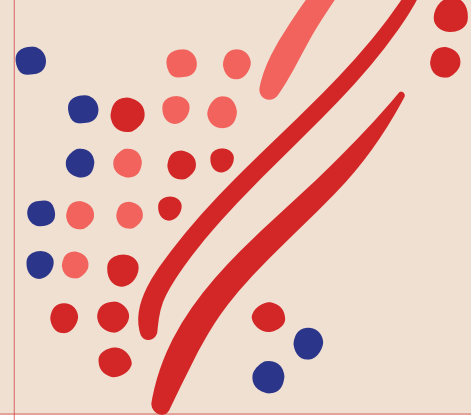


California businesses: What laws apply?



Below is a list of major employment laws in California.

Note: This list is not inclusive of all requirements and local laws are not included in this chart. Review federal, state, and local laws to determine the rules that apply to your business.

Major employment laws in California:

Law/Regulation	Employers Covered	Summary of the Law	Poster/Notice Required*
Access to Personnel Records	All	Current and former employees, or their representatives, have the right to inspect and receive a copy of their personnel records within 30 days of a written request.	N/A
Background Checks	All	Arrests: Arrest inquiries prohibited Convictions: Inquiries about minor marijuana offenses that are more than 2 years old are prohibited. Employers cannot ask about or consider an applicant's conviction history before making a conditional job offer. Salary History: Employers are prohibited from seeking an applicant's salary history, or relying on their salary history when determining whether to make a job offer or what salary to offer.	N/A
Bereavement Leave	Employers with 5 or more employees	Eligible employees are entitled to use up to five days of bereavement leave upon the death of a family member.	NA
Cal-COBRA (Health Insurance Continuation)	Employers with 2-19 employees	Permits individuals who would otherwise lose health insurance coverage to continue coverage after termination or other qualifying events.	COBRA Election Notice
CalSavers	All	Employers must either register with CalSavers or offer a qualifying employer-sponsored retirement plan	

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Law/Regulation	Employers Covered	Summary of the Law	Poster/Notice Required*
California Family Rights Act (CFRA)	Employers with 5 or more employees	Provides up to 12 weeks of unpaid leave in a 12-month period to bond with a new child; for an employee's own serious health condition; to care for a family member with a serious health condition; or because of a qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child, or parent in the Armed Forces of the United States.	Family Care & Medical Leave Poster Notice of Change in Relationship
California Privacy Rights Act	At least one employee in California and had over \$25 million in revenue globally in the previous calendar year.	Applicants and employees have the right to request that the company disclose to them the personal information collected on them and to direct the company to refrain from selling or sharing their personal information.	Covered employers must provide a CPRA notice
Civil Air Patrol Leave	Employers with 16 or more employees	Provides 10 days of unpaid leave per year to employees who are voluntary members of the California Wing of the Civil Air Patrol and are called to respond to an emergency operation.	N/A
Crime Victim's Leave	All	Provides unpaid leave for victims of a serious or violent felony (or if their family members were victims) to attend related court proceedings.	N/A
Disability Insurance	All	Provides partial wage replacement to employees who cannot work due to a nonwork related injury or illness.	Disability Insurance Provisions Pamphlet (required at the time of hire and when an employee goes on leave due to disability)
Discrimination Laws/ Fair Employment and Housing Act (FEHA)	Employers with 5 or more employees	Discrimination on the basis of the following is prohibited: national origin, creed, race, color, ancestry, religion, age, disability, medical condition, genetic information, sex, sexual orientation, gender identity, gender expression, marital status, military status, and veteran status. These protections also apply to unpaid interns, volunteers, and individuals in apprenticeship training programs.	California Law Prohibits Workplace Discrimination and Harassment Poster

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Law/Regulation	Employers Covered	Summary of the Law	Poster/Notice Required*
Domestic Violence Leave (for obtaining relief)	All	Provides a reasonable amount of leave to victims of domestic violence, sexual assault, or stalking; victims of certain crimes; and individuals whose immediate family member is deceased as the direct result of a crime. This leave may be used to obtain relief, such as a restraining order or other injunctive relief, to help ensure the health, safety, or welfare of the victim or their child.	Employers must notify employees of their rights under the law in writing. The information must be provided to new hires and to other employees upon request. The Labor Commissioner publishes a sample notice that employers may use to comply.
Domestic Violence and Other Crime Victims Leave (for medical treatment, counseling)	Employers with 25 or more employees	Provides up to 12 weeks of unpaid time off to victims of domestic violence, sexual assault, or stalking; certain crime victims; and individuals whose immediate family member is deceased as the direct result of a crime. The leave may be used to seek medical attention for injuries; obtain services from a shelter or victims' services organization; obtain mental health services; or participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.	Employers must notify employees of their rights under the law in writing. The information must be provided to new hires upon hire and to other employees upon request. The Labor Commissioner publishes a sample notice that employers may use to comply.
Earned Income Tax Credit (EITC) Notification	All	<p>Employers must notify all employees that they may be eligible for:</p> <ul style="list-style-type: none"> • Voluntary Income Tax Assistance (VITA) Program; • CalFile (a free online program for taxpayers to complete and e-file their state personal income tax returns); and • State and federal antipoverty tax credits, including the federal and state EITCs. <p>The first notice is due within one week before or after, or at the same time, that the employer provides an annual wage summary to any employee.</p> <p>Employers must also send a second notice to all employees during the month of March of the same year. This second notice may be sent electronically.</p>	Sample text provided in law.

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Law/Regulation	Employers Covered	Summary of the Law	Poster/Notice Required*
Employment Protections for Off-Duty Cannabis Use	All	California employers are prohibited from discriminating against individuals based on: <ul style="list-style-type: none"> Their use of cannabis while off the job and away from the workplace. An employer-required drug test that has found non-psychoactive cannabis metabolites in hair, blood, urine or other bodily fluids. 	N/A
Final Pay	All	Final pay, including accrued but unused paid time off, is due immediately upon termination (involuntary terminations), or within 72 hours of an employee's notice (voluntary terminations).	N/A
Injury & Illness Prevention Program (IIPP)	Employers with 10 or more employees	Establish written injury illness prevention program that includes specified components.	N/A
Literacy Assistance	Employers with 25 or more employees	Reasonable accommodation, absent undue hardship, required to help employees who request assistance enrolling in an adult literacy program.	N/A
Kin Care	All	Employers must permit employees to use half of their available sick time to care for a family member.	N/A
Lactation Accommodation	All	Reasonable break time required for nursing mothers. Employers must also provide employees with the use of a room or other location for the employee to express milk in private. It must be in close proximity to the employee's work area, shielded from view, and free from intrusion. The time must be paid when it coincides with the employee's regular breaks. If additional time is needed, it can be unpaid. Employers must also develop and implement a policy that includes certain elements.	N/A
Language Limitations	Employers with 5 or more employees	Can only implement language restrictions if it's a business necessity to ensure safe and efficient operations and where no alternative practice would accomplish the same goal.	Inform employees of time and circumstances in which restriction is in effect.
Meal Periods	All	Non-exempt employees must be provided with a bona fide meal period of at least 30 minutes for every 5 hours worked. A second meal period is required for employees who work more than 10 hours in day. Employees must be fully relieved of duties during their meal period, otherwise the time must be paid.	Applicable wage order, which includes the meal and rest period requirements.

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Organ & Bone Marrow Donation Leave	Employers with 15 or more employees	Provides up to 30 days of paid leave for organ donation and 5 days of paid leave for bone marrow donation in a one-year period. Employers must grant an employee an additional unpaid leave of absence, not exceeding 30 days in a oneyear period, for organ donation.	N/A
Paid Family Leave	All	Provides up to 6 weeks of partial wage replacement in a one-year period (up to 8 weeks beginning July 2020) for employees to: care for a child, parent, spouse or registered domestic partner, grandparent, grandchild, sibling, or parent-in-law with a serious health condition; or to bond with a newborn baby or newly adopted or foster child.	Paid Family Leave Brochure (required at time of hire and when leave is requested) Notice of Change in Relationship
Paid Sick Leave	All	Employers must provide 1 hour of paid sick leave for every 30 hours worked. Employees can use up to 5 days or 40 hours (whichever is greater) of paid sick leave per year of employment.	Paid Sick Leave Poster
Pay Transparency	All	<ul style="list-style-type: none"> Upon request, all employers must: <ul style="list-style-type: none"> Provide an employee with the pay scale for their current position; and Provide an applicant with the pay scale for the position for which they applied. All employers must retain records of a job title and wage rate history for each employee. The records must be kept for the duration of employment plus three years after the end of the employment. An employer with 15 or more employees must include the pay scale for a position in any job posting. If the employer engages a third party to announce, post or publish a job posting, the employer must provide the pay scale to the third party. The third party is required to include the pay scale in the job posting. 	
Pregnancy Disability Leave and Reasonable Accommodations	Employers with 5 or more employees	Provides up to 4 months of unpaid leave when an employee is unable to perform the essential functions of the job due to pregnancy or related medical conditions. Employers must also provide reasonable accommodations to employees affected by pregnancy.	Pregnancy Disability Leave Poster Notice of Change in Relationship

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Reproductive Loss Leave	Employers with 5 or more employees	Under the law, covered employers must grant a request by any covered employee to take up to five days of reproductive loss leave following a covered reproductive loss event.	NA
Rest and Recovery Periods	All	Non-exempt employees must be provided with a 10-minute (paid) rest break for every 4 hours (or major fraction thereof) worked. Employees who work outside must be permitted to take a cool-down rest in the shade for at least 5 minutes when they feel the need to do so to protect themselves from overheating.	Applicable wage order, which includes the meal and rest period requirements
Small Necessities Leave (School Activities)	Employers with 25 or more employees	Provides unpaid time off to attend child's school or daycare-related activities; up to 8 hours per month or 40 hours per year.	N/A
Small Necessities Leave (School Conferences)	All	Provides unpaid time off to attend disciplinary meetings at child's school or day care.	N/A
Sexual Harassment	All	Prohibits sexual harassment in the workplace and requires employers to take reasonable steps to prevent sexual harassment.	California Law Prohibits Workplace Discrimination and Harassment Poster Transgender Rights in the Workplace Notice
Anti-Harassment Training	Employers with 5 or more employees	Requires employers to provide at least two hours of sexual harassment training to all supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees within six months.	N/A
Spousal Military Leave	Employers with 25 or more employees	Provides 10 days of unpaid leave when employee's spouse is on leave from deployment during period of military conflict.	N/A
Time off to Vote	All	Employees must be provided with 2 hours of paid time off to vote in a state-wide election if sufficient time is not available outside of work hours. Employers are prohibited from requiring or requesting that an employee bring their vote-by-mail ballot to work or complete their vote-by-mail ballot at work.	10 days before a statewide election, employers must post an employee notice of rights and responsibilities.
Time off for Voluntary Drug or Alcohol Rehabilitation	Employers with 25 or more employees	Unpaid time off for employees voluntarily entering and participating in drug or alcohol rehabilitation for duration of program, absent undue hardship.	N/A

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Law/Regulation	Employers Covered	Summary of the Law	Poster/Notice Required*
Unemployment Compensation	All	Provides temporary income to eligible unemployed workers.	Notice of Change in Relationship
Volunteer Civil Service	All	Prohibits discrimination against employees who take time off to perform emergency duty as a peace officer, emergency rescue personnel, or volunteer firefighter.	N/A
Volunteer Firefighter Training	Employers with 50 or more employees	Provides up to 14 calendar days per year of unpaid time off for volunteer firefighters to undergo required fire or law enforcement training.	N/A
Cal-WARN Act	Employers with 75 or more employees	Must provide 60 days advance notice of mass layoffs or plant closings.	Provide notice of affected positions, whether action is temporary or permanent, when terminations will begin and schedule, and a company contact.
Wage Orders	All	Govern wages, hours and working conditions for various occupations, trades, and industries.	Seventeen IWC wage orders (post the appropriate wage order(s) for your company)
Wage Theft Prevention	All	Requires employers to provide each nonexempt employee with specified wage information at the time of hire and within 7 days of any change in pay.	Wage Theft Prevention Notice (required at time of hire)
Workers' Compensation	All	Provides wage replacement benefits for workrelated injuries or illnesses.	Workers' Compensation Poster Workers' Compensation Time of Hire Packet
Workplace violence prevention	Employers with 10 or more employees at the workplace.	Employers must implement an effective workplace violence prevention plan that contains certain elements, including training.	NA

* A list of required postings and notices is available in the [State and Federal Resources](#) area of the website.

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