
Cupertino, CA  
Daly City, CA  
El Cerrito, CA  
Emeryville, CA  
Fremont, CA  
Los Altos, CA  
Los Angeles (City & County)  
Malibu, CA (see municipal code also)  
Menlo Park, CA

Milpitas, CA  
Mountain View, CA  
Novato, CA  
Oakland, CA (see municipal code also)  
Palo Alto, CA (see municipal code also)  
Pasadena, CA (see municipal code also)  
Petaluma, CA  
Redwood City, CA  
Richmond, CA  
San Diego, CA  
San Francisco, CA  
San Jose, CA

San Leandro, CA  
San Mateo, CA  
Santa Clara, CA  
Santa Monica, CA  
Santa Rosa, CA  
Sonoma, CA  
South San Francisco, CA  
Sunnyvale, CA



# Healthcare Worker Minimum Wage

- Beginning on October 16th, 2024, health care workers are eligible to receive the higher minimum wage. These workers must, (1) work for certain “health care facilities” that are covered in the new law and (2) provide health care services or support the provision of health care.
- Employees covered by the new law must be paid at least \$18.00 - \$24.00 per hour (for employees who qualify under LCS 1182.15 & 1182.16). Please see our DLSE website for details.



# Agricultural Overtime IWC 14

Agricultural workers overtime pay as of **January 1, 2025** (Regardless of How Many Employees an Employer Has):

- **ANY Hours Worked In Excess of 8 Hours In a Workday**
- **ANY Hours Worked In Excess of 40 Hours In a Workweek**
- One and one-half times the employee's regular rate of pay for all hours worked in excess of eight hours up to and including 12 hours in any workday, and for the first eight hours worked on the seventh consecutive day of work in a workweek; and
- **Double the employee's regular rate of pay for all hours worked in excess of 12 hours** in any workday and for all hours worked in excess of eight on the seventh consecutive day of work in a workweek.



# Payment of Wages

Pay employees (with certain exceptions) at least twice a month on designated regular paydays.

- With each payment of wages, whether by cash or check, the employer must provide a wage statement that includes (please see LCS 226 - 226.2):

- A. Pay period dates
- B. Gross wages earned
- C. Total hours worked
- D. Breakdown of hourly rates and hours
- E. All deductions broken out (next slide)



# Itemized Wage Statement (Pay Stub)

- LC, section 226(a)
- Required information (**hourly, piece rate, or farm labor contractor**)
- Farm labor contractor
  - Must include name and address of the legal entity that secured the services of the farm labor contractor.
- LC, section 226.2
  - The total hours of compensable rest and recovery periods, the rate of compensation, and the gross wages paid for those periods during the pay period.
  - Except for employers paying compensation for other nonproductive time the total hours of other nonproductive time, the rate of compensation, and the gross wages paid for that time during the pay period.
- Penalty for failure to provide:
  - Initial - \$250 per employee per violation.
  - Subsequent - \$1,000 per employee per violation.



# Pay Stub (Hourly)

California Labor Commissioner's Office

## Pay stub (hourly)

<b>SMITH AND COMPANY, INC.</b>			
123 West Street Smalltown, CA 98765			
<b>EMPLOYEE</b>	<b>SOCIAL SECURITY NO.</b>	<b>PAY RATE</b>	<b>PAY PERIOD</b>
Johnson, Bob	XXX-XX-6789	18.00 regular 27.00 overtime	1/7/XX to 1/13/XX
<b>EARNINGS</b>	<b>HOURS</b>	<b>AMOUNT</b>	<b>DEDUCTIONS</b>
Regular	40.00	720.00	Federal W/H
Overtime	2.00	54.00	FICA
			Medicare
			CA State W/H
			CA State DI
			401k
<b>GROSS EARNINGS:</b>		774.00	
<b>TOTAL DEDUCTED:</b>		213.29	
<b>NET EARNINGS:</b>		560.71	
<b>SICK LEAVE:</b>	<b>PTO/VACATION</b>	<b>Meal/Rest Period Premiums</b>	
24.00 HOURS AVAILABLE			

Example itemized wage statement (pay stub) for a worker paid hourly.  
As required by Labor Code section 226(a).

May 2018



# Pay Stub (Piece Rate)

California Labor Commissioner's Office

## Pay stub (piece rate)

<b>SMITH AND COMPANY, INC.</b> 123 West Street Smalltown, CA 98765			<b>PAY PERIOD</b> 1/7/XX to 1/13/XX																						
<b>EMPLOYEE</b> Johnson, Bob		<b>SOCIAL SECURITY NO.</b> XXX-XX-6789		<b>PAY RATE</b>																					
<b>PIECE RATE</b>	<b>NO. OF PIECES</b>	<b>AMOUNT</b>																							
\$0.50	720	\$360.00																							
\$0.25	864	\$216.00																							
\$0.10	1,440	\$144.00																							
<b>EARNINGS</b>		<b>HOURS</b>																							
Regular		40.00																							
<b>GROSS EARNINGS:</b>		720.00																							
<b>TOTAL DEDUCTIONS:</b>		208.73																							
<b>NET EARNINGS:</b>		511.27																							
<b>SICK LEAVE:</b> 24.00 HOURS AVAILABLE		<b>PTO/VACATION</b>		<b>Meal/Rest Period Premiums</b>																					
<table border="1"> <tr> <td colspan="2"><b>DEDUCTIONS</b></td> <td><b>AMOUNT</b></td> </tr> <tr> <td>Federal W/H</td> <td></td> <td>60.45</td> </tr> <tr> <td>FICA</td> <td></td> <td>44.64</td> </tr> <tr> <td>Medicare</td> <td></td> <td>10.44</td> </tr> <tr> <td>CA State W/H</td> <td></td> <td>10.04</td> </tr> <tr> <td>CA State DI</td> <td></td> <td>5.76</td> </tr> <tr> <td>401k</td> <td></td> <td>77.40</td> </tr> </table>					<b>DEDUCTIONS</b>		<b>AMOUNT</b>	Federal W/H		60.45	FICA		44.64	Medicare		10.44	CA State W/H		10.04	CA State DI		5.76	401k		77.40
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Example itemized wage statement (pay stub) for a worker paid piece rate.  
As required by Labor Code section 226(a).

May 2018



# Overtime

For most occupations, all hours over 8 in one workday or over 40 in one workweek, and for the first 8 hours of work on the 7<sup>th</sup> day in a workweek will be payable at time and a half.

For most occupations, all hours over 12 in one workday or over 8 on the 7<sup>th</sup> day of work in a workweek will be payable at double-time.



# Example of Pro-Rata Vacation Calculation

- Employee is promised 40 hours (1 week) per year.
- Employee's hire date is January 1, 2025.
- Employee's separation date is May 25, 2025.

## Calculation:

- $40 \text{ hours} \div 365 \text{ days in one year} = 0.109589$ .
- Jan 1, 2025 to May 25, 2025 = 145 calendar days.
- $145 \text{ days} \times 0.109589 = 15.89 \text{ hours due}$ .



# Non-Exempt Employees and Overtime Requirements

“**Non-exempt**” employee, is someone who is not exempt from overtime

- This is usually an employee who is paid hourly, and not a salary.
- *BUT* paying a salary does not mean a worker is exempt from overtime
- Most exemptions from overtime found in the IWC Wage Orders & include salary and duties tests

**Overtime** requirements:

- **One and one-half times** the employee's regular rate of pay for all hours worked in excess of eight hours up to and including 12 hours in any workday, and for the first eight hours worked on the seventh consecutive day of work in a workweek; and
- **Double** the employee's regular rate of pay for all hours worked in excess of 12 hours in any workday and for all hours worked in excess of eight on the seventh consecutive day of work in a workweek.
- For special rules regarding overtime for agricultural workers, please see **Overtime for Agricultural Workers**



# Exempt/Nonexempt/Salary (1 of 4)

- Professional – Industrial Welfare Commission (IWC), Section 1
- Administrative - IWC, Section 1
- Executive - IWC, Section 1
- Outside salesperson - IWC, Section 1
- Salary test and.....
- Duties test



# Wage Issues Typical for Non-Exempt Employees (2 of 4)

- **Liquidated Damages – Labor Code section 1194.2**

- Where an employee is paid less than the minimum wage
- Employee is entitled to recover an amount equal to the minimum wages unlawfully unpaid
- Plus interest
- No Liquidated Damages for failure to pay overtime premium, but LDs available for any hour not paid at least Minimum Wage

- **Commissions**

- Based upon agreement of employer and employee, but must be committed to writing – LC §2751
- Employer required to give Employee signed copy, and retain a signed copy – Labor Code §2751
- A commission is payment of a percentage or flat rate for the sale of a good or service which the employee did not make or perform
- Barber example: commission selling shampoo, whereas performing a haircut would be piece rate



# Wage Issues Typical for Non-Exempt Employees (3 of 4)

- **Piece Rate**

- Payment method based upon tasks completed by employee, either making something or performing a service
- Piece rate only compensates an employee for the time spent working on that task
- Rest breaks need to be separately compensated
- Non-productive time, or time spent working but not engaged on a task involving the piece making, must be compensated separately

- **Vacation**

- No requirement that an employer offers any vacation or PTO, but if offered = “deferred wages”
- Use it or Lose it Policies not allowed → but caps on accrual are allowed
- All accrued but unused vacation hours due as wages at the final rate of pay at time of termination



# Wage Issues Typical for Non-Exempt Employees (4 of 4)

- **Bonuses**

- Based upon meeting a goal set by the employer besides a percentage of a sale (commission) or an amount per something completed (piece rate)
- Discretionary Bonus: based upon employers' discretion to award or not
- Non-discretionary Bonus: based on some metric set by the employer to be calculated on a certain date
- Bonus pay due the pay period after calculated, does not need to be paid if employee does not work there on the date set for calculation

- **De Minimus Time and Rounding**

- California law calls for all time worked to be compensated, while FLSA allows *de minimus* time not to be compensated
- The California Supreme Court in *Troester v. Starbucks* (2019) 5 Cal. 5th 829, ruled that no such regulation allowing *de minimus* time not to be compensated existed under California law, and that it was clear that ALL time had to be paid
- Similarly, rounding, or the act of approximating time worked, has been disfavored in CA, and whatever loophole may still exist after *Troester* and its progeny is extremely narrow ☹ BUYER BEWARE
- Supreme Court decision on Rounding Donohue v. AMN Services, LLC – CASC Case No. S2536777 (2/25/2021)



# Independent Contractors

Senate Bill 459 (Sections 226.8 and 2753 of the Labor Code [LC])

- Prohibits willful misclassification.
- Prohibits engaging in pattern or practice.
- Prohibits charging a fee or making a deduction to individuals who have been misclassified.
  - Subject to civil penalties/damages.
  - Requires notification and website notice.



# The ABC Test – Employee or Independent Contractor?

## Subject Employee:

- An individual who performs services or labor is **presumed to be an employee** unless the hiring entity can prove the worker meets **all** three conditions of the ABC test.

## Independent Contractor:

- An individual for whom the hiring entity established **all three conditions** of the ABC test.

# ABC Test

Under the ABC test, a worker is considered an employee and not an independent contractor, unless the hiring entity satisfies **all three** of the following conditions:

- A. The individual is free from control and direction, both under contract and in fact.
- B. The individual performs work that is outside the usual course of the hiring entity's business.
- C. The individual has their own independently established business of the same type as the work performed.



# Deductions

## Lawful & Unlawful

- Authorized Deductions (see Labor Code § 224):
  - Taxes
  - Healthcare contributions authorized in writing
  - Garnishments (like Child Support garnishments)
- Withholding pay at termination?
- Over paid?
- Failure to compensate employees for lawful business expenses?
- Deductions for employer costs?



# Uniforms & Equipment

- IWC Order #4, Section 9, Paragraph A
- When uniforms are required by the employer to be worn by the employee as a condition of employment, such uniforms shall be provided and maintained by the employer.
- The term “uniform” includes wearing apparel and accessories of distinctive design or color.
- Required Tools & Equipment shall be provided and maintained by the employer. \*



# Reimbursement of Business Expenses (LC, Section 2802)

- 2025 mileage rate 0.70 cents
- Tolls
- Parking
- Cell phone (work related)
- Meals (reimbursement)
- Vehicle insurance
- Uniforms and equipment

# Meal and Rest Periods

- Requirements
  - Generally, LC, section 512 and IWC, sections 11 (meal) and 12 (rest)
- Additional hour of pay
  - Generally, LC, section 226.7 and IWC, sections 11 (meal) and 12 (rest)
- **Piece-rate**/by the job/rest period compensation/grace period to avoid potential liability for past violations
  - LC, section 226.2 (also includes employees on commission)
- Regulations
  - IWC Orders, Title 8, section 13700
- Rest areas
  - Generally, IWC, section 13
- Lactation accommodation
  - LC, section 1030



# Meal Periods

- IWC Wage Orders and the Labor Code in most cases require an employee who works a shift of at least 5 hours gets a 30-minute duty free meal period **BEFORE** the fifth hour ends.
- \*\*If the shift is 6 hours (or less), a meal period may be waived by mutual consent of the employee and employer.
- Example: If employee starts work at 8 am, a meal period must be taken before 1 pm or a meal period violation occurs.



## Meal Periods (con't)

- Where an employee works more than 10 hours, they get a second meal period.
- A meal period is not compensated, unless an employee works through it.
- Where a meal period is not provided, a premium hour of pay is due to the employee as a meal period premium wage (cap 1 hour per day).
- Duty free meal periods are an affirmative duty for employer to provide.



# Piece Rate Rest Period

- An employee is assigned to perform piece-rate work each day, five days per week, from 8:30 a.m. to 5 p.m. With the exception of a half-hour meal period taken in the middle of the day and two rest periods taken in the middle of each work period, the employee is continuously engaged in piece-rate work. The employee's total piece-rate earnings for the week are \$800.
- Hours assigned to piece rate work = 40 hours
- Rest period hours = 100 minutes ÷ 60 = 1.67 hours
- Piece rate hours = 40 - 1.67 = 38.33 hours
- Hourly piece-rate wage = \$800 ÷ 38.33 = \$ 20.88
- Rest period payment = \$20.88 X 1.67 hours = \$ 34.87
- Total Compensation = \$800 + \$27.01 = \$827.01



# Workers Have Special Rights During Emergency Conditions (Labor Code § 1139)

- Not go to work (or leave work) in an affected work area if you reasonably believe it is unsafe.
- Using your phone to access emergency assistance, assess the safety of a situation, or to confirm the safety of others.
- Not to be forced to enter an area that has been closed due to dangerous conditions, including a flood, storm, fire, or other disaster if an evacuation order is in effect.
- Exception for employee of licensed residential facility



# Paid Sick Leave

- Assembly Bill 1522.
- Effective January 1, 2015; accrual began July 1, 2015.
- Thirty-day employment in California.
- Ninety-day accrual period **before** sick leave can be taken.
- One-hour of leave for every 30 hours worked.
- Employers can limit to 5 days/40 hours **taken** per year.
- Employers can cap at 10 days/80 hours accrual.
- Employers must track sick leave accrual and use.
- No Doctors note required first five days of absence.

# Paid Sick Leave (Continued)

- Display poster on paid sick leave where employees can read it easily.
- Provide written notice to employees with sick leave rights at the time of hire.
- Provide at least 40 hours or 5 days of paid sick leave for each eligible employee to use per year.
- Allow eligible employees to use accrued paid sick leave upon reasonable request.
- Show how many days of sick leave an employee has available. This must be on a pay stub, or a document issued the same day as a paycheck.
- Keep records showing how many hours have been earned and used for three years.



# Paid Sick Leave (Continued)

Workers can use their hours for:

- Absences due to illness.
- Diagnosis, care or treatment of an existing health condition.
- SB 1105 adds an explicit statutory protection for Agricultural Employees working outside in certain emergencies even if the business is closed. Preventative care may include self-quarantine as a result of exposure to “COVID-19” “or due to a qualifying emergency for Agricultural Employees working outside.
- Employer cannot require an employee to use paid sick leave.
- It is the worker’s choice.



# Administrative Penalties May Be Awarded

- ▶ An employee may recover
- ▶ An employee need only assert that the sick leave was for a covered purpose in general terms
- An administrative penalty equal to the paid sick leave x 3 or \$250 whichever is greater, but in no case greater than an aggregate penalty of \$4,000.
- The administrative penalty may also include a sum of \$50 per day for each day the violation occurred or continued.

# An Employee May File a Paid Sick Leave Claim

- ▶ Against employers who unlawfully withhold payment for use of accrued sick days
  - Fail to provide a statement of accrual of sick leave
  - Fail to accurately track accrued sick leave
- Require an employee to use a full-day or half-day absence for any use of sick leave. However, an employer may require a minimum of 2 hours for each use of paid sick leave
- Deny payment for sick leave if the employee fails to provide prior notice for an unforeseen illness
- Require the worker requesting sick leave to find a replacement to cover his scheduled shift or assignment
- Deny sick leave due to a failure to provide details



# Paid Sick Leave (PSL)

- PSL is available for use where smoke or other unhealthy conditions would harm your pre-existing health condition such as asthma under preventative care.
- If you are eligible for paid sick leave and request to take it for an eligible reason, your employer must pay you your regular wages for the days you take sick leave.



# Issues at Termination

- Discharge/quit - LC, sections 201 and 202
- Reporting Time Pay
- Waiting time penalty - LC, section 203
- Final wages (All earned wages, including vacation see LC, section 227.3)

# Statute of Limitations

- 3 years if you have an oral employment agreement.
- 4 years if you have a written employment agreement.
- How can you tell the difference?

# Retaliation Complaint Unit

- **LC Section 98.7** – Employers are not allowed to retaliate against employees who engage in protected activities under the jurisdiction of the Labor Commissioner.
- May file complaint within 12 months after the occurrence of the violation.



# Equal Pay Act

- The amended Equal Pay Act prohibits an employer from paying any of its employees' wage rates that are less than what it pays employees of the opposite sex, or of another race, or of another ethnicity for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions.
- [https://www.dir.ca.gov/dlse/california\\_equal\\_pay\\_act.htm](https://www.dir.ca.gov/dlse/california_equal_pay_act.htm)



# Employer Consequences

- Under the Equal Pay Act, an employee can recover the difference in wages, interest, and an equal amount as liquidated damages. If an employee files a case in court, he or she can also recover attorney's fees and costs.
- An employer found in violation of Labor Code section 432.3 may be subject to civil penalties. The civil penalties are no less than \$100 and no more than \$10,000 per violation.



# Time Off From Work

Reason	Code Section
Jury Duty/Witness	Gov Code Section 12945.8 (a)(1) eff 1/1/2025
Victims of domestic violence/sexual assault	Gov Code Section 12945.8 (a)(2)(3) & (b) eff 1/1/2025
Victim of crime	Labor Code § 230.2
Appearance at school after child suspended	Labor Code § 230.7
Visit to child's school/daycare facility	Labor Code § 230.8
Sick leave to attend to family or designated person	Labor Code § 233 & 245.5
Voting	Elections Code § 14001



# Minors/Child Labor

- Permit to employ/work.
- Days and hours restricted.
- Prohibited occupations.
- Entertainment work permits.



# Licensing/Registration

- Garment manufacturers/contractors.
- Farm labor contractors.
- Talent agents.
- Studio teachers.
- Car washes.
- Industrial homework.
- Sheltered workshops. (Sub min wage ends 1/1/2025 and individual licenses will no longer be issued).
- Sub-minimum wage permits.
- Janitorial contractors.



# Recordkeeping

- Payroll Records – Labor Code §§ 226 & 1174
  - IWC Wage Orders, section 7 (Within 21 calendar days)
- Wage Theft Protection Act of 2011
  - LC, section 2810.5(a) (Sample template)
- Personnel Files
  - LC, section 1198.5
- Employee's Right to Review/Copy & Penalty
  - Labor Code §§ 226 and 1198.5 (Within 30 calendar days)
  - Payroll & Personnel Requests must be in writing



# Workplace Postings

- IWC Order(s) - Generally IWC, section 22
- Payday notice - LC, section 207
- Minimum wage (state) - LC, section 1183(d)
- Wage theft protection template - LC, section 2810.5 (Paid Sick Leave, AB 1522)
- Workers' compensation - LC, section 3550
- Whistleblower protections - LC, section 1102.8
- Time off to vote - Elections Code 14001
- Complete listing available at:

[dir.ca.gov/wpnodb.html](http://dir.ca.gov/wpnodb.html)



# It's Time For Q & A

# Today's Credits

Attendees of today's webinar are eligible for 1.5 HRCI and/or SHRM Course Credit Hours. Please reference the following event codes:

July 8, 2025

**HRCI: 707598**

**SHRM: 25-KX4RJ**

*(Credit Provider: California Chamber of Commerce)*

Attorneys are eligible for 1.5 MCLE credit hours.

Please email [seminars@calchamber.com](mailto:seminars@calchamber.com) with your MCLE requests.



# Thank You!