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## “2017 Legal Update For Employers” *And Related Topics Every Employer Needs to Know*

January, 2017

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The attached material must not be considered legal advice. The sample forms and policies are for educational purposes only. We strongly recommend that you consult with legal counsel before adopting or implementing any of the attached sample forms and policies to avoid potential liability.

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## 2017 New Bill Alert Effective January 1, 2017

This year, it appears that the California Legislature focused less on passing bills that restrict an employer's ability to manage its workforce compared to previous years. Nonetheless, there are a few bills passed this year that are worth noting. The following new laws take effect January 1, 2017 unless otherwise noted:

### Minimum wage.

California employers have to remember the following minimum wage and exemption "salary test" increases:

- State minimum wage for employers with more than 25 employees effective January 1, 2017 – \$10.50 (Senate Bill 3).
- State minimum wage for employers with 25 or less employees effective January 1, 2017 – still \$10.00 (Senate Bill 3).
- Minimum salary for employees to be exempt from overtime under state law, as of January 1, 2017 – \$43,680.00 (because of Senate Bill 3).
- Minimum salary for exempt employees working for employers subject to the federal Fair Labor Standards Act, as of December 1, 2016 – \$47,476.00, or \$913 per week (Department of Labor Final Overtime Regulations).
  - This federal regulation applies to many, but not all, California employers, and many employers in other states. Under the federal regulation *only* (not the California salary test), 10% of the salary can consist of certain non-discretionary bonuses. If you believe that your business is not subject to the FLSA, we strongly recommend that you have legal counsel review your situation to ensure that this is the case.

The cities listed below have set their own higher minimum wages, which must be paid to employees who work a specified amount of time within each city's borders for hours worked within each city's borders. Some laws have limited exceptions or delayed enforcement for small employers or some industries, for instance, nonprofit organizations or in-home care workers. Please review with your legal counsel if you have any questions about whether or not your business fits into one of these exceptions.

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- Berkeley: \$12.53 per hour on October 1, 2016; \$13.75 per hour on October 1, 2017.  
El Cerrito: \$12.25 per hour as of January 1, 2017.
- Emeryville: On July 1, 2017, \$15.20 per hour (estimated) for employers with more than 55 employees within the City, \$14.00 per hour for employers with 55 or less employees within the City.
- Los Altos: \$12.00 per hour as of January 1, 2017.
- City of Los Angeles: On July 1, 2017, \$12.00 per hour for employers with more than 25 employees within the City, \$10.50 per hour for employers with 25 or less employees within the City.
- Los Angeles County: Same schedule as Los Angeles City, applies to employees working in unincorporated areas of Los Angeles County (Marina del Rey, some parts of Calabasas, Universal City, etc.)
- Malibu: Same schedule as Los Angeles City.
- Mountain View: \$13.00 per hour as of January 1, 2017.
- Oakland: CPI-based minimum wage increase for January 1, 2017 not published yet.
- Pasadena: On July 1, 2017, \$12.00 per hour for employers with more than 25 employees within the City, \$10.50 per hour for employers with 25 or less employees within the City.
- Palo Alto: \$12.00 per hour as of January 1, 2017.
- Richmond: \$12.30 per hour as of January 1, 2017, except for some small businesses.
- San Diego: \$11.50 per hour as of January 1, 2017.
- San Francisco: \$14.00 per hour as of July 1, 2017.
- San Jose: \$10.40 per hour as of January 1, 2017.
- San Leandro: \$12.00 per hour as of July 1, 2017.
- San Mateo: \$12.00 per hour as of January 1, 2017.
- Santa Clara: \$11.10 per hour as of January 1, 2017.
- Santa Monica: On July 1, 2017, \$12.00 per hour for employers with more than 25 employees within the City, \$10.50 per hour for employers with 25 or less employees within the City.
- Sunnyvale: \$13.00 per hour as of January 1, 2017.

*This list might not be exhaustive.*

These laws typically also have posting and recordkeeping requirements that can be found on the City's website. Many localities have also passed their own paid sick leave laws that require employers to grant employees more paid sick hours than required by state law (currently three days or 24 hours per year). Local paid sick leave ordinances are often included in the minimum wage ordinances noted above.

**Wage and hour.**

SB 1063 – Amendment to the Fair Pay Act (concerning wage gaps).

This bill extends California’s Fair Pay Act to race and ethnicity, as well as gender, which was the law’s original intent. With respect to analyzing wage gaps based on race and ethnicity, the Act’s requirements will be the same as they are for gender pay differentials. Employers are now prohibited from paying different wages to people of different races, ethnicities and genders for “substantially similar work” (not necessarily the same job). “Substantially similar work” is viewed as a composite of skill, effort, and responsibility, which is performed under similar working conditions. Employers can justify pay disparities only if they are based on a system of seniority, merit, quantity or quality of production, or another genuine factor that is not sex, race or ethnicity-based. To take advantage of this exception, the burden is on the employer and must also demonstrate that the factor or factors it used to justify the wage gap are related to the specific job and are justified by a legitimate business necessity. There must be no other alternatives that would satisfy the same business necessity without resulting in a wage gap. Employers are also prohibited from retaliating against employees who report, complain about, or discuss race, ethnicity and gender-based wage differentials.

*Recommended steps to take:* Businesses should perform a pay analysis to ensure that employees in similar positions (not just the same jobs) are receiving the same wages, regardless of gender, race, or ethnicity. If wage differentials between people of different races, ethnicities, or gender are discovered and cannot be justified by the factors listed above, adjustments to those employee’s wages should be made in order to keep them equal and in line with the Act’s mandates.

AB 1676 – Another amendment to the Fair Pay Act.

This new law also amends the Fair Pay Act. The bill prohibits an employee’s own salary history, standing alone, from being used to justify *gender* wage differentials. It only applies to gender wage differentials, not ones based on race or ethnicity. It appears this restriction also forbids consideration of salary history from an employee’s former jobs.

AB 1066 – the “Phase-In Overtime for Agricultural Workers Act of 2016.”

This bill gradually repeals overtime exemptions for agricultural workers subject to Industrial Wage Order 14. The state will amend that Wage Order to reflect the new law. Currently, agricultural employees need to be paid overtime wages of one and a half times their regular rate of pay after ten hours of work in a day and for the first eight hours of work performed on the seventh day of the workweek. Agricultural employees also need to be paid double time wages after eight hours of work on the seventh day of the workweek. The new bill applies California’s standard overtime wage requirements to agricultural workers in steps, as follows:

<b>Agricultural employees must be paid one and a half times the regular rate of pay for hours worked over:</b>	<b>For companies with over 25 employees, as of:</b>	<b>For companies with 25 employees or fewer, as of:</b>
9 ½ per day and 55 per week	January 1, 2019	January 1, 2022
9 per day and 50 per week	January 1, 2020	January 1, 2023
8 ½ per day and 45 per week	January 1, 2021	January 1, 2024
8 per day and 40 per week	January 1, 2022	January 1, 2025

<b>Agricultural employees must be paid two times the regular rate of pay for hours worked over:</b>	<b>For companies with over 25 employees, as of:</b>	<b>For companies with 25 employees or fewer, as of:</b>
12 per day	January 1, 2022	January 1, 2025

The Governor can temporarily suspend these increases, based on economic conditions in the State, if the Governor has also suspended minimum wage increases in a given year.

*Steps to take:* For agricultural employers with employees subject to Wage Order 14, start planning to revise your overtime practices by 2019 to comply with scheduled changes above.

**SB 1015** – Overtime pay for personal attendants.

This bill makes permanent the previously enacted temporary changes that require overtime wages be paid to most personal attendants after nine hours of work per day, or 45 hours of work per week.

**AB 2535** – Exempt employee’s hours on wage statements.

This bill makes a small technical change to the overbearing wage statement law. Employers will no longer have to print exempt employees’ hours on wage statements, whether they are paid by salary alone, or by salary and commissions, salary and bonuses, etc. Formerly, this exception to the requirement to list hours worked applied only to exempt employees paid solely by salary.

**Hiring Practices.**

**AB 1843** – Juvenile arrest and conviction records.

This bill prohibits most employers from asking applicants about juvenile arrest, detention, or conviction records. Certain health care providers may continue to request limited information from applicants about juvenile convictions within the last five years for specified crimes, unless the records are sealed. The health care facility must provide an applicant with a list of the crimes for which it will seek juvenile records.

*Steps to take:* Revise your applications and hiring practices to omit these types of questions. Health care facilities should consult counsel to determine how to comply with the new law.

SB 1001 – Unfair immigration practices protection expanded.

This bill expands state law regarding immigration checks yet again. The bill prohibits employers from requesting more or different documents than are required under federal immigration law (I-9 checks or e-verify), refusing to honor documents that on their face reasonably appear to be genuine, refusing to honor work authorization documents based upon terms within the authorization to work, or using “unfair immigration practices” to re-verify the immigration status of current employees. In the past, this law only protected people who filed complaints with their employer or exercised rights under the Labor Code. Now, the same prohibitions apply to all employees and applicants.

The third prohibition – “refusing to honor work authorization documents based upon terms within the authorization to work”, appears to target beneficiaries of President Obama’s DACA and DAPA programs (the so-called “dreamers.”) For the fourth prohibition, applicable to current employees, “unfair immigration practices” includes refusing to honor acceptable documents, or requiring different documents than what the law requires, when performing I-9 employment verification checks, using the e-verify system in a way not explicitly authorized by federal law to check a worker’s immigration status, threatening to file or filing a false police report, and threatening to contact immigration authorities.

*Steps to take:* Revise your immigration check practices to conform to the above restrictions. Follow the I-9 Form, and if the applicant presents documents authorized by the I-9 Form that appear valid, the inquiry is over. Do not deny people employment simply because of the type of work authorization they have, as long as the work authorization is valid under current federal or state law.

AB 2337 – New hire information about the rights of victims of domestic violence.

This bill requires employers with 25 or more employees to distribute to newly hired employees information about the already existing rights of victims of domestic violence, sexual assault, or stalking, to take time off from work for medical appointments, court dates, counseling, or other commitments resulting from the domestic violence, sexual assault, or stalking. The California Labor Commissioner will develop the form by July 1, 2017, and employers do not need to comply until the state issues the form.

*Steps to take:* Start distributing the form to new hires when the state publishes it.

SB 1241 – Certain provisions in employment contracts.

This bill prohibits employers from requiring employees who primarily reside and work in California to agree, as a condition of employment, to file any lawsuits or arbitration proceedings in another state, or to agree to be subject to a different state’s law. It applies to contracts signed,

extended or modified after January 1, 2017. It does not apply if the employee was represented by an attorney while negotiating the employment contract.

*Steps to take:* Work with counsel to remove out-of-state “choice of law” and “forum selection” clauses from all new and revised employment contracts.

### **Discrimination.**

AB 488 – Discrimination against disabled employees hired pursuant to special licenses. This bill expands protections against discrimination and harassment to disabled employees hired pursuant to special licenses allowing the payment of less than minimum wage. Because of how the anti-discrimination laws were drafted, these employees used to fall outside of them.

### **Janitorial employees**

AB 1978 – Janitorial employees.

This bill requires employers of janitors who contract with others to provide janitorial services to register with the Division of Labor Standards Enforcement (“DLSE”) annually, starting July 1, 2018. These companies will also have to retain three years’ worth of records showing the following information (most of which are already required to be kept under current law): names and addresses of all employees engaged in rendering actual services; hours worked daily by each employee, including the times each employee begins and ends each work period; wage and wage rates paid each payroll period; the ages of all minor employees; and, “any other conditions of employment.” As of July 1, 2018, these employers are also mandated to distribute the State’s DFEH-185 “Sexual Harassment” pamphlet to all janitorial staff. As of January 1, 2020, these applicants will have to complete “sexual violence and harassment prevention training,” still to be developed by the DLSE.

The law authorizes monetary penalties to be assessed against janitorial companies that do not comply. Companies that contract with unregistered janitorial service companies (after July 1, 2018) can also be subject to penalties.

The law also creates liability for successor companies of janitorial service companies that owed wages to their employees, under certain conditions.

### **State-run Retirement Program**

SB 1234, passed in 2012, was reaffirmed by the legislature this year and establishes a state-run retirement investment program to which certain employees in the state can voluntarily contribute. The state is developing a package for employers that will contain more information about implementing program. We are not yet aware of when that package will be published, but we presume the program will not become operative until it is available.

Our firm is ready to assist you with understanding and implementing any of these new laws.

*Article by: Brian E. Ewing, Esq.*



## EMPLOYMENT APPLICATION

### GENERAL DATA

Last Name	First Name	Middle Name			
Have you ever used another name? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please specify for purposes of a reference check: _____ _____					
Present Address	Number	Street	City	State	Zip Code
Years at Above Address			Home Telephone Number		
			(    )		
Position Applying For					Date of Application
Full Time or Part Time			Shift or Hours Preferred		
Drivers License Number (if applicable)			Expiration Date		

If employed in the position for which you have applied, would you be in a supervisory or subordinate relationship to any relative of your household?  Yes  No

### PERSONAL DATA

Person to notify in case of an Emergency:	Name	Home Telephone Number			
		(    )			
Present Address	Number	Street	City	State	Zip Code
<i>How did you learn of this job opening?</i> <input type="checkbox"/> Advertisement <input type="checkbox"/> Friend <input type="checkbox"/> Walk-In <input type="checkbox"/> Employment Agency <input type="checkbox"/> Relative <input type="checkbox"/> Other _____					
List membership in professional organizations which you feel would enhance your application. <b>You may exclude any whose names would indicate the race, religious creed, color, national origin, or ancestry of its members.</b> _____ _____					

**WE ARE AN EQUAL OPPORTUNITY EMPLOYER**

If under 18 years of age, can you after employment, submit a work permit?  N/A  Yes  No

**SKILLS**

Typing Speed (wpm):	Shorthand (wpm):
Machines Operated:	
Other Training/Skills (include bilingual ability if relevant to the position for which you are applying:	
Branch of Military Service:	State Dates: From: To:
State relative skills acquired during military service:	

**PROFESSIONAL & TECHNICAL APPLICANTS ONLY**

Professional License Number:	Expiration Date:	Type of License:	State:
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Is there any reason why you would be unable to perform or to safely perform any of the duties of the position for which you have applied, as set forth on the job description for that position?  Yes  No

If "Yes," please explain:

\_\_\_\_\_

**EDUCATION**

	HIGH SCHOOL	COLLEGE	TRADE, PROFESSIONAL SCHOOL OR OTHER
<b>Name</b>			
<b>Address</b>			
<b>Number of Years</b>			
<b>Course or Major</b>			
<b>Diploma/Degree</b>			

## WORK EXPERIENCE

Last/Present Employer	Length of Service (Dates)		<b>Duties Performed</b>
Address	<u>Start</u>	<u>Leave</u>	
Telephone Number(s)			
Supervisor's Name and Position	Hourly Rate/Salary		
Your Job Title	<u>Starting</u>	<u>Final</u>	
Reason For Leaving			
May we contact now? <input type="checkbox"/> Yes <input type="checkbox"/> No (If still employed)			
Employer	Length of Service (Dates)		<b>Duties Performed</b>
Address	<u>Start</u>	<u>Leave</u>	
Telephone Number(s)			
Supervisor's Name and Position	Hourly Rate/Salary		
Your Job Title	<u>Starting</u>	<u>Final</u>	
Reason For Leaving			
May we contact now? <input type="checkbox"/> Yes <input type="checkbox"/> No (If still employed)			
Employer	Length of Service (Dates)		<b>Duties Performed</b>
Address	<u>Start</u>	<u>Leave</u>	
Telephone Number(s)			
Supervisor's Name and Position	Hourly Rate/Salary		
Your Job Title	<u>Starting</u>	<u>Final</u>	
Reason For Leaving			
May we contact now? <input type="checkbox"/> Yes <input type="checkbox"/> No (If still employed)			

# APPLICANT'S STATEMENT

I hereby certify that I have been informed of the duties, the hours and days of work of the position for which I am applying, and that the information on this application is correct and complete to the best of my knowledge.

I agree to have any of the statements checked by the Company unless I have indicated to the contrary. Further, I understand that falsification or omission of any material information on this application, if I receive a job offer may be considered sufficient cause for immediate termination. I agree that if employed, I will abide by all policies and procedures established by the employer.

I hereby acknowledge that my employment is "at-will," that I may resign at any time and the Company may terminate my employment at any time, with or without cause, and with or without notice, that any assurances of continued employment, whether written, oral or by conduct, shall not be interpreted as changing the nature of the employment relationship unless specifically acknowledged in writing by the President of the Company.

By: \_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

## FOR COMPANY USE ONLY

Interviewed:  Yes  No

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employed:  Yes  No Starting Date: \_\_\_\_\_

Job Title: \_\_\_\_\_ Salary: \_\_\_\_\_ Dept: \_\_\_\_\_

By: \_\_\_\_\_  
Name and Title Date

(Revised 12-20-16)



**Employment Eligibility Verification**  
**Department of Homeland Security**  
 U.S. Citizenship and Immigration Services

**USCIS**  
**Form I-9**  
 OMB No. 1615-0047  
 Expires 08/31/2019

▶ **START HERE:** Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

**ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

**Section 1. Employee Information and Attestation** *(Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)*

Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Last Names Used (if any)	
Address (Street Number and Name)			Apt. Number	City or Town		State ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number □□□□ - □□ - □□□□		Employee's E-mail Address		Employee's Telephone Number	

**I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.**

**I attest, under penalty of perjury, that I am (check one of the following boxes):**

<input type="checkbox"/> 1. A citizen of the United States	
<input type="checkbox"/> 2. A noncitizen national of the United States <i>(See instructions)</i>	
<input type="checkbox"/> 3. A lawful permanent resident (Alien Registration Number/USCIS Number): _____	
<input type="checkbox"/> 4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy): _____ Some aliens may write "N/A" in the expiration date field. <i>(See instructions)</i>	
<p><i>Aliens authorized to work must provide only one of the following document numbers to complete Form I-9:          An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.</i></p> <p>1. Alien Registration Number/USCIS Number: _____  <b>OR</b>          2. Form I-94 Admission Number: _____  <b>OR</b>          3. Foreign Passport Number: _____          Country of Issuance: _____</p>	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">           QR Code - Section 1            Do Not Write In This Space         </div>	

Signature of Employee	Today's Date (mm/dd/yyyy)
-----------------------	---------------------------

**Preparer and/or Translator Certification (check one):**  
 I did not use a preparer or translator.     A preparer(s) and/or translator(s) assisted the employee in completing Section 1.  
*(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)*

**I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.**

Signature of Preparer or Translator		Today's Date (mm/dd/yyyy)	
Last Name (Family Name)		First Name (Given Name)	
Address (Street Number and Name)		City or Town	State ZIP Code



*Employer Completes Next Page*





**Employment Eligibility Verification**  
**Department of Homeland Security**  
 U.S. Citizenship and Immigration Services

**USCIS**  
**Form I-9**  
 OMB No. 1615-0047  
 Expires 08/31/2019

**Section 2. Employer or Authorized Representative Review and Verification**

*(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")*

<b>Employee Info from Section 1</b>	Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship/Immigration Status
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List A Identity and Employment Authorization	OR	List B Identity	AND	List C Employment Authorization
Document Title		Document Title		Document Title
Issuing Authority		Issuing Authority		Issuing Authority
Document Number		Document Number		Document Number
Expiration Date (if any)(mm/dd/yyyy)		Expiration Date (if any)(mm/dd/yyyy)		Expiration Date (if any)(mm/dd/yyyy)
Document Title		<div style="border: 1px solid black; padding: 5px;">           Additional Information         </div>		<div style="border: 1px solid black; padding: 5px; text-align: center;">           QR Code - Sections 2 &amp; 3            Do Not Write In This Space         </div>
Issuing Authority				
Document Number				
Expiration Date (if any)(mm/dd/yyyy)				
Document Title				
Issuing Authority				
Document Number				
Expiration Date (if any)(mm/dd/yyyy)				

**Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.**

**The employee's first day of employment (mm/dd/yyyy):** \_\_\_\_\_ *(See instructions for exemptions)*

Signature of Employer or Authorized Representative		Today's Date(mm/dd/yyyy)	Title of Employer or Authorized Representative	
Last Name of Employer or Authorized Representative	First Name of Employer or Authorized Representative		Employer's Business or Organization Name	
Employer's Business or Organization Address (Street Number and Name)		City or Town	State	ZIP Code

**Section 3. Reverification and Rehires** *(To be completed and signed by employer or authorized representative.)*

<b>A. New Name (if applicable)</b>			<b>B. Date of Rehire (if applicable)</b>	
Last Name (Family Name)	First Name (Given Name)	Middle Initial	Date (mm/dd/yyyy)	

**C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.**

Document Title	Document Number	Expiration Date (if any) (mm/dd/yyyy)
----------------	-----------------	---------------------------------------

**I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.**

Signature of Employer or Authorized Representative	Today's Date (mm/dd/yyyy)	Name of Employer or Authorized Representative
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## LISTS OF ACCEPTABLE DOCUMENTS

### All documents must be UNEXPIRED

Employees may present one selection from List A  
or a combination of one selection from List B and one selection from List C.

<b>LIST A</b> <b>Documents that Establish Both Identity and Employment Authorization</b>	OR	<b>LIST B</b> <b>Documents that Establish Identity</b>	AND	<b>LIST C</b> <b>Documents that Establish Employment Authorization</b>
<ol style="list-style-type: none"> <li>1. U.S. Passport or U.S. Passport Card</li> <li>2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</li> <li>3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa</li> <li>4. Employment Authorization Document that contains a photograph (Form I-766)</li> <li>5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status:               <ol style="list-style-type: none"> <li>a. Foreign passport; and</li> <li>b. Form I-94 or Form I-94A that has the following:                   <ol style="list-style-type: none"> <li>(1) The same name as the passport; and</li> <li>(2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.</li> </ol> </li> </ol> </li> <li>6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI</li> </ol>	OR	<ol style="list-style-type: none"> <li>1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</li> <li>2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</li> <li>3. School ID card with a photograph</li> <li>4. Voter's registration card</li> <li>5. U.S. Military card or draft record</li> <li>6. Military dependent's ID card</li> <li>7. U.S. Coast Guard Merchant Mariner Card</li> <li>8. Native American tribal document</li> <li>9. Driver's license issued by a Canadian government authority</li> <li style="text-align: center;"><b>For persons under age 18 who are unable to present a document listed above:</b></li> <li>10. School record or report card</li> <li>11. Clinic, doctor, or hospital record</li> <li>12. Day-care or nursery school record</li> </ol>	AND	<ol style="list-style-type: none"> <li>1. A Social Security Account Number card, unless the card includes one of the following restrictions:               <ol style="list-style-type: none"> <li>(1) NOT VALID FOR EMPLOYMENT</li> <li>(2) VALID FOR WORK ONLY WITH INS AUTHORIZATION</li> <li>(3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION</li> </ol> </li> <li>2. Certification of Birth Abroad issued by the Department of State (Form FS-545)</li> <li>3. Certification of Report of Birth issued by the Department of State (Form DS-1350)</li> <li>4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal</li> <li>5. Native American tribal document</li> <li>6. U.S. Citizen ID Card (Form I-197)</li> <li>7. Identification Card for Use of Resident Citizen in the United States (Form I-179)</li> <li>8. Employment authorization document issued by the Department of Homeland Security</li> </ol>

**Examples of many of these documents appear in Part 8 of the Handbook for Employers (M-274).**

**Refer to the instructions for more information about acceptable receipts.**

## MEAL AND REST PERIOD POLICY

Employees that are scheduled to work more than five (5) hours must take a thirty (30) minute uninterrupted meal period, off the clock, no later than the end of the fifth hour of work. Employees are entitled to be relieved of all their duties and free to take care of personal matters during that time. Employees that have a six (6) hour shift may voluntarily waive the meal period if they execute a Six Hour Shift Waiver Form. Please see the Human Resource Department.

The Company provides a paid ten (10) minute rest period for every four (4) hours of work or major fraction thereof. An employee who works between three and a half (3 1/2) to six (6) hours is entitled to one (1) ten minute break, an employee who works over six (6) hours is entitled to a second ten minute break. An employee that works less than three and a half (3 1/2) hours is not entitled to receive a paid ten (10) minute rest period. Please check with your supervisor for the appropriate time to take meal and rest breaks.

Meal periods and rest periods may not be waived to leave early nor may they be consolidated for a longer break or meal period.

It is against Company policy for any employee to perform work during meal or rest periods. It is against Company policy to return to work before the end of a 30 minute meal period or ten minute rest break. It is also against Company policy for employees to work “off the clock,” that is, perform work without recording it as time worked on their timesheets.

Employees working more than ten (10) hours are entitled to a second meal period before end of the tenth hour of work, unless the employee voluntarily executes a Twelve Hour Shift Waiver Agreement and has taken the first meal period.

The undersigned acknowledges that he or she has read and understands the foregoing Meal and Rest Period Policy.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date



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Larry C. Baron  
Oscar E. Rivas

Roxana E. Verano  
Christopher L. Moriarty  
Marie D. Davis  
Brian E. Ewing  
Jennifer R. Komsky  
Rebecca L. Gombos  
Patrick E. White III

**MINIMUM WAGE INCREASES FOR CALIFORNIA  
LOS ANGELES CITY AND COUNTY**

YEAR	FEDERAL	CALIFORNIA (effective January 1)		LOS ANGELES CITY (effective July 1)		LOS ANGELES COUNTY & UNINCORPORATED AREAS OF LOS ANGELES COUNTY (effective July 1)	
		<u>26 or more</u> \$10.50	<u>25 or fewer</u> \$10.00	<u>26 or more</u> \$10.50	<u>25 or fewer</u> \$10.00	<u>26 or more</u> \$10.50	<u>25 or fewer</u>
2016	\$7.25	\$10.00		<u>26 or more</u> \$10.50	<u>25 or fewer</u> \$10.00	<u>26 or more</u> \$10.50	<u>25 or fewer</u>
2017		<u>26 or more</u> \$10.50	<u>25 or fewer</u> \$10.00	\$12.00	\$10.50	\$12.00	\$10.50
2018		\$11.00	\$10.50	\$13.25	\$12.00	\$13.25	\$12.00
2019		\$12.00	\$11.00	\$14.25	\$13.25	\$14.25	\$13.25
2020		\$13.00	\$12.00	\$15.00	\$14.25	\$15.00	\$14.25
2021		\$14.00	\$13.00		\$15.00		\$15.00
2022		\$15.00	\$14.00				

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06-22-16