**California’s New “Anti-Wage Theft” Law**

AB 469 , dubbed the “Wage Theft Prevention Act of 2011,” adds Section 2810.5 to the Labor Code and requires employers to furnish to non-exempt employees, at the time of hiring, **a notice specifying the employee’s rate or rates of pay and the basis on which the employee’s wages are to be calculated (*e.g.*, hourly, daily, piece, salary, commission or by some other method).**

The notice must include applicable overtime rates; allowances, if any, claimed as part of the minimum wage; the employer’s designated regular pay day; the name of the employer, including any fictitious names under which the business operates; and the employer’s physical and mailing addresses.

Further, the employer must notify each employee in the form of a new or amended written notice of any changes made to this information within 7 days of their implementation, unless such changes are reflected on a timely wage statement or other writing required to be provided by law.

The statute also clarifies existing law to expressly require that employers pay, in addition to applicable civil penalties, restitution to any employee who has been paid a wage less than the minimum fixed by the Industrial Welfare Commission wage orders.

**AB 469 also criminalizes certain wage violations** by providing that any employer who willfully violates specified wage statutes or orders, or who willfully fails to pay wages due under a final court judgment or final order of the Labor Commissioner is guilty of a misdemeanor.

Additionally, beginning January 1, 2012, the statute of limitations for the Division of Labor Standards Enforcement (“DLSE”) to collect statutory penalties increases from one year to three years.