

California Wage and Hour

PRACTICE GROUP

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.



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A UNIQUE APPROACH FOR A UNIQUE STATE

National and international employers doing business in California recognize the many issues and significant financial exposure posed by California's unique labor and employment laws. Contained in the nation's most extensive Labor Code, Industrial Welfare Commission Wage Orders, and a myriad of enabling regulations and decisions, California labor and employment law presents an area of law unto itself. Ogletree Deakins is unique among national law firms in having a wage and hour practice group dedicated specifically to California wage and hour representation and advice.

CALIFORNIA-SPECIFIC KNOWLEDGE AND EXPERIENCE

The attorneys within the California Wage and Hour Practice Group have the depth of knowledge to handle all aspects of state and federal employment law, while maintaining particular interest and experience in the application and administration of California's unique wage and hour requirements. These practice group members regularly provide advice and legal counseling on California-specific employment issues and are experienced in representing firm clients before both the courts and the various specialized administrative agencies such as the State Labor Commissioner, Employment Development Department, and the Labor and Workforce Development Agency (State Department of Labor). The group's leadership includes the former California State Acting Labor Commissioner and Deputy Secretary for Policy and Enforcement of the Labor and Workforce Development Agency. It also includes many attorneys with extensive California wage and hour class action litigation experience.

FULLY INTEGRATED APPROACH

As a fully integrated part of Ogletree Deakins' national wage and hour practice group, the California group attorneys not only look to California-specific law, but they also advise on how best to harmonize employer policies and defense strategies with the requirements of the Fair Labor Standards Act and the laws of other states and local jurisdictions in which our clients have similar business operations. Our practice group members also participate in the California Advice Group, which responds promptly to all Ogletree Deakins' attorneys, nationally, concerning any California-specific questions that their individual clients may have at any time. We also use our former state administrative policy and enforcement member experience in evaluating and participating in the ongoing legislative and regulatory processes by working with business and industry representatives in their efforts to make California a more business friendly place for employers.

This fully integrated approach to California wage and hour law makes it possible for Ogletree Deakins not only to provide a timely response to individual administrative and judicial enforcement actions, but it gives us the best platform for providing preventive advice and counseling to our clients. These protective measures range from reviewing individual employer policies and employee classifications, to company-wide wage and hour compliance audits, to management training, all with the goal of devising practical and economically sound solutions.

Ogletree Deakins' California Wage and Hour Practice Group features local attorneys experienced in the highly complex area of California state wage and hour law. Strategically located in each of Ogletree Deakins' statewide offices, these experienced attorneys are well positioned to provide knowledgeable and timely advice and representation on any California wage and hour issue.

CALIFORNIA-UNIQUE WAGE AND HOUR ISSUES

While the Fair Labor Standards Act provides the minimum “floor” for a number of wage and hour requirements, California’s statutes, Wage Orders, Regulations, and case and administrative decisions go well beyond those basic requirements in many areas, including the following:

- Overtime Requirements and Compliance Procedures
- Payroll Time Recording and Reporting Practices
- Owner, Officer, and Manager Individual Liability Exposure
- Meal and Rest Requirements and Premium Pay Obligations
- What Constitutes “Hours Worked”
- Travel Time
- Use of Company Supplied Vehicles
- Donning and Doffing
- Expense Reimbursement
- Alternative Workweek Regulations
- Vacation Accrual and Employee Vesting
- Differing Independent Contractor Requirements by State Enforcement and Tax Agencies
- Seating, Uniform Reimbursement, Temperature, and other Wage Order Actions
- Child Labor Registration and Enforcement
- Industry Specific Licensing and Registration Requirements
- Prevailing Wage Requirements for Public Works Projects and Maintenance
- Local City and County Minimum Wage and other Employment Laws
- Private Right of Action for State Civil Penalties under the Labor Code Private Attorneys General Act (PAGA)

Our group is able to advise and assist employers with compliance and litigation matters with respect to all of these areas, so that we provide full service representation to clients in connection with their California wage and hour matters.



With offices throughout the nation, the firm represents a diverse range of clients.

We operate efficiently on a national scale without compromising our commitment to service.

Ogletree Deakins is one of the nation’s largest labor and employment law firms, representing management in all types of employment-related legal matters.



CALIFORNIA REPUBLIC

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