

Assembly Bill No. 2743

Passed the Assembly May 1, 2014

Chief Clerk of the Assembly

Passed the Senate August 4, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 203 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2743, Committee on Labor and Employment. Employment: wages.

Existing law authorizes specified employees working in the entertainment industry and their employers to enter into a collective bargaining agreement to establish a time limit for payment of wages after an employee is discharged or laid off.

Existing law imposes civil penalties on an employer who willfully fails to pay wages, in accordance with specified provisions, for an employee who is discharged or who quits. Existing law authorizes civil action for those penalties.

This bill would apply the civil penalty and suit provision to the violation of a time limit for payment of wages established pursuant to that collective bargaining agreement provision.

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

SECTION 1. Section 203 of the Labor Code is amended to read:

203. (a) If an employer willfully fails to pay, without abatement or reduction, in accordance with Sections 201, 201.3, 201.5, 201.9, 202, and 205.5, any wages of an employee who is discharged or who quits, the wages of the employee shall continue as a penalty from the due date thereof at the same rate until paid or until an action therefor is commenced; but the wages shall not continue for more than 30 days. An employee who secretes or absents himself or herself to avoid payment to him or her, or who refuses to receive the payment when fully tendered to him or her, including any penalty then accrued under this section, is not entitled to any benefit under this section for the time during which he or she so avoids payment.

(b) Suit may be filed for these penalties at any time before the expiration of the statute of limitations on an action for the wages from which the penalties arise.

Approved _____, 2014

Governor