

California Labor Commissioner Issues Long-Awaited Guidance On Wage Theft Prevention Act

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On the eve of the implementation of California's Wage Theft Prevention Act of 2011, the California Labor Commissioner has made available to employers a template Notice ([Word / pdf](#)) that complies with the requirements of new Labor Code § 2810.5. Beginning January 1, 2012, Section 2810.5 requires employers to furnish specified wage information captured by the Notice to most non-exempt employees. All required information must be provided to employees in the language that the employer normally uses to communicate employment-related information.

Just today, the California Division of Labor Standards Enforcement ("DLSE") posted "Frequently Asked Questions" about the Notice on its [Web site](#). It is important to note that although the text of Labor Code § 2810.5 only requires employers to provide the specified wage data to employees "at the time of hiring," the FAQs state that notice should be given to all current employees, in addition to new employees as they are hired. Moreover, while employers are not required to use the Labor Commissioner's template form, they must include all of the information requested by the template and not require their employees to "piece together" the information from several sources. Employers can furnish their notices electronically, provided that systems are in place for workers to acknowledge receipt of the notice and to print copies if desired. An employee's signature on the notice constitutes merely an acknowledgement of receipt, and is not tantamount to any type of written agreement between the employer and employee.

Click [here](#) to read more about the Wage Theft Prevention Act and other new laws.

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