

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1082**

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**Introduced by Assembly Member Williams**

February 22, 2013

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~~An act relating to employment. An act to add Section 1173.5 to the Labor Code, relating to employment.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1082, as amended, Williams. ~~Employee records. Employment records: report.~~

*Existing law requires every person employing labor to provide the Industrial Welfare Commission with any report or information the commission requires to carry out its duties, including, but not limited to, records showing the names and addresses of all employees employed and the ages of all minors.*

*This bill would require an employer who employs 50 or more full-time equivalent employees to annually report to the Employment Development Department specified information relating to the average number of hours each employee worked per week in a calendar year and whether those employees were enrolled in minimum essential coverage, as defined, under an eligible employer-sponsored health care plan.*

~~The Labor Code requires employers to maintain specified records of their employees, including, but not limited to, the names and addresses of all employees employed and the ages of all minors.~~

~~This bill would state the intent of the Legislature to enact legislation to require employers to keep records of the number of hours each employee worked per week and whether the employer provided each employee with health insurance for the period of employment.~~

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

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

1     SECTION 1. Section 1173.5 is added to the Labor Code, to  
2 read:  
3     1173.5. (a) An employer who employs 50 or more full-time  
4 equivalent employees shall report to the Employment Development  
5 Department, on or before of July 1 of each year, all of the following  
6 information:  
7     (1) The employer’s name.  
8     (2) The employer’s address.  
9     (3) The number of employees employed by the employer on  
10 January 1 of the year the report is due.  
11     (4) The average number of hours each employee worked per  
12 week for the calendar year before the report is due.  
13     (5) Whether each employee described in paragraph (4) was  
14 enrolled in minimum essential coverage under an eligible  
15 employer-sponsored health care plan.  
16     (b) The report due on or before July 1, 2014, shall include the  
17 information required by subdivision (a) for the calendar years  
18 2013 and 2014.  
19     (c) For purposes of this section, the following terms shall have  
20 the following meanings:  
21     (1) “Employer” shall include any subsidiaries at all locations  
22 within the state.  
23     (2) “Minimum essential coverage” shall have the same meaning  
24 as the term is defined under subsection (f) of Section 5000A of  
25 Chapter 48 of Subtitle D of Title 26 of the United States Code.  
26     (d) Notwithstanding Section 1199, a violation of this section is  
27 not a misdemeanor.  
28     ~~SECTION 1. It is the intent of the Legislature to enact~~  
29 ~~legislation to require employers to keep records of the number of~~  
30 ~~hours each employee worked per week and whether the employer~~  
31 ~~provided each employee with health insurance for the period of~~  
32 ~~employment.~~

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