



## *Understanding your responsibilities as an employer*

### What is the minimum wage?

The current minimum wage for the state of California is **\$9.00/Hour**.

Your city or county may have a different minimum wage regulation. You may contact your local city hall to confirm the minimum wage.

### As an employer, am I mandated to provide any notification to my employees?

Yes, state law requires you to provide employees with a notice prior to their first day of work indicating the pay rate. The notice should include:

Regular pay rate (i.e. \$9.00/hour) • Date, time and payment method • Pay period (weekly, bi-weekly)

You are required to provide employees a notice if there are any changes to the business (address, ownership or name) and/or their pay rate.

### What are regular work days?

Generally, a regular work day consists of 8 hours of work in one day and a regular work week is considered 40 hours of five uninterrupted work days.

### What is overtime?

Normally, overtime is any work completed past 8 hours in one day and more than 40 hours in a work week. Overtime pay is typically one and a half times an employee's pay rate. For example:

- If you pay \$9.00/hour, your employee's overtime pay should be \$9.00 plus \$4.50 for a total of \$13.50 each hour past the regular 8-hour work day.

Accrued overtime should be paid by the next pay period.

### What does it mean for an employee to work "off-the-clock"?

Working "off-the-clock" is when an employee is asked to work and not clock in. Making employees work off the clock is a violation of federal and state labor laws.

### What are the required rest and meal breaks?

- Employees are entitled to a 30-minute break if they work more than 5 hours in an 8-hour work day.
- If employees work 6 hours or less, the 30-minute break can be waived.
- If employees work more than 10 hours they are entitled to two 30-minute break times.
- Employees should receive a 10-minute rest break after working 3.5 hours.
- Employees should receive a second 10-minute rest break after working 6 hours.

# Wage Rules & Regulations

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### What is considered wage theft?

Wage theft is when workers:

- Are not paid minimum wage
- Are not given required meal and/or break times, or
- Work “off-the-clock”
- Are not paid at all

### What happens if an employee claims unpaid wages (wage theft)?

If an employee claiming unpaid wages files a claim with the California Division of Labor Standards Enforcement (DLSE), you may be summoned for an informal hearing. This will give you the opportunity to provide proof of wages paid.

The Labor Commission will review the claim and determine if it is valid. You may be subject to penalties if it is found that you violated wage and hour laws. If either party does not agree with the decision, they may file an appeal.

### Additional Tips

- Keep logs of employees’ hours worked.
- Keep copies of employees’ paystubs and any documentation you provide.
- If you have tipped employees, learn more about your responsibilities by reviewing California Labor Code Section 351 on the DLSE website at [www.dir.ca.gov](http://www.dir.ca.gov).

### Resources

If you have any additional questions about employment laws or regulations contact the Los Angeles office of the California Division of Labor Standards Enforcement at (213) 620-6330.

You may also choose to consult with an attorney. You can contact the Los Angeles County Bar Association lawyer referral service at (213) 243-1525 for a free 30-minute consultation.

*This tip sheet is provided for informational purposes only and is not legal advice.*

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