



Labor Commissioner Updates California Wage Theft Act FAQs & Template

04.24.2012

The California Wage Theft Act (Act) (Lab. Code § 2810.5) requires employers to provide all new nonexempt hires with written notice of specific wage information including employee's wage rates, the pay day schedule, and workers' compensation coverage information. It also increases the penalties for nonpayment of all wages due, including overtime premiums and minimum wage for all hours worked. The Act also mandates that the Labor Commissioner prepare a template of the written notice (Notice), which the Division of Labor Standards and Enforcement (DLSE) issued on December 28, 2011.

As a result of concerns expressed by employers, the DLSE has revised its recommended Notice and updated its FAQs. Basically, the amount of information required in the revised Notice has been reduced substantially and the obligation to identify whether an employee is employed pursuant to a written or oral agreement has been replaced by whether and to what extent all wage rates are contained in a written agreement. The changes in the Notice are reflected in responses to the updated FAQs Nos. 10, 19-21, and 23, and new FAQs Nos. 26 through 30.