

ASSEMBLY BILL

No. 2099

Introduced by Assembly Member Cedillo

February 23, 2012

An act to amend Section 1199 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2099, as introduced, Cedillo. Employment: wage and hour violations.

Under existing law, every employer or other person acting either individually or as an officer, agent, or employee of another person, who requires or causes an employee to work for longer hours than those fixed or to work under conditions of labor prohibited by an order of the Industrial Welfare Commission, who pays or causes to be paid to an employee a wage less than minimum wage fixed by an order of the commission, or who violates or refuses or neglects to comply with any specified provision of the Labor Code or any order or ruling of the commission is guilty of a misdemeanor, punishable by a fine of not less than \$100 or by imprisonment for not less than 30 days, or both.

This bill would increase the fine for a violation of this provision from not less than \$100 to not less than \$250. The bill would also make technical, nonsubstantive changes.

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

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

1 SECTION 1. Section 1199 of the Labor Code is amended to
2 read:

3 1199. Every employer or other person acting either individually
4 or as an officer, agent, or employee of another person is guilty of
5 a misdemeanor ~~and is~~, punishable by a fine of not less than ~~one~~
6 ~~hundred dollars (\$100)~~ *two hundred fifty dollars (\$250)* or by
7 imprisonment for not less than 30 days, or by both, who does any
8 of the following:

- 9 (a) Requires or causes any employee to work for longer hours
10 than those fixed, or under conditions of labor prohibited by an
11 order of the commission.
- 12 (b) Pays or causes to be paid to any employee a wage less than
13 the minimum fixed by an order of the commission.
- 14 (c) Violates or refuses or neglects to comply with any provision
15 of this chapter or any order or ruling of the commission.