

**ASSEMBLY BILL**

**No. 1679**

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**Introduced by Committee on Labor and Employment (Romero  
(Chair), Koretz (Vice Chair), Goldberg, and Shelley)**

February 28, 2001

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An act to amend Section 554 of the Labor Code, relating to labor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1679, as introduced, Committee on Labor and Employment. Employees' rest periods.

Existing law provides that, with specified exceptions, employees are entitled to one day's rest in 7 days of labor, and an employer may not cause his or her employees to work more than 6 days in 7. The Chief of the Division of Labor Standards Enforcement may exempt an employer or employee from these provisions when in his or her judgment hardship will result.

This bill would require an exemption from these provisions to be made with the concurrence of the Director of Industrial Relations.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 554 of the Labor Code is amended to  
2 read:

3 554. (a) Sections 551 and 552 shall not apply to any cases of  
4 emergency nor to work performed in the protection of life or  
5 property from loss or destruction, nor to any common carrier  
6 engaged in or connected with the movement of trains. This

1 chapter, with the exception of Section 558, shall not apply to any  
2 person employed in an agricultural occupation, as defined in Order  
3 No. 14-80 (operative January 1, 1998) of the Industrial Welfare  
4 Commission, nor shall the provisions of this chapter apply when  
5 the employer and a labor organization representing employees of  
6 the employer have entered into a valid collective bargaining  
7 agreement pursuant to Section 514. Nothing in this chapter shall  
8 be construed to prevent an accumulation of days of rest when the  
9 nature of the employment reasonably requires that the employee  
10 work seven or more consecutive days, ~~providing that if~~ in each  
11 calendar month the employee ~~receive~~ *receives* days of rest  
12 equivalent to one day's rest in seven. The requirement respecting  
13 the equivalent of one day's rest in seven shall apply,  
14 notwithstanding the other provisions of this chapter relating to  
15 collective bargaining agreements, where the employer and a labor  
16 organization representing employees of the employer have entered  
17 into a valid collective bargaining agreement respecting the hours  
18 of work of the employees, unless the agreement expressly provides  
19 otherwise.

20 (b) In addition to the exceptions ~~herein specified in subdivision~~  
21 (a), the Chief of the Division of Labor Standards Enforcement  
22 *with the concurrence of the director* may, when in his or her  
23 judgment hardship will result, exempt any employer or employees  
24 from the provisions of Sections 551 and 552.

