Engage PEO Client Alert: California

Updates to California's Wage Theft Notice

WHAT'S NEW: Beginning on January 1, 2024, California employers will be required to disclose any state or federal emergency or disaster declarations in their Wage Theft Notice.

WHAT IT MEANS: California requires employers to provide Wage Theft Notices to newly hired employees and existing employees whose terms of employment have changed within seven (7) days. California employers must now include any federal or state emergency or disaster that was issued within 30 days before the non-exempt employee's first day of employment.

- The new law applies to non-exempt employees hired on or after January 1, 2024 and does not require employers to reissue Wage Theft Notices to already existing employees.
- Employers may satisfy the requirements by using the updated Wage Theft Notice form provided by California's Department of Industrial Relations (DIR) available here: https://www.dir.ca.gov/dlse/LC_2810.5_Notice.pdf
- The updated Wage Theft Notice also reflects the new required amount of paid sick leave. Please refer to our prior Client Alert HERE with respect to the California update to the paid sick leave requirements.

Employer guidance on what constitutes an emergency or disaster declaration is anticipated in the coming months. Engage will continue to monitor for any updates.

WHAT EMPLOYERS SHOULD DO: Employers should adopt the DIR's updated Wage Theft Notice or update their written notices to include information regarding the existence of federal or state emergency or disaster declarations for nonexempt new hires. Employers should also establish a process to check for emergency/disaster declarations.

Please reach out to your Engage Human Resources Consultant if you have any questions concerning this alert or other H.R.-related matters.