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New California law impacts the hiring of new, Non-exempt employees in 2012

We want to advise you of a new California law that impacts the hiring of new, non-exempt employees in 2012. Specifically, effective on January 1, 2012, section 2810.5 of the Labor Code requires **that at the time of hiring, an employer must provide each new, non-exempt employee with a written notice containing the following information:**

1. The rate or rates of pay and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission or otherwise, including any rates for overtime, as applicable.
2. Allowances, if any, claimed as part of the minimum wage, including meal or lodging allowances.
3. The regular payday designated by the employer in accordance with the requirements of the Labor Code.
4. The name of the employer, including any "DBA" names used by the employer.
5. The physical address of the employer's main office or principal place of business, and a mailing address, if different.
6. The telephone number of the employer.
7. The name, address and telephone number of the employer's workers' compensation insurance carrier.
8. Any other information the Labor Commissioner deems "material and necessary."

Further, an employer is required to notify non-exempt employees in writing of any changes to the above-detailed information within seven calendar days after the change, unless **all** of the changes are reflected on a timely wage statement provided to the employees.

The California Labor Commissioner is required to prepare a template that employers can use to provide this information, but has not yet posted it. Neither has the Labor Commissioner yet designated any other “material and necessary” information. **In the interim, until the Labor Commissioner gives further guidance, we advise you to include all of the required information in all standard offer letters to non-exempt hires.**

If you have any questions or comments about how your business should implement the requirements of AB469/Section 2810.5, please contact us.

