

No. S224853

IN THE SUPREME COURT OF CALIFORNIA

JENNIFER AUGUSTUS, et al.,

Plaintiffs and Respondents,

v.

ABM SECURITY SERVICES, INC.,

Defendant and Appellant,

SUPREME COURT
FILED

AUG 31 2015

Frank A. McGuire Clerk

Deputy

After a Decision of the Court of Appeal of the State of California,
Second Appellate District, Division One, Case Nos. B243788 & B247392

The Superior Court of Los Angeles County,
The Honorable John Shepard Wiley Jr.
Case Nos. BC336416, BC345918, & CG5444421

**DEFENDANT-APPELLANT'S MOTION FOR JUDICIAL NOTICE;
MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT
THEREOF; DECLARATION OF THEANE EVANGELIS**

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Service on the Attorney General required per Bus. & Prof. Code, § 17209

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MOTION FOR JUDICIAL NOTICE

Pursuant to Evidence Code sections 451, 452, and 459 and California Rules of Court, rule 8.520(g), Appellant ABM Security Services, Inc. (“ABM”) respectfully requests that this Court take judicial notice of the following statutory and regulatory enactments and history, which are referenced in ABM’s answering brief and are relevant to the interpretation of section 226.7 of the Labor Code and Wage Order No. 4, which govern this proceeding:

I. Assembly Bill No. 2509

1. Assembly Committee on Labor and Employment, Analysis of Assembly Bill No. 2509 (1999-2000 Reg. Sess.) as introduced February 24, 2000, attached as Exhibit A to the Declaration of Theane Evangelis (“Evangelis Declaration”).

2. Senate Judiciary Committee, Analysis of Assembly Bill No. 2509 (1999-2000 Reg. Sess.) as amended August 7, 2000, attached as Exhibit B to the Evangelis Declaration.

II. Rulemaking File for 1952 Revisions to Wage Order No. 4

3. Industrial Welfare Commission Order No. 4-52, attached as Exhibit C to the Evangelis Declaration.

4. Industrial Welfare Commission, Minutes of a Meeting of the Industrial Welfare Commission of the State of California, May 16, 1952, 1952

Wage Order Rulemaking File, attached as Exhibit D to the Evangelis Declaration.

III. Rulemaking File for 2000 Revisions to Wage Order No. 4

5. History of Basic Provisions in a Representative Order of the Industrial Welfare Commission, the Order Covering the Manufacturing Industry, 2000 Wage Order Rulemaking File, attached as Exhibit F to the Evangelis Declaration.

6. Industrial Welfare Commission, Statement as to the Basis, 2000 Wage Order Rulemaking File, attached as Exhibit E to the Evangelis Declaration.

* * *

The foregoing items are appropriate subjects of judicial notice and comply with the criteria for judicial notice under the California Rules of Court:

1. They are relevant to ABM's arguments relating to the interpretation of Wage Order No. 4 and Labor Code section 226.7 (Cal. Rules of Court, rule 8.252(a)(2)(A));

2. None of the items submitted with this motion relates to proceedings occurring after the judgment that is the subject of this appeal (Cal. Rules of Court, rule 8.252(a)(2)(D)); and

3. Although they were not presented to the trial court, they are admissible regulatory and legislative history (Cal. Rules of Court, rules 8.252(a)(2)(B) and 8.252(a)(2)(C); Evid. Code, §§ 451, 452, 459).

DATED: August 31, 2015

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: *Theodore J. Boutrous, Jr.* ^{JKRD}
Theodore J. Boutrous, Jr.

Attorneys for Defendant and Appellant
ABM Security Services, Inc.

TABLE OF CONTENTS

	<u>Page</u>
MEMORANDUM OF POINTS AND AUTHORITIES	1
I. INTRODUCTION	1
II. ARGUMENT	1
III. CONCLUSION.....	4
DECLARATION OF THEANE EVANGELIS.....	1

TABLE OF AUTHORITIES

Page(s)

CASES

<i>Associated Builders & Contractors, Inc.</i> (1999) 21 Cal.4th 352.....	2
<i>Boehm & Associates v. Workers' Comp. Appeals Bd.</i> (2003) 108 Cal.App.4th 137.....	3
<i>California School of Culinary Arts v. Lujan</i> (2003) 112 Cal.App.4th 16.....	3
<i>Jensen v. BMW of North America, Inc.</i> (1995) 35 Cal.App.4th 112.....	3
<i>United Teachers of Los Angeles v. Los Angeles Unified School Dist.</i> (2012) 54 Cal.4th 504.....	3

STATUTES

Evid. Code, § 452.....	1
Evid. Code, § 459, subd. (a).....	2
Lab. Code, § 226.7	1, 2

RULES

Cal. Rules of Court, rule 8.252(a).....	1
Cal. Rules of Court, rule 8.252(a)(2)(A).....	2
Cal. Rules of Court, rule 8.252(a)(2)(C).....	2, 3
Cal. Rules of Court, rule 8.520(g).....	1

OTHER AUTHORITIES

Assem. Bill 2509 (1999-2000 Reg. Sess.).....	1
--	---

REGULATIONS

Cal. Indust'l Welfare Com. Order No. 4-2001	1, 2
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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

This action concerns whether, under Labor Code section 226.7 and Wage Order No. 4-2001, on-call rest breaks are impermissible as a matter of law. Accordingly, this motion seeks judicial notice of (i) selected legislative history of Labor Code section 226.7, which codified certain provisions of AB 2509, and (ii) selected regulatory history of Wage Order No. 4. These materials are referenced in the accompanying answering brief of Defendant-Appellant ABM Security Services, Inc. (“ABM”) and confirm that neither the California Legislature nor the Industrial Welfare Commission intended to create a *per se* rule prohibiting on-call rest breaks.

These materials satisfy the requirements for judicial notice under the California Rules of Court, rules 8.520(g) and 8.252(a), because they are relevant to this proceeding; they do not relate to proceedings occurring after the judgment that is the subject matter of this proceeding; and, although they were not presented to the lower courts, they are proper subjects of judicial notice under Evidence Code section 452.

II. ARGUMENT

The legislative and regulatory materials for which ABM seeks judicial notice meet all of the applicable requirements under the California Rules of Court:

First, the materials to be judicially noticed are highly relevant to the central issue in this appeal—whether on-call rest breaks are *per se* invalid under Wage Order No. 4 (the “Wage Order”) and Labor Code section 226.7 (“Section 226.7”). (See Cal. Rules of Court, rule 8.252(a)(2)(A)). The selected legislative and regulatory histories of the Wage Order and Section 226.7 will aid this Court in interpreting these authorities and in determining the intent of the Legislature and Industrial Welfare Commission in creating the rest break requirement. This Court regularly considers such materials when determining the purpose and effect of specific statutes and regulations. (See, e.g., *Associated Builders & Contractors, Inc.* (1999) 21 Cal.4th 352, 374 fn. 4 [taking “judicial notice of administrative agency records”].)

Second, although ABM believes these materials were not presented to the trial court, the materials are subject to judicial notice under Evidence Code sections 452 and 459. (See Cal. Rules of Court, rule 8.252(a)(2)(C)). Evidence Code section 459, subdivision (a), provides that the “reviewing court may take judicial notice of any matter specified in Section 452.” In turn, Section 452 provides that a court may take judicial notice of “[r]egulations and legislative enactments issued by or under the authority of . . . any public entity in the United States,” and of “[o]fficial acts of the legislative, executive, and judicial departments of the United States and of any state of the United States.” Such official acts include “relevant legislative history.” (*United*

Teachers of Los Angeles v. Los Angeles Unified School Dist. (2012) 54 Cal.4th 504, 528.)

California courts have taken judicial notice of the same types of legislative and regulatory documents that are the subject of this motion. (See *Jensen v. BMW of North America, Inc.* (1995) 35 Cal.App.4th 112, 138 [considering analysis by Assembly Committee on Labor and Employment, similar to Exhibit A to the Evangelis Declaration]; *Boehm & Associates v. Workers' Comp. Appeals Bd.* (2003) 108 Cal.App.4th 137, 146 [considering analysis by Senate Judiciary Committee, similar to Exhibit B to the Evangelis Declaration]; *California School of Culinary Arts v. Lujan* (2003) 112 Cal.App.4th 16, 26-27 [considering meeting minutes and other administrative records of Industrial Welfare Commission, similar to Exhibits C through F of the Evangelis Declaration].)

Finally, none of the materials to be noticed relates to proceedings that have occurred after the orders and judgments that are the subject of this appeal. (See Cal. Rules of Court, rule 8.252(a)(2)(C)). The earliest order at issue here is the trial court's 2009 order granting class certification, but the materials to be noticed do not relate to any proceedings that took place after 2000.


III. CONCLUSION

For the foregoing reasons, ABM respectfully requests that the Court grant its Motion for Judicial Notice.

DATED: August 31, 2015

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By:  ¹¹⁰²⁰

Theodore J. Boutrous, Jr.

Attorneys for Defendant and Appellant
ABM Security Services, Inc.

DECLARATION OF THEANE EVANGELIS

I, Theane Evangelis declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and am a partner in the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for Defendant-Appellant ABM Security Services, Inc. (“ABM”). I have personal knowledge of the facts stated herein unless indicated otherwise, and, if called as a witness, I could and would testify competently thereto. I make this declaration in support of ABM’s Motion for Judicial Notice.

2. I am informed and believe that attorneys at my firm retained Legislative Intent Service, Inc. (“LIS”) to obtain the legislative history for Assembly Bill No. 2509. Exhibits A and B are true and correct copies of relevant portions of the legislative history provided by LIS in the form provided by LIS.

3. Attached hereto as Exhibit A is a true and correct copy of the relevant portion of the Assembly Committee on Labor and Employment’s analysis of Assembly Bill 2509, as provided to my firm by LIS.

4. Attached hereto as Exhibit B is a true and correct copy of the relevant portion of the Senate Judiciary Committee’s analysis of Assembly Bill 2509, as provided to my firm by LIS.

5. I am informed and believe that attorneys from my firm further retained LIS to obtain the rulemaking file and other regulatory history relating to the 1952 revision of the Industrial Welfare Commission Order No. 4. Exhibits C and D are true and correct copies of relevant portions of the 1952 rulemaking file and other regulatory history provided by LIS in the form provided by LIS.

7. Attached hereto as Exhibit C is a true and correct copy of the Industrial Welfare Commission Order No. 4-52, as provided to my firm by LIS.

8. Attached hereto as Exhibit D is a true and correct copy of the relevant portion of the Minutes of a Meeting of the Industrial Welfare Commission of the State of California, dated May 16, 1952, as provided to my firm by LIS.

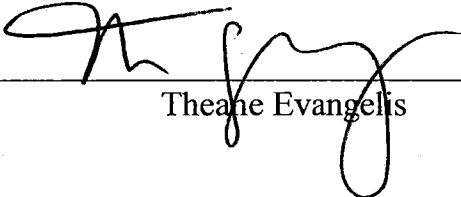
9. I am informed and believe that attorneys from my firm further retained LIS to obtain the rulemaking file and other regulatory history relating to the 2000 revision of the Industrial Welfare Commission Order No. 4. Exhibits E and F are true and correct copies of relevant portions of the 2000 rulemaking file and other regulatory history provided by LIS in the form provided by LIS.

10. Attached hereto as Exhibit F is a true and correct copy of the History of Basic Provisions in a Representative Order of the Industrial Welfare Commission, the Order Covering the Manufacturing Industry, part of the

rulemaking file for the 2000 revision of Wage Order No. 4, as provided to my firm by LIS.

11. Attached hereto as Exhibit E is a true and correct copy of the Industrial Welfare Commission's Statement as to the Basis, part of the rulemaking file for the 2000 revision of Wage Order No. 4, as provided to my firm by LIS.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on this 28th day of August, 2015, in Los Angeles, California.



Theane Evangelis

Exhibit A

Date of Hearing: April 12, 2000

ASSEMBLY COMMITTEE ON LABOR AND EMPLOYMENT

Darrell Steinberg, Chair

AB 2509 (Steinberg) – As Introduced: February 24, 2000

SUMMARY: Revises statutes relating to the administrative and civil enforcement of wage and hour laws including wage collection and enforcement procedures before the Labor Commissioner (Commissioner). Specifically, this bill:

- 1) Provides that in an administrative wage claim proceeding (Berman hearing) before the Commissioner, a notice for production of documents, which is served by mail, may be used in lieu of subpoena, which requires personal service.
- 2) Provides that the legal rate of interest on due and unpaid wages at a Berman hearing shall be at the rate established by Civil Code Section 3289(b), which is 10%.
- 3) Provides that following a Berman hearing, an employer filing an appeal shall post an undertaking in the amount of the Commissioner's final order, decision or award. Provides further that the requirement of judicial arbitration does not apply in such proceedings. Provides that in cases where the Commissioner represents the wage claimant in such proceedings, the Commissioner may be awarded attorneys fees in the same manner as private counsel representing a wage claimant.
- 4) Provides if the United States Department of Labor (Labor Department) determines that the Commissioner has erred in dismissing the complaint of an employee of unlawful retaliation, as specified, the Commissioner shall, within 15 days after receipt of the Labor Department's determination, either notify the parties of the ongoing of the investigation of the employees complaint, or shall issue a new determination in the matter.

Provides that an employee may file a civil action for unlawful retaliation, as specified, without first filing a discrimination claim before the Commissioner, and that the limitation periods for such administrative remedies do not apply in such a civil action.

- 5) Provides that the parent of and substantial shareholders in a corporation are jointly and severally liable with the corporation for unpaid wages and penalties. Defines "substantial shareholder" as provided in Labor Code section 3717, as a shareholder who owns at least 15 percent of the total value of all classes of stock, or fifteen percent of the beneficial interests in the corporation.
- 6) Provides that a successor, as defined, to an employer who owes wages to his or her former employees is liable for those wages.
- 7) Provides that in cases where wages are paid with a check for which payment is refused due to insufficient funds, the imposition of up to 30 days' waiting time penalties applies to all employers, rather than employers only in the building and construction industry.



- 8) Clarifies that Labor Code Section 1194, which provides for an award of attorneys fees for an employee in cases involving failure to pay minimum wage and overtime wages, is separate from, and not controlled by Labor Code Section 218.5, which provides for prevailing party attorneys fees in other wage cases.
- 9) Provides that the legal rate of interest on due and unpaid wages in a civil action for unpaid wages shall be established by Civil Code Section 3289(b), which is 10%.
- 10) Provides that an employer's itemized wage statement shall include, among other information, the number of piecework units earned and any applicable piece rate if paid on a piecework basis, and for non-exempt employees, the applicable hourly rates in effect during the pay period and the hourly rate of pay and hours worked, where applicable.

Clarifies that the employer shall keep specified payroll records for employees paid in cash and by check.

Provides, in the case of a knowing and intentional failure by an employer to comply with the itemized wage statement requirements, for an employee to recover a penalty of up to \$100 per payroll period up to a maximum of \$10,000. Provides that an employee may bring a complaint before the Commissioner or file a civil action for damages or penalties, and attorney's fees.

- 11) Provides that in a case where an employer fails to maintain records that identify each employee to whom wages are paid, penalties shall be computed by multiplying the number of employees employed on the date the penalty for the preceding year, unless the employer affirmatively establishes evidence that supports a lesser penalty based upon proof of a lesser number of affected employees.
- 12) Provides for penalties for an employer who violates the requirement that no employer shall require any employee to work during any meal or rest period mandated by an applicable order of the Industrial Welfare Commission (IWC). Provides for penalties of \$50 per employee per pay period and payment of an amount equal to twice the average hourly rate of compensation for the employee for the full length of the meal or rest period. Provides that an employee may bring a complaint before the Commissioner or file a civil action or for damages or penalties, and attorney's fees.
- 13) Provides that the Commissioner may order an employer to post a bond if the employer fails to satisfy a final judgment for interest, penalties and other demands for compensation within the jurisdiction of the Commissioner, as well as unpaid wages. Provides that the bond shall cover such interest, penalties, or other demands, as well as unpaid wages.
- 14) Provides that the Commissioner shall, under specified circumstances, order the employer to post a workplace notice describing the nature of a violation and related information.
- 15) Provides that any amounts paid directly by a patron to a dancer employed by an employer subject to IWC Order No. 5 or 10 shall be deemed a gratuity.



- 16) Prohibits an employer from deducting from a gratuity indicated by a patron on a credit card slip any credit card payment processing fee or cost. Requires payment of gratuities made by credit card to be made to the employees not later than the next regular payday following the date the patron authorized the credit card payment.
- 17) Provides that an employer shall maintain payroll records showing the number of piece-rate units earned by and any applicable piece rate paid to employees.
- 18) Provides that the civil penalty for an employer who willfully fails to maintain specified payroll records includes, in addition to records required by statute, records required by any applicable wage orders of the IWC. Revises the penalty for a violation of this section from \$500 to \$100 per employee for each payroll period up to a maximum period of three years.
- 19) Provides that the liquidated damages for a violation of minimum wage laws may be awarded in a hearing before the Commissioner in the same manner as a civil action under current law.
- 20) Provides that with respect to a claim for a failure to pay minimum wages, the Commissioner may, in the same proceeding, order both payment of wages owed, interest thereon, statutory liquidated damages and civil penalties.

EXISTING LAW:

- 1) Provides in a Berman hearing for documents to be obtained by subpoena served by personal service, but not a notice delivered by mail.
- 2) Establishes the rate of interest on unpaid wages a Berman hearing based on a statute which has been repealed.
- 3) Provides for the appeal to and a de novo review in court of the Commissioner's order, decision, or award following a Berman hearing.
- 4) Provides for an appeal to the Labor Department of a dismissal of an employee's complaint of unlawful discrimination.
- 5) Provides under Labor Code section 2717 for a civil action to hold substantial shareholders of a corporation without workers' compensation insurance liable for reimbursement of the Uninsured Employers Fund.
- 6) Provides under Labor Code section 2684 that in garment manufacturing, a business which is a successor to an employer who owes wages to the former employees is liable for those wages if the successor meets specified criteria.
- 7) Provides a penalty of up to 30 days' wages for an employer in the building and construction trades who intentionally pays wages with a check for which payment is refused due to insufficient funds.



- 8) Provides for an employee to recover in a civil action for a failure to pay minimum wage or overtime compensation reasonable attorney's fees, and costs of suit.
- 9) Provides under Civil Code Section 3289(b) for recovery of interest at a rate of 10% in a civil action for a breach of contract, as specified.
- 10) Provides that when wages are paid, an employer shall issue an itemized wage statement including specified information including net and gross wages earned; total hours worked; the dates of the period covered; and all deductions.

Provides, in the case of a knowing and intentional failure by an employer to comply with the itemized wage statement requirements, an employee may recover a penalty of actual damages or \$100, whichever is greater, plus costs and reasonable attorneys fees.

- 11) Provides that an employer who violates the itemized wage statement requirements is subject to a civil penalty in the amount of \$250 per employee per violation in an initial citation and \$1,000 per employee for each violation in a subsequent citation. Provides that the Commissioner shall take into consideration whether the violation was inadvertent, and may decide not to penalize an employer for a first violation when that violation was due to a clerical error or inadvertent mistake.
- 12) Provides, under Wages Orders of the IWC for meal periods and rest periods. Provide under the Wage Orders for an "on duty" meal period when the nature of the work prevents an employee from being relieved of all duty and when by written agreement between the parties an on-the-job paid meal period is agreed to.
- 13) Provides that the Commissioner may order an employer to post a bond to ensure future payment of wages in cases where the employer has failed to satisfy a final judgment for nonpayment of wages.
- 14) Provides for employers to post specified information including applicable wage orders of the IWC, information on safety and health, harassment and discrimination in employment, and rights under the Family and Medical Leave Act.
- 15) Defines "gratuity" to mean any tip, gratuity, money or part thereof, which has been paid or given to or left for an employee by a patron of a business over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the patron.
- 16) Provides that no employer shall collect, take or receive any gratuity or part thereof paid, given or left for an employee by a patron, or deduct any amount from wages due an employee on account of such gratuity. Provides that this prohibition does not apply under specified circumstances.
- 17) Requires an employer to keep payroll records containing specified information including the names, addresses and hours worked daily by employees.
- 18) Provides a civil penalty of \$500 for an employer who fails to keep specified payroll records.



- 19) Provides that the liquidated damages in an amount equal to the wages unlawfully unpaid and interest thereon for a violation of minimum wage laws may be awarded in a civil action.
- 20) Provides for the Commissioner to issue a civil penalty citation of \$50 for an initial violation of minimum wages and \$250 for subsequent violations, and establishes a proceeding to contest such a penalty citation.

Provides for the Commissioner to order payment of minimum wages owed to an employee in a separate proceeding before the Commissioner under Labor Code section 98.

FISCAL EFFECT: Unknown

COMMENTS:

- 1) Current statutes, regulations, and wage orders of the IWC establish requirements for the payment of wages including minimum wages and overtime, hours of work, and a framework of administrative and civil remedies for violations of wage and hour laws. This bill revises the administrative and civil procedures, remedies and record keeping requirements for the stated purpose of strengthening enforcement of existing wage and hour standards. It does not increase minimum wages or revise overtime requirements.
- 2) Revisions in the administrative procedures for wage claims before the Commissioner and appeals of the Commissioner's decision include:
 - a) Allowing records to be obtained through a notice, rather than a subpoena. A subpoena, which is allowed under current law requires personal service. A notice may be mailed.
 - b) Allowing the commissioner to combine two separate proceedings established under current law, one for payment of minimum wages owed, and another for civil penalties for failure to pay minimum wage, into a single proceeding.
 - c) Providing that the Commissioner may award liquidated damages for a minimum wage violation instead of requiring the Commissioner or employee to file a civil suit to recover such damages. Under current law such damages may be recovered in a civil action by the Commissioner or the wage claimant, but not in an administrative hearing before the Commissioner.
 - d) Establishing the rate of interest on unpaid wages at 10% in both administrative and civil court cases. Current law cites a repealed section and is confusing.
 - e) Requiring an employer appealing a Commissioner's order following a hearing to post an undertaking and waiving the requirement for judicial arbitration in such cases. The judicial arbitration hearing may be viewed as redundant to the Berman hearing in these cases.
- 3) Revisions related to wage and payroll records include:



- a) Providing that itemized wage statements and central payroll records include piece rate and hourly pay rate information for piece rate and hourly workers.
 - b) Increasing the penalties for violation of itemized wage statement and central payroll records requirements.
 - c) Shifting the burden of proof concerning the number of workers at an establishment where payroll records are missing.
- 4) Revisions related to penalties for violations of other wage and hour standards include:
- a) Applying penalties for intentional issuance of a bad (insufficient funds) payroll check applies to all employers rather than construction employers only. Under current law, the penalty is limited to construction employers.
 - b) Requiring an employer determined by the Commissioner to have engaged in a pattern and practice of wage law violations to post a workplace notice of findings and the Commissioner's telephone number to report further violations.
- 5) Revisions for the purpose of clarifying existing law include:
- a) Clarifying that an employee may bring a civil action for unlawful retaliation without exhausting administrative remedies, as specified, with the Commissioner.
 - b) Clarifying that Labor Code Section 1194, which provides for an award of attorneys fees for an employee in cases involving failure to pay minimum wage and overtime wages, is separate from, and not controlled by Labor Code Section 218.5, which provides for prevailing party attorneys fees in other wage cases.
- 6) This bill also provides for unpaid wages to be collected from substantial shareholders and successor entities under specified circumstances. The substantial shareholders provision is based on substantial shareholder liability for corporations which lack workers' compensation insurance. The successor entity provision is based on the existing provision related to successor liability for unpaid wages in the garment manufacturing industry.
- 7) Last year the supporters sponsored similar legislation in AB 633 and AB 1652, which passed and were vetoed. This bill does not contain a number of controversial provisions proposed in last year's legislation. For example, it does not establish a private right of action to recover and share in a portion of the state's civil penalties for wage violations, and for minimum wage and overtime violations. It does not carry forward a proposal to establish liquidated damages for overtime violations. It does not prescribe the Commissioner's required efforts to collect wage judgements.
- 8) Supporters state that California has a large and growing "underground economy" of employers who are chronic violators of wage and hour, safety, and tax laws. Such employers pay cash under the table or with checks that bounce, fail to report and pay employment taxes,



work their employees long hours without rest breaks, and avoid paying wage judgments issued against them. They cheat workers out of billions of dollars in wages owed to them under minimum wage and overtime laws. California's underground economy supplants an estimated \$60 billion in legal business transactions. According to executive orders concerning the expanding underground economy issued by Governor's Deukmejian and Wilson, the state's loss of income taxes alone increased from \$2 billion in 1986 to \$3 billion in 1993.

They state that this bill streamlines the Commissioner process by allowing document requests by mail; by allowing the commissioner to re-open a discrimination case on remand from the Department of Labor; and providing for a "one-stop" civil penalty system where both wages and penalties can be recovered at one time; ensures that workers are provided adequate record keeping information, ensures that employers cannot easily escape wage liability, and that this bill clarifies areas of the law.

- 9) Opponents state that they have serious concerns regarding nearly all of the twenty-nine changes proposed by this bill and their impact on California's employers who even inadvertently violate a wage and hour law. These include: authorizing the Commissioner to create new, different rules of evidence and subpoenas process for wage and hour claims; eliminating judicial discretion to require non-binding arbitration on appeals; reopening of previously dismissed claims when letters criticizing a state program are filed with the U.S. Department of Labor; establishment of joint, and several liabilities for substantial shareholders, parent corporations and successors for unpaid wages and penalties; mandated private taxpayer payment of civil servant attorneys; wage and hour claims permitted in civil court prior to exhaustion of administrative remedies; new commissioner authority to assess civil damages, including liquidated damages; and new mandated payment of restitution plus civil penalties for failure to pay minimum wage consisting of all underpaid wages, any interest owed and statutory liquidated damages.

REGISTERED SUPPORT / OPPOSITION:

Support

American Federation of State, County and Municipal Employees
 California Conference Board of the Amalgamated Transit Union
 California Conference of Machinists
 California Labor Federation, AFL-CIO
 Employment Law Center, Legal Aid Society of San Francisco
 Engineers and Scientists of California
 Exotic Dancers Alliance
 Hotel Employees, Restaurant Employees International Union
 Mexican American Legal Defense and Educational Fund
 Region 8 States Council of the United Food & Commercial Workers
 Service Employees International Union
 Transport Workers Union of America



Opposition

Associated General Contractors
California Chamber of Commerce
California Manufacturers and Technology Association
California Retailers Association
Civil Justice Association of California
Western Growers Association

Analysis Prepared by: Ralph Lightstone / L. & E. / (916)319-2091

LEGISLATIVE INTENT SERVICE (800) 666-1917



Exhibit B