

**Legal Alert: New Laws for California Affecting Temporary Service
Employers and Telephone and Video Providers
Governor Approves SB 940 and AB 2232**

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Senate Bill 940.

Effective January 1, 2009, Senate Bill 940 creates new wage and hour requirements for temporary service employers. Along with adding section 210.3 to the Labor Code, SB 940 also amends sections 203, 203.1, 204, 210, 215, 220, and 2699.5 of the Labor Code. Existing law requires that employers pay their employees twice during each calendar month. SB 940 creates a special set of requirements for temporary service employers with employees' working week-to-week or day-to-day. Employees on week-to-week assignments are now required to be paid weekly, while employees working day-to-day must be paid daily. Further, employees assigned to clients engaged in a trade dispute must be paid daily. These new requirements do not apply to employees who are assigned to a client for more than 90 consecutive calendar days.

Because existing law imposes civil and criminal penalties for wage violations, SB 940 also creates state-mandated local programs to enforce these existing civil and criminal penalties for violations of the new temporary employee wage requirements.

Assembly Bill 2232.

The Digital Infrastructure and Video Competition Act of 2006 governs telephone corporations and video providers, such as cable companies, in the State of California. Under existing law, telephone corporations are required to perform background checks for all applicants for employment who would have access to the corporation's network, central office, or subscriber premises.

Effective January 1, 2009, AB 2232 expands the current law to require video providers to perform the same background checks for all applicants for employment who would have access to the video provider's network, central office, or subscriber premises. This requirement is also applicable to vendors and independent contractors working on behalf of telephone corporations and video providers.

If you have any questions about employee background checks, California wage and hour laws, or any other Labor and Employment Law issues, please feel free to contact any of the employment lawyers at Weintraub Genshlea Chediak: Lizbeth West, Charles Post, or Anthony Daye.