



## eUpdate (April 2012-2)

### **DLSE Issues New Template - Written Notice to Employees**

As noted in prior Employer's Legal Advisories, as of January 1, 2012 all employers are required to provide newly-hired non-exempt employees with a written notice that includes certain payroll information and other information about the employer (both the worksite employer and any entity that directly employs the employees) and the employer's workers' compensation carrier.

The Labor Commissioner has now provided a new template (as of 4/12/12) in English at:

[http://www.dir.ca.gov/dlse/Governor\\_signs\\_Wage\\_Theft\\_Protection\\_Act\\_of\\_2011.html](http://www.dir.ca.gov/dlse/Governor_signs_Wage_Theft_Protection_Act_of_2011.html)

The template in other languages is forthcoming.

The new template is significantly easier to complete – particularly for staffing agencies and the entities who procure workers through these agencies. As before, a recruiting agency or payroll processing service is not the employer for purposes of this notice. Information regarding the type of entity (corporation, etc.) has been deleted.

For most employees there may not be a specific written agreement with regard to wages, with some exceptions, notably employees who earn commissions for which a written agreement is required by January 1, 2013.

The DLSE has specifically stated that an employer need not provide copies of this new notice to employees who have already received a notice which includes the information in the prior template. However, if there have been changes which require another notice, the updated template information must be used.

For additional assistance please contact Jeanne Flaherty at 805-499-2918 or [jflaherty@eladvisor.com](mailto:jflaherty@eladvisor.com).

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